



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 29 October 2009 (30.10)  
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**15177/09**

**JUSTCIV 222**

**PROPOSAL**

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from:	European Commission
dated:	22 October 2009
Subject:	Proposal for a COUNCIL REGULATION amending Annexes A and C to Regulation (EC) No 1346/2000 on insolvency proceedings

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Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Javier SOLANA, Secretary-General/High Representative.

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Encl.: COM(2009)564 final



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.10.2009  
COM(2009)564 final

Proposal for a

**COUNCIL REGULATION**

**amending Annexes A and C to Regulation (EC) No 1346/2000 on insolvency proceedings**

Proposal for a

## COUNCIL REGULATION

**amending Annexes A and C to Regulation (EC) No 1346/2000 on insolvency proceedings**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings <sup>(1)</sup>, and in particular Article 45 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Annexes A and C to Regulation (EC) No 1346/2000 list the designations given in the national legislation of the Member States to the insolvency proceedings referred to in Article 2(a) of that Regulation and the liquidators referred to in Article 2(b) of that Regulation respectively.
- (2) On 2 March 2009 Belgium notified the Commission, pursuant to Article 45 of Regulation (EC) No 1346/2000, of amendments to the lists set out in Annexes A and C to that Regulation.
- (3) The United Kingdom and Ireland are bound by Regulation (EC) No 1346/2000, and, by virtue of Article 45 of that Regulation, are therefore taking part in the adoption and application of this Regulation.
- (4) 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 establishing the European Community, Denmark does not take part in the adoption of this Regulation and is not bound by it or subject to its application.
- (5) Regulation (EC) No 1346/2000 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

### *Article 1*

Regulation (EC) No 1346/2000 is amended as follows:

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<sup>1</sup> OJ L 160, 30.6.2000, p 1. Regulation as last amended by Regulation (EC) n° 788/2008 (OJ L 213, 8.8.2008, p. 1).

1. In Annex A, the designations of insolvency proceedings relating to Belgium are replaced by the following:

" BELGIË/BELGIQUE

- Het faillissement / La faillite
- Degerechtelijke reorganisatie/ La réorganisation judiciaire
- De collectieve schuldenregeling / Le règlement collectif de dettes
- De vrijwillige vereffening / La liquidation volontaire
- De gerechtelijke vereffening / La liquidation judiciaire
- De voorlopige ontneming van beheer, bepaald in artikel 8 van de faillissementswet /  
Le dessaisissement provisoire, visé à l'article 8 de la loi sur les faillites"

2. In Annex C, the designations of liquidators relating to Belgium are replaced by the following:

" BELGIË/BELGIQUE

- De curator / Le curateur
- De gedelegeerd rechter / Le juge-délégué
- De schuldbemiddelaar / Le médiateur de dettes
- De vereffenaar / Le liquidateur
- De voorlopige bewindvoerder / L'administrateur provisoire"

#### *Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States in accordance with the Treaty establishing the European Community.

Done at Brussels,

*For the Council  
The President*