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2016/0142 (COD)**

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COMIX 118**

**'I/A' ITEM NOTE**

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| From:    | General Secretariat of the Council  |
| To:      | Permanent Representatives Committee/Council   |
| Subject: | Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (revision of the suspension mechanism)<br>- Adoption of the legislative act ( <b>LA + S</b> ) |

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1. On 10 May 2016, the Commission sent its proposal<sup>1</sup>, based on Article 77(2)(a) TFEU, to the Council<sup>23</sup>.
2. The European Parliament adopted its position at first reading on the Commission proposal on 15 December 2016. The Parliament having approved a corrigendum to that position at its plenary session on 13-16 February 2017, 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>4</sup>.

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<sup>1</sup> 8727/16.

<sup>2</sup> In accordance with Council Decision 2000/365/EC, 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>3</sup> In accordance with Council Decision 2002/192/EC, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

<sup>4</sup> 15563/16.

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 58/16, as an 'A' item at a forthcoming meeting;
- order that the statements 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.

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