



Council of the
European Union

184207/EU XXVII. GP
Eingelangt am 15/05/24

Brussels, 3 May 2024
(OR. en)

9031/24

Interinstitutional File:
2021/0046(COD)

CODEC 1131
FRONT 131
IXIM 116
VISA 58
SIRIS 24
COPEN 197
DATAPROTECT 182

'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 (EU) 2019/816 and (EU) 2019/818 for the purpose of introducing the screening of third-country nationals at the external borders (first reading) - Adoption of the legislative act

1. On 2 March 2021 the Commission submitted its proposal¹, based on Articles 16(2), 74, 78(2) point (e), 79(2) point (c), 82(1), second subparagraph, point (d), 85(1), 87(2) point (a) and 88(2) TFEU, to the Council.
2. On 10 April 2024 the European Parliament adopted its position at first reading on the Commission proposal². The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.

¹ 6942/21.
² 8593/24.

3. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council^{3 4} approve the European Parliament's position, as set out in PE-CONS 22/24, as an "A" item at a forthcoming meeting, with Hungary and Poland voting against and the Czech Republic and Slovakia abstaining.
4. The statements for the minutes of the Council meeting are set out in the Addendum to this note.
5. 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*.

³ In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the Treaty on the Functioning of the European Union (TFEU), Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

⁴ In accordance with Articles 1 and 2 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.