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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 (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air **(third reading)**
- Adoption of the legislative act

1. On 13 March 2013, the Commission submitted its proposal¹, based on Article 100(2) of the TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 11 July 2013².
3. The Committee of the Regions was consulted and decided not to issue an opinion.
4. On 5 February 2014, the European Parliament adopted its position at first reading³ on the Commission proposal.
5. On 29 September 2025, the Council adopted its position at first reading⁴.

¹ 7615/13 + ADD 1-2.

² OJ C 327, 12.11.2013, p. 115.

³ 5941/14.

⁴ 10015/1/25 REV 1 + ADD 1.

6. On 21 January 2026, the European Parliament adopted 243 amendments⁵ to the Council position at first reading. These amendments were transmitted to the Council on 9 March 2026.
7. On 12 March 2026, the Commission submitted its opinion⁶ on the European Parliament's amendments, in accordance with Article 294(7)(c) of the TFEU.
8. On 24 March 2026, the Council decided not to approve the European Parliament's amendments to the Council's position at first reading. The President of the Council, in agreement with the President of the European Parliament, convened a meeting of the Conciliation Committee in accordance with Article 294(8)(b) of the TFEU.
9. The Conciliation Committee met on 20 April and 2 June 2026. On 15 June 2026, the co-Chairs of the Conciliation Committee confirmed to the President of the European Parliament and the President of the Council that the Committee approved a joint text.
10. On 7 July 2026, the European Parliament will adopt its position at third reading.
11. The Permanent Representatives Committee is therefore asked to suggest that the Council adopt the Regulation in accordance with the joint text as set out in PE-CONS 39/1/26 REV 1 as an "A" item at a forthcoming meeting, with Spain and Latvia voting against and Austria and Finland abstaining, in accordance with Article 294(13) of the TFEU.
12. The statements for the minutes of the Council meeting are set out in the Addendum to this note.
13. If the legislative act is adopted, after being signed by the Presidents of the European Parliament and of the Council, it will be published in the *Official Journal of the European Union*.

⁵ 7162/26.

⁶ 7297/26.