Council of the European Union

Brussels, 7 May 2020
(OR. en)

7638/1/20
REV 1

Interinstitutional File:
2020/0073 (APP)

DRS 8
SOC 250
SE 1

'I' ITEM NOTE

From:	General Secretariat of the Council
dated:	4 May 2020
To:	Permanent Representatives Committee
Subject:	Proposal for a COUNCIL REGULATION on temporary measures concerning the general meetings of European companies (SE) of European Cooperative Societies (SCE) - Request for the consent of the European Parliament - Decision to use the written procedure

1. On 29 April 2020, the Commission submitted to the Council its proposal for a Council regulation on temporary measures concerning the general meetings of European companies (SE) and of European cooperative societies (SCE)[1].

2. This proposal aims at providing temporary emergency measures, in the context of COVID-19 exceptional situation, regarding two regulations on European companies[2] and on European Cooperative Societies[3], by allowing these companies to hold their general meetings within 12 months of the end of the financial year instead of within 6 months, but no later than 31 December 2020.

1 Doc 7656/20
2 Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE) (OJ L 294, 10.11.2001, p. 1).
3 Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE) (OJ L 207, 18.8.2003, p. 1).

3. Delegations have been consulted on 29 April 2020 by document WK 4446/20 with a deadline for comments on the proposal set on 4 May 2020 at 10:00. Further to this consultation, no comment was received on the proposal nor on the use of the written procedure to request the consent of the European Parliament. The text resulting from this consultation and finalised by the legal-linguists is contained in document 7648/20.

4. In accordance with Article 352(1) of the Treaty on the Functioning of the European Union, the Council may adopt the Regulation acting unanimously and after obtaining the consent of the European Parliament.

5. Given the current exceptional situation, there is a need to proceed urgently.

6. The Permanent Representatives Committee is therefore invited to:

- recommend that the Council decides to request the consent of the European Parliament on the basis of the draft Council Regulation on temporary measures concerning the general meetings of European companies (SE) and of European cooperative societies (SCE), as set out after finalisation by the lawyer-linguists in document 7648/20;

- agree to use the written procedure, in accordance with point (e) of Article 19(7) of the Council's Rules of Procedure, for the above-mentioned decision by the Council.