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'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/953 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic (first reading) - Adoption of the legislative act

1. On 3 February 2022 the Commission sent its proposal, based on Article 21(2) TFEU¹, to the Council.
2. The European Data Protection Supervisor and the European Data Protection Board delivered a joint opinion on 14 March 2022.

¹ 5942/22.

3. On 15 June 2022, the Permanent Representatives Committee endorsed the agreement reached with the European Parliament and authorised the Chair to send a letter to the Chair of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) stating that should the European Parliament adopt its position at first reading in the form set out in that letter, subject to revision by the legal/linguistic experts of both institutions, the Council would approve the European Parliament's position and the act would be adopted in the wording which corresponds to the European Parliament's position.
4. The European Parliament adopted its position at first reading on 23 June 2022².
5. At its meeting on 20 June 2022, the Permanent Representatives Committee agreed to invite the Council to approve the European Parliament's position at first reading, as set out in PE-CONS 27/22, as an 'A' item at a forthcoming meeting.
6. The statement by Hungary for the minutes of the Council meeting is set out in Addendum 1 to this note.
7. The Council³ is invited to approve the European Parliament's position at first reading, as set out in PE-CONS 27/22.
8. 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*.

² 10501/22.

³ Denmark and Ireland are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.