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INFORMATION NOTE

From: Legal Service

To: Permanent Representatives Committee (Part 2)

Subject: **Case before the Court of Justice (Opinion 1/15)**

- Request for an opinion submitted by the European Parliament pursuant to Article 218(11) TFEU as to the compatibility with the Treaties of the agreement envisaged between the European Union and Canada on the transfer and processing of Passenger Name Record data

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (19.06.2015)

- On 31 March 2015 the Council was served with a request by the European Parliament for an opinion of the Court of Justice pursuant to Article 218(11) TFEU on the following questions:

"L'accord envisagé est-il compatible avec les dispositions des traités (article 16 TFUE) et la charte des droits fondamentaux de l'Union européenne (articles 7, 8 et article 52, paragraphe 1) en ce qui concerne le droit des personnes physiques à la protection des données à caractère personnel ?"

"L'article 82, paragraphe 1, point d), et l'article 87, paragraphe 2, point a), TFUE constituent-t-ils la base juridique appropriée de l'acte du Conseil portant sur la conclusion de l'accord envisagé ou cet acte doit-il se baser sur l'article 16 TFUE ?"

2. At its 3384th meeting on 7 May 2015, the Council decided to submit written observations on the request for an opinion, pursuant to Article 196(3) of the Rules of Procedure of the Court of Justice, and agreed that the Director-General of the Council Legal Service should appoint agents for this purpose.¹
 3. The Director-General of the Legal Service has appointed **DELETED**, legal advisers in the Council Legal Service, as the Council's agents in this case.
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¹ 8289/15.