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(OR. en)**

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**'I/A' ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	5109/18 + ADD 1 RESTREINT
Subject:	COUNCIL DECISION authorising the opening of negotiations on the conclusion of a Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Agricultural, Construction and Mining Equipment (MAC Protocol) - Adoption

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1. On 23 August 2017, the Commission submitted to the Council a Recommendation for a COUNCIL DECISION authorising the opening of negotiations on the conclusion of a Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Agricultural, Construction and Mining Equipment (MAC Protocol)<sup>1</sup>.
2. The proposal is based on Article 81(2) of the Treaty on the Functioning of the European Union in conjunction with 218(3) and (4) thereof.
3. The Recommendation was examined by the Working Party on Civil Law Matters (General Questions) at its meeting on 13 September 2017. It was amended in order to correct technical inaccuracies in the Proposal. The revised text was set out in document 12179/17 + ADD 1 RESTREINT.

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<sup>1</sup> Document 11561/17 RESTREINT

4. The text was first approved by Coreper on 27 September 2017<sup>2</sup>, before being revised by lawyer linguists. The revised text is set out in document 5109/18.
5. In the light of the above, Coreper/Council are invited to adopt the texts of the
- COUNCIL DECISION authorising the opening of negotiations on the conclusion of a Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Agricultural, Construction and Mining Equipment (MAC Protocol) as set out in 5109/18 and
  - Directives for the negotiation of a Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Agricultural, Construction and Mining Equipment (MAC Protocol) as set out in 6287/18 RESTREINT.
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<sup>2</sup> See document 12179/17 JUSTCIV 206 AGRI 480 ENER 361 IND 220