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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Draft Regulation of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1621 and (EU) 2017/2226 - Decision to use the written procedure for the adoption of the legislative act

1. On 16 November 2016, the Commission sent the above proposal¹, based on Article 77(2), Article 87(2) and Article 88(2) TFEU, to the Council²³⁴.
2. The European Economic and Social Committee delivered its opinion on 26 April 2017⁵.

¹ 14082/16.

² In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

³ In accordance with Council Decision 2000/365/EC, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

⁴ In accordance with Council Decision 2002/192/EC, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

⁵ JO C/2017/246/28.

3. The European Parliament adopted its position at first reading on the Commission proposal on 5 July 2018. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁶.
 4. Given the need to sign the act during the September plenary, it will only be possible to adopt the Regulation via the written procedure, which would be launched on **Monday 3 September 2018 at 9.00** and would end on **Wednesday 5 September at 12.00**.
 5. The Permanent Representatives Committee is asked to agree to the use of the written procedure for the adoption of the Regulation as set out in PE-CONS 21/18⁷.
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⁶ 10535/18.

⁷ Not yet available.