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'I' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the False and Authentic Documents Online (FADO) system and repealing Council Joint Action 98/700/JHA (**first reading**)
- Decision to use the written procedure for the adoption of the legislative act

1. On 12 September 2018 the Commission sent its proposal¹, based on Article 77(2) and Article 79(2) TFEU², to the Council.
2. The European Economic and Social Committee delivered its opinion on 12 December 2018³.
3. The Committee of the Regions delivered its opinion on 6 February 2019⁴.
4. On 13 February 2020 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 Council⁵.

¹ 12143/18.

² In accordance with Articles 1 and 2 of the Protocol No 22, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

³ OJ C 110, 22.3.2019, p. 62.

⁴ OJ C 168, 16.5.2019, p. 74.

⁵ 5800/20.

5. Originally planned to be adopted by Council on 13 March 2020 and given the need to publish the act in the *Official Journal* by Monday, 6 April, it will only be possible to adopt the Regulation via the written procedure, which would be launched on **Wednesday, 18 March 2020 at 16.00** and would end on **Friday, 20 March 2020 at 10.00**.
6. The Permanent Representatives Committee is asked to agree to the use of the written procedure for the adoption of the Regulation as set out in PE- CONS 97/19.