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Interinstitutional Files:
2025/0130 (COD)
2025/0131 (COD)
2025/0133 (COD)
2025/0134 (COD)

LIMITE

SIMPL 123	**TELECOM 279**
ANTICI 127	**POLCOM 202**
ECOFIN 694	**JAI 687**
EF 165	**DATAPROTECT 178**
FIN 766	**ENV 586**
MI 554	**CLIMA 295**
ECO 19	**TRANS 362**
ENT 124	**ENER 294**
IA 145	**CODEC 1050**
IND 375	

NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) No 765/2008, (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2023/1230, (EU) 2023/1542 and (EU) 2024/1781 as regards digitalisation and common specifications Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2000/14/EC 2011/65/EU, 2013/53/EU, 2014/29/EU, 20141301EU, 2014/31/EU, 2014/32/EU, 2014/33/EU, 2014/34/EU, 2014/35/EU, 2014/53/EU, 2014/68/EU and 2014/90/EU of the European Parliament and of the Council as regards digitalisation and common specifications Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) 2016/679, (EU) 2016/1036, (EU) 2016/1037, (EU) 2017/1129, (EU) 2023/1542 and (EU) 2024/573 as regards the extension of certain mitigating measures available for small and medium sized enterprises to small mid-cap enterprises and further simplification measures Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2014/65/EU and (EU) 2022/2557 as regards the extension of certain mitigating measures available for small and medium sized enterprises to small mid-cap enterprises and further simplifying measures - Preparation for the trilogue

I. INTRODUCTION

1. In its conclusions of October 2024[1], the European Council called on all EU institutions, Member States and stakeholders, as a matter of priority, to take work forward, notably in response to the challenges identified in the reports by Enrico Letta ('Much more than a market') and Mario Draghi ('The future of European competitiveness').

2. On 21 May 2025, as a follow-up to the EU Leaders' call, the Commission put forward a fourth Omnibus package ('Omnibus IV'). It contains two proposals aiming to extend certain mitigating measures for small and medium-sized enterprises (SMEs) to small mid-cap enterprises (SMCs), two proposals regarding digitalisation and alignment of common specifications (DCS), and a 'stop-the-clock' proposal on certain obligations regarding battery due diligence. This note concerns the proposal regarding SMCs and DCS.

3. On 24 September 2025, the Permanent Representatives Committee agreed on a negotiating mandate for the Presidency, with a view to reaching an agreement at first reading with the European Parliament on that basis.

4. The European Parliament adopted its position in plenary on 11 March 2026, thereby confirming the decision to enter into interinstitutional negotiations.

5. Subsequently, on 13 April 2026 (for the SMCs) and 15 April 2026 (for the DCS), respectively, the co-legislators and the Commission held the first interinstitutional negotiations on the Omnibus IV proposals, during which the co-legislators presented their respective priorities for the negotiations and agreed to entrust the technical level with a broad mandate to pursue work on the proposals in their entirety.

6. Since then, numerous interinstitutional technical meetings have taken place, during which the Presidency and the European Parliament reached provisional agreements on a majority of the elements of the Omnibus IV package. The outcome of these discussions is reflected in the compromise texts set out in the fourth column of the four-column documents included in Addenda 1–4 to this note. These texts form the basis of the package submitted to Permanent Representatives Committee for consideration.

[1] EUCO 25/24.

7. The Presidency considers that the compromise proposals in the fourth column of the four-column tables reflect a balanced compromise with the European Parliament which has received sufficient support from delegations during AGS Working Party meetings and therefore intends to seek confirmation from the Permanent Representatives Committee at its meeting on 3 June 2026.

8. The only provisions that remain subject to finalisation in the entire Omnibus IV package are those relating to the transposition and application dates in the SMC Directive. Their final wording will be adjusted in light of the outcome of the political discussions to be held during the second interinstitutional meetings.

II. POLITICAL ISSUES FOR POSSIBLE AGREEMENT DURING THE SECOND TRILOGUE

SMC Regulation

9. The second interinstitutional meeting on the SMC Regulation is scheduled to take place on 9 June 2026. At this stage, no political issues requiring guidance from the Permanent Representatives Committee have been identified.

SMC Directive

10. The second interinstitutional meeting on the SMC Directive is scheduled to take place on 3 June 2026. The remaining political issue concerns the **transposition period**. In this context, the Presidency intends to explore whether flexibility could be found regarding a possible transposition period of 12 months instead of 18 months.

Question: Could flexibility be found with regard to a transposition period of 12 months, as initially proposed by the Commission, instead of 18 months as reflected in the Council mandate?

DCS Regulation

11. The second interinstitutional meeting on the DCS Regulation is scheduled to take place on 9 June 2026. At this stage, a balanced compromise with the European Parliament has emerged, which has received sufficient support from the delegations. The Permanent Representatives Committee is invited to endorse the compromises that were reached at technical level.

DCS Directive

12. The second interinstitutional meeting on the DCS Regulation is scheduled to take place on 9 June 2026. At this stage, a balanced compromise with the European Parliament has emerged, which has received sufficient support from the delegations. The Permanent Representatives Committee is invited to endorse the compromises that were reached at technical level.

III. CONCLUSION

13. In light of the above, and with a view to obtaining guidance for interinstitutional negotiations on the Omnibus IV package scheduled for 3 June and 9 June 2026, respectively, the Permanent Representatives Committee is invited to:

- **confirm agreement with the compromise proposals as presented in the fourth column of the four-column documents, set out in Addenda ADD 1–4 to this note**;
- **indicate its flexibility with regard to the question presented in Section II above.**

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