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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft Directive of the European Parliament and of the Council on the protection of persons who report breaches of Union law (**first reading**)  
- Adoption of the legislative act

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1. On 23 April 2018 the Commission sent its proposal <sup>1</sup>, based on Articles 16, 33, 43, 50, 53(1), 62, 91, 100, 103, 109, 114, 168, 169, 192, 207 and 325 of the Treaty on the Functioning of the European Union (TFEU) and Article 31 of the Treaty establishing the European Atomic Energy Community (the Euratom Treaty), to the Council.
2. The European Economic and Social Committee delivered its opinion on 17 October 2018 <sup>2</sup>.

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<sup>1</sup> 8713/18.

<sup>2</sup> OJ C 62, 15.2.2019, p. 155.

3. On 16 April 2019, the European Parliament adopted its position at first reading on the Commission proposal (without legal linguistic revision). After finalisation of the adopted text by the legal linguists, the Parliament approved a corrigendum to that position at its plenary session from 16 to 19 September 2019. It reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council <sup>3</sup>.
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 78/19, as an "A" item at a forthcoming meeting, with the United Kingdom abstaining;
  - decide that the statement in the Addendum 1 to this note be entered in the minutes of that meeting and published it in the Official Journal of the European Union.

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.

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<sup>3</sup> 8487/19.