Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	14474/22
No. Cion doc.:	14443/22 (COM(2022) 596 final)
Subject:	Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) 2018/1046 as regards the establishment of a diversified funding strategy as a general borrowing method **(1st reading)** – *Adoption of the legislative act* – *Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU*

1. On 9 November 2022, the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) 2018/1046 as regards the establishment of a diversified funding strategy as a general borrowing method[1]. The proposed Regulation is part of the package of proposals on financing the support to Ukraine, together with the Commission's proposal for a Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027[2] and the Commission's proposal for a to Regulation of the European Parliament and of the Council establishing an instrument to provide support to Ukraine (macro-financial assistance +)[3].

[1] Doc. 14443/22.
[2] Doc. 14442/22.
[3] Doc. 14562/22.

2. The proposal is based on Article 322 of the TFEU (ordinary legislative procedure).

3. The Court of Auditors delivered its opinion on 22 November 2022[4].

4. On 24 November 2022, the European Parliament adopted its position at first reading[5] reflecting the common view of the institutions not to amend the Commission proposal. It should, therefore, be acceptable to the Council.

5. In order to allow the adoption of the draft Regulation without delay, the Council has to decide, considering the urgency of the matter, to shorten, in accordance with Article 3(3) of its Rules of Procedure, the eight-week period laid down in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union.

6. In view of the above, the Permanent Representatives Committee is invited to confirm its agreement and to recommend to the Council:

   - to approve the European Parliament's position as set out in PE-CONS 62/22 at a forthcoming meeting;

   - to decide, in view of the urgency of the matter, to derogate, on the basis of the second subparagraph of Article 3(3) of the Council's Rules of Procedure, from the eight-week period referred to in the first subparagraph of that Article.

7. 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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4 OJ […], […], p. […].
5 Doc. 15018/22.