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'I/A' ITEM NOTE

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) 2016/1628 as regards its transitional provisions for certain machinery fitted with engines in the power ranges greater than or equal to 56 kW and less than 130 kW, and greater than or equal to 300 kW, in order to address the impact of the COVID-19 crisis (first reading) - Adoption of the legislative act - Decision to derogate from the 8-week period provided for in Article 4 of Protocol 1 to the TFEU on the role of national parliaments in the EU

1. On 18 May 2021 the Commission sent its proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 9 June 2021².
3. On 10 June 2021 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 Council³.

¹ 8880/21

² Not yet published in the OJ.

³ 9595/21

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 39/21, as an "A" item at a forthcoming meeting;
- derogate, on the basis of the second subparagraph of Article 3(3) of the Council's Rules of Procedure, from the eight-week period referred to in the first subparagraph of that Article, in view of the urgency of the matter as set out in the preamble of the legislative act.

5. 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*.
