Council of the European Union

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LIMITE

Interinstitutional Files:
2025/0130 (COD)
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2025/0133 (COD)
2025/0134 (COD)

SIMPL 142	TELECOM 315
ANTICI 146	POLCOM 219
ECOFIN 808	JAI 817
EF 179	DATAPROTECT 197
FIN 872	ENV 721
MI 627	CLIMA 327
ECO 22	TRANS 418
ENT 144	ENER 395
IA 163	CODEC 1163
IND 411	

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Omnibus IV Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) No 765/2008, (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2023/1230, (EU) 2023/1542 and (EU) 2024/1781 as regards digitalisation and common specifications Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2000/14/EC, 2011/65/EU, 2013/53/EU, 2014/29/EU, 2014/30/EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, 2014/68/EU and 2014/90/EU of the European Parliament and of the Council as regards digitalisation and common specifications Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2016/679, (EU) 2016/1036, (EU) 2016/1037, (EU) 2017/1129, (EU) 2023/1542 and (EU) 2024/573 as regards the extension of certain mitigating measures available for small and medium sized enterprises to small mid-cap enterprises and further simplification measures Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2014/65/EU and (EU) 2022/2557 as regards the extension of certain mitigating measures available for small and medium sized enterprises to small mid-cap enterprises and further simplifying measures - Confirmation of the final compromise text with a view to agreement

I. INTRODUCTION

1. On 21 May 2025, the Commission submitted to the Council and the European Parliament the Omnibus IV package, consisting of five legislative proposals aimed at simplifying existing Union legislation. The package included: two proposals aiming to extend certain mitigating measures for small and medium-sized enterprises (SMEs) to small mid-cap enterprises (SMCs)[1]; two proposals regarding digitalisation and alignment of common specifications (DCS)[2]; and a proposal postponing certain battery due diligence obligations ('stop-the-clock' proposal)[3].

2. The proposal postponing certain battery due diligence obligations was negotiated separately and adopted on 18 July 2025, without changes to the Commission proposal[4]. The present note concerns the remaining four legislative proposals, namely the SMC Regulation, the SMC Directive, the DCS Regulation and the DCS Directive.

3. The legal bases of the proposals are set out in the respective Commission proposals.

4. The European Economic and Social Committee delivered its opinion on the Omnibus IV package on 18 September 2025[5]. The Committee of the Regions decided not to deliver an opinion.

5. The Antici Group (Simplification) examined the proposals throughout 2025 and 2026.

6. At its meeting on 24 September 2025, the Permanent Representatives Committee granted the Danish Presidency mandates[6] to enter negotiations for the four files with the European Parliament. On 3 June 2026, the Permanent Representatives Committee granted revised negotiating mandates[7].

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1 9317/25 REV 1 (SMC Directive), 9276/25 (SMC Regulation).
2 9327/25 (DCS Directive), 9318/25 (DCS Regulation).
3 9332/25.
4 Regulation (EU) 2025/1561 of the European Parliament and of the Council of 18 July 2025 amending Regulation (EU) 2023/1542 as regards obligations of economic operators concerning battery due diligence policies (OJ L, 2025/1561, 30.7.2025, ELI: http://data.europa.eu/eli/reg/2025/1561/oj).
5 INT/1130-EESC.
6 13223/25 + ADD 1; 13224/25; 13232/25; 13233/25.
7 9863/26 + ADD 1–4.

7. On 3 June 2026, a provisional agreement on SMC Directive was reached between co-legislators, resulting in the final compromise text as set out in addendum 4.

8. On 9 June 2026, further provisional agreements were reached between co-legislators, resulting in the final compromise texts as set out in addenda: ADD 1 REV 1, ADD 2 REV 1 and ADD 3.

9. The main elements of the provisional agreements are outlined in Section II.

II. MAIN ELEMENTS OF THE FINAL COMPROMISE TEXTS

10. As regards the SMC proposals, the co-legislators maintained aligned on the key political element of the package, namely the definition of small mid-cap enterprises. The final compromise preserves the targeted nature of the Commission proposal while ensuring a clear distinction between SMEs and SMCs. It extends selected simplification measures to SMCs in a pragmatic and proportionate manner, while preserving existing safeguards and the integrity of the sectoral frameworks concerned.

    Following requests from several delegations to clarify that the SMC definition applies solely for the purpose of the Omnibus IV package, it is proposed that the draft statement issued at the time of the adoption of the negotiating mandate, as set out in ADD 5 to this note, be included in the discussions at both Coreper and the Council, in order to be reflected in the minutes.

    As regards the SMC Directive in particular, the co-legislators agreed on a transposition period of 15 months, representing a balanced compromise between the Council's position of 18 months and the European Parliament's position of 12 months.

11. As regards the DCS proposals, the final compromise largely follows the revised Coreper mandate agreed on 3 June 2026. It reflects the overall compromise between the institutions and preserves the core simplification objectives of the proposals.

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III. CONCLUSION

12. The Permanent Representatives Committee is therefore invited to:

a) confirm the final compromise texts as set out in ADD 1 REV 1, ADD 2 REV 1, ADD 3 and ADD 4 to this note, together with ADD 5, which contains the draft statement issued at the time of the adoption of the negotiating mandate, with a view to reaching an agreement at first reading with the European Parliament;

b) authorise the Chair of the Permanent Representatives Committee to send a letter to the relevant committees of the European Parliament that, should the European Parliament adopt its positions at first reading on the texts of the proposals in the exact form as set out in ADD 1 REV 1, ADD 2 REV 1, ADD 3 and ADD 4 to this note, and subject to revision of those texts by the lawyer-linguists of both institutions, the Council will approve the European Parliament's positions and the acts will be adopted in the wording corresponding to the European Parliament's positions.

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