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**"I/A" ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft Regulation of the European Parliament and of the Council repealing certain acts from the Schengen acquis (**First reading**)  
- Adoption of the legislative act (**LA**)

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1. On 28 November 2014, the Commission sent its proposal<sup>1</sup>, based on points (a), (b) and (d) of Article 77(2), points (e) and (g) of Article 78(2), points (c) and (d) of Article 79(2), and point (a) of Article 87(2) TFEU<sup>2 3 4</sup>, to the Council.

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<sup>1</sup> 16591/14.

<sup>2</sup> 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.

<sup>3</sup> This Regulation constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC; the United Kingdom is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

<sup>4</sup> This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

2. The European Parliament adopted its position at first reading on the Commission proposal on 24 November 2015. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council<sup>5</sup>.
3. 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 54/15, as an 'A' item at a forthcoming 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.

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<sup>5</sup> 14222/15.