



**COUNCIL OF THE
THE EUROPEAN UNION**

Brussels, 28 September 2012

**Interinstitutional File:
2011/0011 (COD)**

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ADDENDUM TO THE "I/A" ITEM NOTE

from : General Secretariat of the Council

to : COREPER / COUNCIL

No. Cion prop.: 6132/11 DRS 11 CODEC 166

Subject : Proposal for a Directive of the European Parliament and of the Council on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 54 of the Treaty on the Functioning of the European Union, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent (Recast) (LA + S)

=Statement

COMMON GUIDELINES

Consultation deadline: 9.10.2012

Joint statement by the Commission and the Council

Article 6(2) of Directive 77/91/EEC addressed i.a. the short-term volatility of national currencies against the ECU and the time necessary for legislative adaptation where needed. When compliance with Article 6(1) is examined due account will be taken of those conditions.