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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
No. Cion doc.:	8511/23
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/881 as regards managed security services <i>- Optional consultation of the Committee of the Regions</i>

1. On 18 April 2023, the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/881 as regards managed security services¹.
2. In its proposal, the Commission suggests that the Committee of the Regions be consulted on an optional basis.
3. Article 114 of the Treaty on the Functioning of the European Union, on which the proposal is based, does not require the opinion of the Committee of the Regions.²

¹ 8511/23

² The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

4. Nevertheless, given the subject matter of the proposal, it is considered appropriate to consult the Committee of the Regions on an optional basis. The proposal aims at raising the level of cybersecurity by enabling the adoption of European cybersecurity certification schemes for managed security services. Managed security services play an important role in assisting entities at national and regional level in their efforts to prevent, detect, respond to or recover from cybersecurity incidents. Furthermore, this proposal amends Regulation (EU) 2019/881 on which the opinion of the Committee of the Regions was already requested in 2017³. The Committee of the Regions decided to include its opinion on Regulation (EU) 2019/881 into its opinion on "Digital Single Market: Mid-term review". The Council was informed thereof by letter dated 22 December 2017⁴.
5. The Permanent Representatives Committee is therefore invited to decide, in accordance with Articles 304 and 307 of the Treaty on the Functioning of the European Union and Article 19(7)(h) of the Council's Rules of Procedure⁵, to consult the Committee of the Regions on the above proposal and to request it to give its opinion as soon as possible.
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³ 13519/17

⁴ 5337/18

The Committee of the Regions' commission for social policy, education, employment, research and culture (SEDEC) decided during its meeting on 28 September 2017 to include the dossier *Proposal for a Regulation of the European Parliament and of the Council on ENISA, the "EU Cybersecurity Agency", and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act")* into the opinion on "Digital Single Market: Mid-term review". This opinion was published in OJ C 176, 23.5.2018, p.29.

⁵ Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure, OJ L 325, 11/12/2009, p. 35.