



Brussels, 27 February 2015
(OR. fr)

6583/15

**Interinstitutional File:
2012/0360 (COD)**

**CODEC 253
JUSTCIV 36
EJUSTICE 16**

"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1346/2000 on insolvency proceedings (recast) **(first reading)**
- Adoption
a) of the Council's position
b) of the statement of the Council's reasons

1. On 13 December 2012 the Commission sent the above proposal¹, based on Article 81 TFEU^{2 3}, to the Council.
2. The European Economic and Social Committee delivered its opinion on 22 May 2013⁴.
3. The European Parliament adopted its position at first reading on 5 February 2014⁵.

¹ 17883/12

² In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, those Member States have notified their wish to take part in the adoption and application of this Regulation.

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

⁴ OJ C 271, 19.9.2013, p. 55.

⁵ 5910/14

4. At its 3354th meeting on 4 December 2014, the Council (Justice and Home Affairs) reached political agreement on the Council's position at first reading on the above Regulation¹.
 5. The Permanent Representatives Committee is asked to suggest that the Council adopt its position at first reading set out in 16636/14 and the statement of reasons set out in 16636/14 ADD 1 as an "A" item at a forthcoming meeting.
-

¹ In accordance with the letter of 2 December 2014 sent by the Chair of the European Parliament's Committee on Legal Affairs to the Chair of Coreper, the European Parliament should, at second reading, approve the Council's position at first reading without amendment.