

Basic information	
2021/0118(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Insolvency proceedings: replacing Annexes A and B to Regulation Amending Regulation 2015/848 2012/0360(COD)	
Subject 3.45.01 Company law	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	<div style="border: 1px solid red; display: inline-block; padding: 2px;">JURI</div> Legal Affairs		VÁZQUEZ LÁZARA Adrián (Renew)	09/09/2021
Council of the European Union				
European Commission	Commission DG		Commissioner	
	Justice and Consumers		REYNDERS Didier	

Key events			
Date	Event	Reference	Summary
11/05/2021	Legislative proposal published	COM(2021)0231 	Summary
17/05/2021	Committee referral announced in Parliament, 1st reading		
14/10/2021	Vote in committee, 1st reading		
26/10/2021	Committee report tabled for plenary, 1st reading	A9-0293/2021	Summary
23/11/2021	Decision by Parliament, 1st reading	T9-0459/2021	Summary
23/11/2021	Results of vote in Parliament		
09/12/2021	Act adopted by Council after Parliament's 1st reading		
15/12/2021	Final act signed		
20/12/2021	Final act published in Official Journal		

Technical information	

Procedure reference	2021/0118(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2015/848 2012/0360(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 081-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/06017

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE699.014	12/10/2021	
Committee report tabled for plenary, 1st reading/single reading		A9-0293/2021	26/10/2021	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0459/2021	23/11/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00073/2021/LEX	15/12/2021	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2021)0231 	11/05/2021	Summary
Commission response to text adopted in plenary	SP(2021)792	18/01/2022	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2021/2260
OJ L 455 20.12.2021, p. 0004

Insolvency proceedings: replacing Annexes A and B to Regulation

2021/0118(COD) - 23/11/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 671 votes to 4, with 13 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council replacing Annexes A and B to Regulation (EU) 2015/848 on insolvency proceedings.

The European Parliament adopted its position at first reading under the ordinary legislative procedure.

The proposed amending regulation replaces the lists in Annexes A and B to Regulation (EU) 2015/848 with new lists that take into account the information notified by the **Netherlands, Italy, Lithuania, Cyprus and Poland** and other notifications received from **Germany, Hungary and Austria** subsequent to the Commission's original proposal, concerning recent changes to their national law to introduce new types of insolvency proceedings or insolvency practitioners.

The proposal merely amends these annexes to accurately reflect the content of the national notifications and to adapt the annexes listing the respective national procedures or categories of insolvency practitioners in this area.

It is also clarified that Ireland is not participating in the adoption of the Regulation and is not bound by it or subject to its application.

Insolvency proceedings: replacing Annexes A and B to Regulation

2021/0118(COD) - 26/10/2021 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by Adrián VÁZQUEZ LÁZARA (Renew Europe, ES) on the proposal for a regulation of the European Parliament and of the Council replacing Annexes A and B to Regulation (EU) 2015/848 on insolvency proceedings.

The Commission proposal replaces the lists in Annexes A and B of Regulation (EU) 2015/848 with new lists that take into account the information notified by the Netherlands, Italy, Lithuania, Cyprus and Poland. It merely amends these annexes to accurately reflect the content of the national notifications and to adapt the annexes listing the respective national procedures or categories of insolvency practitioners in this area.

The committee responsible recommends that the European Parliament's position adopted at first reading under the ordinary legislative procedure should state that after the Commission presented its proposal, further notifications were received from Germany, Hungary and Austria concerning recent changes to their domestic law that introduce new types of insolvency proceedings or new types of insolvency practitioners. Subsequently, Italy clarified that their changes notified to the Commission in 2020 will enter into force on 16 May 2022 and provided an amendment to a previous notified designation.

It is also clarified that Ireland is not participating in the adoption of the Regulation and is not bound by it or subject to its application.

Insolvency proceedings: replacing Annexes A and B to Regulation

2021/0118(COD) - 11/05/2021 - Legislative proposal

PURPOSE: to update Annexes A and B of Regulation (EU) 2015/848 on insolvency proceedings to ensure that the scope of the Regulation reflects the current legal framework of the Member States on insolvency.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Regulation \(EU\) 2015/848](#) is an important instrument for judicial cooperation in civil matters at EU level. It contains a comprehensive set of rules directly applicable to cross-border insolvency proceedings which are referred to in Annex A and to types of insolvency practitioners referred to in Annex B.

These two annexes list exhaustively, respectively, the insolvency proceedings and the insolvency practitioners provided for in the laws of the Member States and to which the Regulation applies. It is therefore important that these annexes are regularly updated to take account of the current legal situation in the Member States.

In October 2020, the Netherlands notified the Commission of recent changes to its national insolvency legislation, introducing a new preventive insolvency regime and new categories of insolvency practitioners. Notifications were subsequently received from Italy, Lithuania, Cyprus and Poland in December 2020.

The Commission has analysed the notifications from these Member States carefully to ensure that they meet the requirements of the Regulation.

CONTENT: the Commission proposal replaces the lists in Annexes A and B of Regulation (EU) 2015/848 with new lists that take into account the information notified by the Netherlands, Italy, Lithuania, Cyprus and Poland. It merely amends these annexes to accurately reflect the content of the national notifications and to adapt the annexes listing the respective national procedures or categories of insolvency practitioners in this area.