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'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 Regulation (EU) 2023/1542 as regards obligations of economic operators concerning battery due diligence policies (first reading) - Adoption of the legislative act - Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national Parliaments in the EU

1. On 21 May 2025 the Commission submitted its proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 18 June 2025².

¹ 9332/25.

² Not yet published in the *Official Journal*.

3. On 10 July 2025 the European Parliament adopted its position at first reading by taking over the Commission proposal after legal linguistic revision³. The outcome of voting in the European Parliament should, therefore, be acceptable to the Council as it corresponds to the mandate⁴ given by the Permanent Representatives Committee to the Presidency on 19 June 2025 with a view to reaching an agreement at first reading with the European Parliament on the proposal.
4. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council:
 - approve the European Parliament's position as set out in **PE-CONS 28/25** as an "A" item at a forthcoming meeting;
 - 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, in view of the urgency of the matter as set out in the preamble of the legislative act.
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 11291/25.

⁴ 10221/25.