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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2016/797 and Directive (EU) 2016/798, as regards the extension of their transposition period (first reading) - Decision to use the written procedure for the adoption of the legislative act - Decision to derogate from the 8-week period provided for in Article 4 of Protocol 1 to the TFEU on the role of national parliaments in the EU

1. On 29 April 2020 the Commission sent its proposal¹, based on Article 91(1) TFEU, to the Council.
2. The European Economic and Social Committee has been consulted and is set to reply shortly.
3. The Committee of the Regions has been consulted and is set to reply shortly.
4. The European Parliament will adopt its position at first reading on the Commission proposal at its plenary on 13-16 May 2020.

¹ 7645/20.

5. Given the urgency entailed by the exceptional circumstances justifying the proposed measures, it will only be possible to adopt the Directive via the written procedure.
6. In view of the above, the Permanent Representatives Committee is invited to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/556², that the Council uses the written procedure:
- for the adoption of the draft Directive of the European Parliament and of the Council amending Directive (EU) 2016/797 and Directive (EU) 2016/798, as regards the extension of their transposition period, as set out in document PE- CONS 14/20³; and
 - to derogate, on the basis of the second subparagraph of Article 3(3) of the Council's Rules of Procedure, from the eight-week period referred to in the first subparagraph of that Article.
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² Council Decision (EU) 2020/556 of 21 April 2020 extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430 in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 128I, 23.4.2020, p. 1).

³ PE-CONS 14/20 will be available in due time.