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'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 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences, and repealing Council Decision 2000/642/JHA (first reading) - Adoption of the legislative act

1. On 17 April 2018 the Commission sent the proposal¹, based on Article 87(2) TFEU²³, to the Council.
2. The European Economic and Social Committee delivered its opinion on 12 July 2018⁴.
3. On 17 April 2019 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament⁵ reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.

¹ 8411/18.

² In accordance with Article 3 of Protocol No 21, the United Kingdom and Ireland have notified their wish to take part in the adoption and application of this Directive.

³ In accordance with Articles 1 and 2 of Protocol No 22, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.

⁴ OJ C 367, 10.10.2018, p.84.

⁵ 8450/19.

4. 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 64/19, as an "A" item at a forthcoming meeting, with Germany abstaining;
 - decide that the statements in the Addenda 1 and 3 to this note, be entered in the minutes of that meeting;
 - decide to publish the statement set out in Addendum 3 in the Official Journal of the European Union;
 - take note of the statement by the European Parliament set out in the Addendum 2 to this note, to be published in the Official Journal of the European Union.

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

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