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#### 'I' ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. Cion doc.:	12183/1/17 REV 1 + ADD 1 to 9
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ENISA, the "Cybersecurity agency", and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act") <i>- Optional consultation of the Committee of the Regions</i>

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1. On 13 September 2017, the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council on ENISA, the "Cybersecurity agency", and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act")<sup>1</sup>.
2. In its proposal, the Commission suggests that the Committee of the Regions be consulted on an optional basis<sup>2</sup>.

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<sup>1</sup> 12183/1/17.

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

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.
4. Nevertheless, given the subject matter of the proposal, it is considered appropriate to follow the suggestions of the Commission and to consult the Committee of the Regions on an optional basis.
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 Procedure<sup>3</sup>, to consult the Committee of the Regions on the above proposal and to request them to give their opinion as soon as possible.

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<sup>3</sup> Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure, OJ L 325, 11/12/2009, p. 35.