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#### NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament and of the Council harmonising certain aspects of insolvency law - General approach

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In document ST 9257/25 INIT, on page 85, Article 22 (3):

*For:*

“3. Member States shall ensure that only those persons who fulfil both of the following conditions can be appointed as monitor:

- (a) ~~they satisfy the eligibility criteria applicable to insolvency practitioners in the Member State where the pre-pack proceedings mechanism are opened~~ **is used; can be appointed as monitor.**
- (b) ~~they may be actually appointed as insolvency practitioners in the subsequent liquidation phase.”~~

*Should read:*

“3. Member States shall ensure that only ~~those persons who fulfil both of the following conditions can be appointed as monitor:~~

(a) ~~they satisfy the eligibility criteria applicable to insolvency practitioners in the Member State where the pre-pack proceedings mechanism are opened~~ **is used; can be appointed as monitor.**

(b) ~~they may be actually appointed as insolvency practitioners in the subsequent liquidation phase.”~~

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