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**'I' ITEM NOTE**

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
No. Cion doc.:	8512/23 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down measures to strengthen solidarity and capacities in the Union to detect, prepare for and respond to cybersecurity threats and incidents - <i>Optional consultation of the Committee of the Regions</i>

1. On 18 April 2023, the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council laying down measures to strengthen solidarity and capacities in the Union to detect, prepare for and respond to cybersecurity threats and incidents<sup>1</sup>.
2. In its proposal, the Commission suggests that the Committee of the Regions be consulted on an optional basis.
3. Articles 173(3) and 322(1) of the Treaty on the Functioning of the European Union, on which the proposal is based, do not require the opinion of the Committee of the Regions.<sup>2</sup>

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<sup>1</sup> 8512/23 + ADD 1.

<sup>2</sup> The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

4. The proposal aims at reinforcing the EU's solidarity and capacities in the Union to detect, prepare for and effectively respond to cybersecurity threats and incidents. Given the subject matter of the proposal and in particular the fact that cybersecurity threats and incidents affect local and regional authorities, it is considered appropriate to consult the Committee of the Regions on an optional basis.
  5. The Permanent Representatives Committee is therefore invited to decide, in accordance with Articles 304 and 307 of the Treaty on the Functioning of the European Union and Article 19(7)(h) of the Council's Rules of Procedure<sup>3</sup>, to consult the Committee of the Regions on the above proposal and to request it to give its opinion as soon as possible.
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<sup>3</sup> Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure, OJ L 325, 11/12/2009, p. 35.