



Brussels, 31 October 2023
(OR. en)

14501/23

Interinstitutional File:
2022/0132/A(COD)

CODEC 1950
VISA 210
FRONT 330
MIGR 349
COMIX 477

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EC) No 767/2008, (EC) No 810/2009 and (EU) 2017/2226 of the European Parliament and of the Council, Council Regulations (EC) No 693/2003 and (EC) No 694/2003 and Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure (first reading) - Adoption of the legislative act

1. On 27 April 2022 the Commission submitted its proposal¹, based on Articles 77(2), point (a) and 79(2), point (a) TFEU, to the Council.
2. The European Data Protection Supervisor delivered its opinion on 21 June 2022².
3. The European Economic and Social Committee delivered its opinion on 26 October 2022³.
4. On 18 October 2023 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁴.

¹ 8568/22 + ADD1 to ADD3

² OJ C 277, 19.7.2022, p. 7

³ OJ C 75, 28.2.2023, p. 150

⁴ 14238/23

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council^{5 6} approve the European Parliament's position, as set out in PE-CONS 41/23, as an "A" item at a forthcoming meeting.
6. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.

⁵ In accordance with Articles 1 and 2 of the Protocol No 22 on the Position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen *acquis*, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it in its national law.

⁶ This Regulation constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part in accordance with Council Decision 2002/192/EC; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.