Council of the European Union

Brussels, 2 December 2022
(OR. en)

15415/22

Interinstitutional File: 2020/0365(COD)

CODEC 1869	COTER 296
PROCIV 147	RELEX 1636
ENV 1238	ENER 648
JAI 1606	HYBRID 113
SAN 642	TRANS 763
COSI 312	CYBER 394
CHIMIE 99	TELECOM 509
ENFOPOL 614	ESPACE 123
RECH 639	ATO 101
CT 218	CSC 558
DENLEG 92	ECOFIN 1275

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the resilience of critical entities and repealing Council Directive 2008/114/EC **(first reading)** - Adoption of the legislative act

1. On 16 December 2020 the Commission sent its proposal[1], based on Article 114 TFEU, to the Council.

2. The European Economic and Social Committee delivered its opinion on 27 April 2021[2].

3. The Committee of the Regions delivered its opinion on 1 July 2021[3].

4. The European Data Protection Supervisor delivered his formal comments on 13 August 2021[4].

1 14262/20 + ADD 1-4.
2 OJ C 286, 16.7.2021, p. 170.
3 OJ C 440, 29.10.2021, p. 99.
4 11280/21.

5. On 22 November 2022 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council[5].

6. 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 51/22, as an 'A' item at a forthcoming meeting.

7. If the Council approves the European Parliament's position, the legislative act will be adopted.

   After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.

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[5] 15169/22.