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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the energy performance of buildings (recast) (first reading) - Adoption of the legislative act

1. On 15 December 2021, the Commission submitted its proposal¹, based on Article 194(2) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 23 March 2022².
3. The Committee of the Regions delivered its opinion on 30 June 2022³.
4. The European Central Bank delivered its opinion on 16 January 2023⁴.

¹ 15088/21 + ADD 1 to 7.

² OJ C 290, 29.7.2022, p. 114.

³ OJ C 375, 30.9.2022, p. 64.

⁴ OJ C 89, 10.3.2023, p. 1.

5. On 12 March 2024, the European Parliament adopted its position at first reading on the Commission proposal⁵. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.
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 102/23, as an "A" item at a forthcoming meeting, with Italy and Hungary voting against and Croatia, Poland and Slovakia abstaining.
7. The statements for the minutes of the Council meeting are set out in the Addendum to this note.
8. If the Council approves the European Parliament's position, the legislative act will be adopted⁶.
9. 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*.

⁵ 7532/24.

⁶ Before signature of the act, an obvious mistake in Article 37, second subparagraph, will be corrected by deleting the references to Articles 36, 37 and 38 appearing therein.