Company law: formation of public limited companies, maintenance and alteration of their capital (amend. Directive 77/91/EEC)

2004/0256(COD) - 28/11/2005

The Council agreed on a general approach, pending the European Parliament's opinion at first reading, on a draft directive aimed at facilitating and simplifying capital related measures in public limited liability companies.

The directive will enable Member States, under certain conditions, to eliminate specific reporting requirements; to facilitate changes in share ownership and to provide harmonised legal procedures for creditors in the context of capital reduction.

The directive, which will amend directive 77/91/EEC, seeks to ensure that the capital of a company is maintained in the interest of creditors, while protecting the rights of minority shareholders.