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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 the collection and transfer of advance passenger information for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, and amending Regulation (EU) 2019/818 **(first reading)** - Adoption of the legislative act

1. On 13 December 2022 the Commission submitted its proposal[1], based on Article 82(1)(d) and and Article 87(2)(a) TFEU, to the Council.

2. The European Data Protection Supervisor delivered its opinion on 8 February 2023[2].

3. The European Economic and Social Committee delivered its opinion on 27 April 2023[3].

1 15719/22 + ADD 1.
2 OJ C 84, 7.3.2023, p. 2.
3 OJ C 228, 29.6.2023, p. 97.

4. On 25 April 2024 the European Parliament adopted its position at first reading on the Commission proposal (without legal linguistic revision). After finalisation of the adopted text by the legal linguists, the Parliament approved a corrigendum to that position at its plenary session of 25 to 28 November 2024. It reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council[4].

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council[5] approve the European Parliament's position, as set out in PE-CONS 69/24, as an "A" item at a forthcoming meeting.

6. 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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[4] 16275/24.

[5] In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.