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INFORMATION NOTE

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

Subject: **ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING**
Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States
- Outcome of the European Parliament's second reading
(Brussels, 14 to 18 December 2020)

I. VOTE

On 16 December 2020, the President of the European Parliament declared the Council's position¹ at first reading approved without amendments.

The text of the European Parliament's legislative resolution is annexed to this note.

¹ ST 9980/20 REV 1.

II. ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING

Since the European Parliament has approved the Council's position at first reading without amendments, the act in question is deemed to have been adopted in the wording which corresponds to the Council's position at first reading, as provided for in Article 294(7)(a) of the TFEU.

After signature by the President of the European Parliament, the President of the Council and the Secretaries-General of the two Institutions, the act will be published in the *Official Journal* of the European Union.

Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in Member States *II**

European Parliament legislative resolution of 16 December 2020 on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on a general regime of conditionality for the protection of the Union budget (09980/1/2020 – C9-0407/2020 – 2018/0136(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (09980/1/2020 – C9-0407/2020),
- having regard to the opinion of the Court of Auditors of 17 August 2018²,
- having regard to the opinion of the Commission (COM(2020)0843),
- having regard to its position at first reading³ on the Commission proposal to Parliament and the Council (COM(2018)0324),
- having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
- having regard to the provisional agreement approved by the committees responsible under Rule 74(4) of its Rules of Procedure,
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on Budgets and the Committee on Budgetary Control (A9-0262/2020),

² OJ C 291, 17.8.2018, p. 1.

³ Texts adopted of 4.4.2019, P8_TA(2019)0349.

1. Approves the Council position at first reading;
2. Approves the joint statement by Parliament, the Council and the Commission annexed to this resolution;
3. Takes note of the Commission statement annexed to this resolution;
4. Notes that the act is adopted in accordance with the Council position;
5. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
6. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
7. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

ANNEX TO THE LEGISLATIVE RESOLUTION

Joint statement by Parliament, the Council and the Commission

Without prejudice to the Commission's right of initiative, the European Parliament, the Council and Commission agree to consider including the content of this Regulation into Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 (the "Financial Regulation") upon its next revision.

Commission statement

The Commission agrees to consider accompanying the report to the European Parliament and the Council on the application of this Regulation by appropriate proposals where necessary.
