



Brussels, 4 May 2016
(OR. fr)

8478/16

**Interinstitutional File:
2013/0402 (COD)**

**CODEC 557
PI 48**

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament and of the Council on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (First reading) - Adoption of the legislative act (LA + S)

1. On 28 November 2013 the Commission sent its proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 25 March 2014². The European Data Protection Supervisor delivered his opinion on 25 March 2014³.
3. The European Parliament adopted its position at first reading on the Commission proposal on 14 April 2016. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council⁴.

¹ 17392/13.

² OJ C 226, 16.7.2014, p. 48.

³ 8149/14.

⁴ 7940/16.

4. 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 76/15 as an 'A' item at a forthcoming meeting;
- order that the statement 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.
