



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 January 2013

5773/13

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

**JUSTCIV 12
CODEC 163**

"I" ITEM NOTE

from : General Secretariat of the Council
to : Coreper

No. Cion prop. : 17883/12 JUSTCIV 365 CODEC 3077 + ADD 1 + ADD 2

Subject : Proposal for a Regulation of the European Parliament and of the Council
amending Council Regulation (EC) No 1346/2000 on insolvency proceedings
- Optional consultation of the European Economic and Social Committee¹

1. On 13 December 2012 the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1346/2000 on insolvency proceedings.
2. The proposal, which is based on Article 81 of the Treaty on the Functioning of the European Union, does not require the opinion of the European Economic and Social Committee. Nevertheless, the Commission proposes to consult that body on an optional basis.

¹ The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

3. In view of the subject matter of the proposal it is deemed appropriate to consult the European Economic and Social Committee.

 4. Coreper is therefore invited to decide, pursuant to Article 304 of the Treaty on the Functioning of the European Union and to Article 19(7)(h) of the Council's Rules of Procedure, to consult the European Economic and Social Committee on the above proposal and to request the Committee to give its opinion as soon as possible.
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