



Council of the  
European Union

Brussels, 17 February 2023  
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#### '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 amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulations (EU) No 1303/2013, (EU) 2021/1060 and (EU) 2021/1755, and Directive 2003/87/EC ( <b>first reading</b> ) - Adoption of the legislative act

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1. On 18 May 2022 the Commission sent its proposal<sup>1</sup>, based on Article 175, third paragraph, Article 177, first paragraph, Article 192(1), Article 194(2) and Article 322(1) TFEU, to the Council.
2. The European Court of Auditors delivered its opinion on 21 July 2022<sup>2</sup>.
3. The European Economic and Social Committee delivered its opinion on 21 September 2022<sup>3</sup>.

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<sup>1</sup> 9337/22.

<sup>2</sup> OJ C 333, 1.9.2022, p. 5.

<sup>3</sup> OJ C 486, 21.12.2022, p. 185.

4. The Committee of the Regions was consulted and decided not to issue an opinion.
5. On 14 February 2023 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the agreement reached between the institutions and should, therefore, be acceptable to the Council<sup>4</sup>.
6. 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 80/22, as an "A" item at a forthcoming meeting, with Finland and Poland abstaining; and
  - approve the statement by the Council, as set out in the Addendum 1 to this note.
7. The statements for the minutes of the Council meeting are set out in the Addenda 1 and 2 to this note.
8. If the Council approves the European Parliament's position, the legislative act will be adopted.

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

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<sup>4</sup> 6286/23.