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**2020/0251(COD)**

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### 'I' ITEM NOTE

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

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Subject: Draft Regulation of the European Parliament and of the Council amending Regulation (EU) No 168/2013 as regards specific measures on L-category end-of-series vehicles in response to the COVID-19 pandemic (**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 on the role of national parliaments in the EU

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1. On 7 September 2020 the Commission sent its proposal<sup>1</sup>, based on Articles 114 TFEU, to the Council.
2. The European Economic and Social Committee has been consulted and is set to reply shortly.
3. On 20 October 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 Council<sup>2</sup>.

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<sup>1</sup> 10550/20.

<sup>2</sup> 12137/20.

4. Given the urgency entailed by the exceptional circumstances justifying the proposed measures, it will only be possible to adopt the Regulation by written procedure.
5. 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 (EU) 2020/1253<sup>3</sup>, that the Council uses the written procedure:
  - for the adoption of the draft Regulation of the European Parliament and of the Council amending Regulation (EU) No 168/2013 as regards specific measures on L-category end-of-series vehicles in response to the COVID-19 pandemic, as set out in document PE- CONS 39/20; 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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<sup>3</sup> 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).