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NOTE

From:	Presidency
To:	Delegations
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Subject:	Regulation of the European Parliament and of the Council amending Regulation (EU) 2015/848 on insolvency proceedings to replace its Annexes A and B - Presidency redraft of Chapter IV with the relevant recitals

Delegations will find attached a Presidency redraft of the Regulation amending Regulation (EU) 2015/848 on insolvency proceedings to replace its Annexes A and B.

Changes compared to the Commission Proposal are indicated in **bold and underlined** and ~~strikethrough~~.

2025/0023 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2015/848 on insolvency proceedings to replace its Annexes A and B

PUBLIC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), points (a), (c) and (f) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) Annexes A and B to Regulation (EU) 2015/848 of the European Parliament and of the Council[1] list the designations given in national law of the Member States, respectively, to the insolvency proceedings and to the insolvency practitioners to which that Regulation applies. Annex A lists the insolvency proceedings referred to in Article 2, point (4), of Regulation (EU) 2015/848 and Annex B lists the insolvency practitioners referred to in Article 2, point (5), of that Regulation.

[1] Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141 5.6.2015, p. 19, ELI: http://data.europa.eu/eli/reg/2015/848/oj).

(2) In July 2022, Slovakia notified the Commission of recent changes of its domestic insolvency law introducing a new preventive restructuring procedure and a new type of insolvency practitioner. That notification was followed by notifications from Estonia, Spain, Malta and Italy in September 2022, from Belgium in July 2023 and from Luxembourg in January 2024, all relating to recent changes to their domestic law that introduce new types of insolvency proceedings or insolvency practitioners. Those new types of insolvency proceedings and insolvency practitioners comply with the requirements set out in Regulation (EU) 2015/848 and make it necessary to amend Annexes A and B to that Regulation.

(2a) Since Regulation (EU) 2015/848 only applies to public insolvency proceedings in those Member States in which public or confidential proceedings may be requested under the same name, only the former shall be included in this Annex.

(3) In accordance with [Articles 1 and 2] [*in case of non-participation*] [Article 3] [*in case of participation*]and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, [Ireland has notified [, by letter of …,] its wish to take part in the adoption and application of this Regulation]/[without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not be bound by it or subject to its application].

(4) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(5) Regulation (EU) 2015/848 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Annexes A and B to Regulation (EU) 2015/848 are replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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 the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

PUBLIC