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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 automated search and exchange of data for police cooperation, and amending Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, (EU) 2019/817 and (EU) 2019/818 of the European Parliament and of the Council (the Prüm II Regulation) **(first reading)** - Adoption of the legislative act

1. On 9 December 2021 the Commission submitted its proposal[1], based on Articles 16(2), 87(2) point (a) and 88(2) TFEU, to the Council.

2. The European Data Protection Supervisor delivered its opinion on 2 March 2022[2].

3. The European Economic and Social Committee delivered its opinion on 18 May 2022[3].

4. On 8 February 2024 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[4].

1 14204/1/21 REV1 + ADD1 to ADD3
2 OJ C 225, 9.6.2022, p. 6
3 OJ C 323, 26.8.2022, p. 69
4 6273/24

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 75/23, as an "A" item at a forthcoming meeting.

6. The statement for the minutes of the Council meeting is set out in the Addendum to this note.

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] 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.