



Brussels, 14 July 2023
(OR. en)

11793/23

Interinstitutional File:
2021/0223(COD)

CODEC 1358
TRANS 309
CLIMA 352
ECOFIN 769
AVIATION 137
MAR 97
ENV 844
ENER 443
IND 388
COMPET 757

'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 on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU (first reading) - Adoption of the legislative act

1. On 14 July 2021 the Commission submitted its proposal¹, based on Article 91 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 9 December 2021².
3. The Committee of the Regions delivered its opinion on 26 January 2022³.

¹ Docs 10877/21 + ADD 1 to 7 + ADD 2 REV 1.

² OJ C 152, 6.4.2022, p. 138.

³ OJ C 270, 13.7.2022, p. 38.

4. On 11 July 2023 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁴.
5. 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 25/23, as an "A" item at a forthcoming meeting, with Poland and Romania voting against and Italy and Latvia abstaining.
6. Should there be no Council meeting with quorum before 26 July 2023, the Permanent Representatives Committee is invited to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure, that the Council uses the written procedure for the adoption of Regulation of the European Parliament and of the Council on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU as set out in PE-CONS 25/23.
7. The statements for the minutes of the Council meeting are set out in the Addendum to this note.
8. 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*.

⁴ Doc. 11454/23.