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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: Proposal for a Directive of the European Parliament and of the Council on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union **(first reading)**
- Adoption of the legislative act **(LA + S)**

1. On 12 June 2013, the Commission sent the above proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 16 October 2013².
3. In accordance with the provisions of the Joint Declaration on practical arrangements for the codecision procedure³, informal contacts were initiated between the Council, the European Parliament and the Commission with the aim of reaching agreement at first reading.
4. The European Parliament adopted its position at first reading on the Commission proposal on 17 April 2014. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁴.

¹ 11381/13.

² OJ C 67, 6.3.2014, p. 83.

³ OJ C 145, 30.6.2007, p. 5.

⁴ 8986/14.

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 80/14, as an "A" item at a forthcoming meeting, with the German, Polish and Slovenian delegations abstaining;
- order that the statement in the addendum to this note be entered in the minutes of that meeting.

If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.
