



Council of the
European Union

Brussels, 20 November 2015
(OR. fr)

14188/15

Interinstitutional File:
2011/0901B (COD)

CODEC 1529
JUR 731
COUR 61
INST 408

"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Protocol No 3 on the Statute of the Court of Justice of the European Union (Second reading) - Approval of the European Parliament's amendments (LA + S)

1. On 4 April 2011 the Court of Justice of the European Union sent the Council a request to amend the Statute of the Court of Justice¹ based on the first paragraph of Article 254 and the second paragraph of Article 281 of the TFEU and Article 106a(1) of the Euratom Treaty.
2. The Commission delivered its opinion on 30 September 2011².
3. The European Parliament voted on its position at first reading on 15 April 2014³.
4. On 23 June 2015 the Council adopted its position at first reading⁴ and forwarded it, with a statement of its reasons, to the European Parliament.

¹ 8787/11.
² 14769/11.
³ 8509/14.
⁴ 9375/15 REV 1.

5. In accordance with the provisions of the Joint Declaration on practical arrangements for the codecision procedure⁵, informal contacts were initiated between the Council, the Court of Justice, the European Parliament and the Commission with the aim of reaching agreement at second reading.
6. At its sitting on 28 October 2015, the Parliament adopted, at second reading, two amendments to the Council's position at first reading. Those amendments reflect the compromise agreement between the four institutions and should therefore be acceptable to the Council⁶.
7. The Commission issued its opinion on the European Parliament's amendments on 12 November 2015.
8. The Permanent Representatives Committee is therefore invited to confirm its agreement on all the amendments and to suggest that the Council:
 - approve the European Parliament's amendments in 13344/15, as set out after verification by legal/linguistic experts in PE-CONS 62/15, as an "A" item at a forthcoming meeting, with the Belgian and Netherlands delegations abstaining and the United Kingdom delegation voting against;
 - order that the statements in Addenda 1 and 2 to this note be entered in the minutes of that meeting;
 - decide to publish the statement set out in Addendum 1 in the Official Journal of the European Union.

Following approval by the Council of the European Parliament's amendments, the Regulation is deemed to have been adopted in the form of the position of the Council at first reading, thus amended, in conformity with Article 294(8)(a) of the TFEU.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

⁵ OJ C 145, 30.6.2007, p. 5.

⁶ 13344/15.