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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) 2018/1862 as regards the entry of information alerts into the Schengen Information System (SIS) on third-country nationals in the interest of the Union (first reading) - Adoption of the legislative act

1. On 10 December 2020, the Commission sent its proposal¹, based on Article 88(2)(a) TFEU, to the Council.
2. The European Data Protection Supervisor sent his formal comments on 10 March 2021².
3. On 8 June 2022, 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 ST 13882/20.

² ST 7114/21.

³ ST 10008/22.

4. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council⁴ approve the European Parliament's position, as set out in PE-CONS 16/22, as an 'A' item at a forthcoming meeting.
5. If the Council approves the European Parliament's position, the legislative act will be adopted in the wording which corresponds to the European Parliament's position.

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*.

⁴ In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.