

Brussels, 4 December 2015  
(OR. fr)

14717/15

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**Interinstitutional File:**  
**2014/0338 (COD)**

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**CODEC 1621**  
**PROAPP 25**  
**CATS 128**  
**SCHENGEN 39**  
**COMIX 634**

**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Regulation of the European Parliament and of the Council repealing certain acts from the Schengen acquis in the field of police cooperation and judicial cooperation in criminal matters <b>(First reading)</b> - Adoption of the legislative act <b>(LA)</b>

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1. On 28 November 2014, the Commission submitted its proposal<sup>1</sup>, based on point (d) of Article 82(1) and points (a) and (c) of Article 87(2) TFEU<sup>2 3 4</sup>, to the Council.
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>.

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<sup>1</sup> 16593/14.

<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 Ireland takes part, in accordance with Article 5(1) of Protocol No 19 on the Schengen acquis integrated into the framework of the European Union, and Article 6(2) of Council Decision 2002/192/EC.

<sup>4</sup> The United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

<sup>5</sup> 14224/15.

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 55/15, 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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