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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 on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC **(first reading)**
- Decision to use the written procedure for the adoption of the Council's position at first reading and of the statement of the Council's reasons

1. On 12 April 2018 the Commission sent its proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 19 September 2018².
3. The Committee of the Regions delivered its opinion on 10 October 2018³.
4. The European Parliament adopted its position at first reading on 26 March 2019⁴.

¹ 7877/18.

² OJ C 440_ 6.12.2018, p. 66.

³ OJ C 461, 21.12.2018, p. 232.

⁴ 7714/19.

5. On 21 September 2020, the Council reached a political agreement on the Council's position at first reading on the above draft Directive⁵.
 6. Due to the special circumstances, 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 (EU) 2020/1253⁶, that the Council uses the written procedure for the adoption of its position at first reading on the draft Directive of the European Parliament and of the Council on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC, as set out the document 9573/20 and the Statement of reasons, as set out in document 9573/20 ADD1.
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⁵ In accordance with the letter of 7 July 2020 sent by the Chair of the European Parliament's Committee on Legal Affairs to the Chair of COREPER, the European Parliament should, at second reading, approve the Council's position at first reading without amendment.

⁶ Council Decision (EU) 2020/1253 of 4 September 2020 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, and extended by Decisions (EU) 2020/556, (EU) 2020/702 and (EU) 2020/970, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 294, 8.9.2020, p. 1–2).