



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 May 2014

9548/14

Interinstitutional File:
2013/0391 (NLE)

JUSTCIV 121

"I/A" ITEM NOTE

from:	General Secretariat of the Council
to:	Coreper / Council
No. Cion prop.:	16839/13 JUSTCIV 285
Subject:	Proposal for a Council Implementing Regulation replacing the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings – Adoption

1. On 20 November 2013, the Commission sent the Council a proposal for a Council Implementing Regulation replacing the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings¹. The purpose of the proposed amendments was to reflect notifications by a number of Member States of changes to their insolvency legislation.
2. The United Kingdom and Ireland are bound by Council Regulation (EC) No 1346/2000 and are therefore taking part in the adoption and application of the proposed Regulation.

¹ 16839/13 JUSTCIV 285.

3. In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of the proposed Regulation and is not bound by it or subject to its application.
4. Following the meeting of the Working Party on Civil Law Matters (General Questions) on 31 January 2014 Italy and Cyprus made further notifications of changes to their insolvency legislation¹. These notifications were subsequently incorporated into the Commission proposal.
5. Subject to confirmation of the text by Coreper, the Council is asked to:
 - adopt, as an "A" item at one of its forthcoming meetings, the Council Implementing Regulation replacing Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings, as set out in document 9157/14 JUSTCIV 107².

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¹ See documents 7003/1/14 REV 1 JUSTCIV 50 and 7003/14 ADD 1 REV 1 JUSTCIV 50.
² After legal and linguistic editing.