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## TEXTS ADOPTED

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### **P9\_TA(2023)0385**

#### **Data Act**

**European Parliament legislative resolution of 9 November 2023 on the proposal for a regulation of the European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act) (COM(2022)0068 – C9-0051/2022 – 2022/0047(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0068),
- having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0051/2022),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Central Bank of 5 September 2022<sup>1</sup>,
- having regard to the opinion of the European Economic and Social Committee of 15 June 2022<sup>2</sup>,
- having regard to the opinion of the Committee of the Regions of 30 June 2022<sup>3</sup>,
- having regard to the provisional agreement approved by the committee responsible under Rule 74(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 14 July 2023 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rules 59 of its Rules of Procedure,
- having regard to the opinions of the Committee on the Internal Market and Consumer Protection, the Committee on Legal Affairs and the Committee on Civil Liberties,

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<sup>1</sup> OJ C 402, 19.10.2022, p. 5.

<sup>2</sup> OJ C 365, 23.9.2022, p. 18.

<sup>3</sup> OJ C 375, 30.9.2022, p. 112.

Justice and Home Affairs,

- having regard to the report of the Committee on Industry, Research and Energy (A9-0031/2023),
- 1. Adopts its position at first reading hereinafter set out<sup>4</sup>;
- 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
- 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>4</sup> This position replaces the amendments adopted on 14 March 2023 (Texts adopted, P9\_TA(2023)0069).

**P9\_TC1-COD(2022)0047**

**Position of the European Parliament adopted at first reading on 9 November 2023 with a view to the adoption of Regulation (EU) 2023/... of the European Parliament and of the Council on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2023/2854).*