



Council of the
European Union

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'I/A' ITEM NOTE

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

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act) **(first reading)**
- Adoption of the legislative act

1. On 23 February 2022, the Commission submitted its proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 15 June 2022².
3. The Committee of the Regions delivered its opinion on 30 June 2022³.
4. The European Central Bank delivered its opinion on 5 September 2022⁴.

¹ 6596/22 + ADD 1 to 3.

² OJ C 365, 23.9.2022, p. 18.

³ OJ C 375, 30.9.2022, p. 112.

⁴ OJ C 402, 19.10.2022, p. 5.

5. On 9 November 2023, 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 Council⁵.
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 49/23, 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*.

⁵ 15213/23.