



Council of the  
European Union

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**'I/A' ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. prev. doc.:	ST 15107 2022 INIT; ST 15107 2022 COR 1
No. Cion doc.:	COM(2022) 646 final
Subject:	COUNCIL DECISION on the position to be taken on behalf of the European Union within the Partnership Council established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, as regards the extension of the interim period referred to in Article 552(11) of that Agreement during which the United Kingdom may derogate from the obligation to delete Passenger Name Record data of passengers after their departure from the United Kingdom - Adoption

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1. On 17 November 2022, the Commission submitted to the Council a proposal for a Council Decision on the position to be taken on behalf of the European Union within the Partnership Council established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, as regards the extension of the interim period referred to in Article 552(11) of that Agreement during which the United Kingdom may derogate from the obligation to delete Passenger Name Record data of passengers after their departure from the United Kingdom, contained in document ST 14942/2022.

2. The proposal concerns the second and last extension of a derogation, under Article 552 (11) of the Trade and Cooperation Agreement, for the United Kingdom from the obligation to delete Passenger Name Records once the person concerned has left the country, as foreseen in Article 552 (4) of the Trade and Cooperation Agreement. This is needed in an interim period to allow the United Kingdom to finalise the transformation of its processing systems for Passenger Name Records in view of its new status as a third country.
3. The Commission presented the proposal on 22 November to the Working Party on the United Kingdom and that Working Party found an agreement on the text with minor technical modifications at its meeting on 25 November 2022. The agreed text is contained in document ST 15107/22 + COR 1.
4. In light of the above, the Permanent Representatives Committee is invited to:
  - confirm its agreement on the text of the above-mentioned Council Decision, as finalised by the legal-linguists and set out in document ST 15378/22;
  - recommend that the Council adopts the Council Decision set out in document ST 15378/22;
  - decide, in accordance with the first subparagraph of Article 12(1) of Council's Rules of Procedure and Article 1 of Council Decision (EU) 2022/1242, that the Council uses the written procedure for the adoption of the Council Decision as set out in document ST 15378/2022, if there is no Council meeting with quorum at the latest in the morning of 20 December 2022