Council of the European Union

Brussels, 2 September 2011 (06.09)

Interinstitutional file:
2008/0157 (COD)

CODEC 881
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"I/A" Item Note

From: General Secretariat of the Council
To: Coreper/Council
- Adoption of the legislative act (LA + S)

1. On 24 July 2008 the Commission sent the Council the above proposal¹, which is based on Articles 47(2), 55 and 95 of the TEC. Following the entry into force of the Lisbon Treaty, the proposal has to be adopted on the basis of Articles 53(1), 62 and 114 of the TFEU.

2. The European Economic and Social Committee issued its opinion² on 14 January 2009.

3. In accordance with the joint declaration on practical arrangements for the codecision procedure³, informal talks were held between the Council, the European Parliament and the Commission with a view to reaching agreement at first reading.

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¹ 12217/08.
² OJ C 182, 4.8.2009, p. 36.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and advise the Council to:

- adopt the Directive, as set out after legal and linguistic editing in PE-CONS 16/11, as an "A" item at a forthcoming meeting, with the Czech, Slovak, Luxembourg, Swedish, Romanian, Slovenian, Belgian and Netherlands delegations voting against and the Austrian delegation abstaining;

- have the statements in the addendum to this note entered in the minutes of that meeting.

Once 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.

\(^1\) 8898/09.