



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 31 May 2007 (01.06)
(OR. fr)**

9818/07

**Interinstitutional File:
2005/0020 (COD)**

**CODEC 560
JUSTCIV 146**

"I/A" ITEM NOTE

from: General Secretariat of the Council

to: COREPER/COUNCIL

No. Cion. prop.: 7388/1/05 JUSTCIV 54 CODEC 177 REV 1

Subject : Proposal for a Regulation of the European Parliament and of the Council
establishing a European Small Claims Procedure [**first reading**]
– Adoption of the legislative act (**LA**)

1. On 16 March 2005 the Commission submitted the above proposal¹, based on Article 61(c) of the TEC, to the Council^{2 3}.
2. The European Economic and Social Committee delivered its opinion on 14 February 2006⁴.

¹ 7388/1/05 REV 1.

² In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, the United Kingdom and Ireland have given notice of their wish to take part in the adoption and application of this Regulation.

³ In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not take part in the adoption of this Regulation and is not bound by it or subject to its application.

⁴ OJ C 88, 11.4.2006, p. 61.

3. In accordance with the joint declaration on practical arrangements for the codecision procedure¹, informal talks have been held between the Council, the European Parliament and the Commission with a view to reaching an agreement at first reading.
4. The European Parliament delivered its first-reading opinion on 14 December 2006, adopting 105 amendments to the Commission proposal. The outcome of voting in the European Parliament broadly reflects the compromise agreement reached between the institutions and should therefore be acceptable to the Council².
5. The Permanent Representatives Committee is therefore asked to confirm agreement and advise the Council to adopt the Regulation, as set out in PE-CONS 3604/07, as an "A" item at a forthcoming meeting.

After it has been signed by the President of the European Parliament, the President of the Council and the Secretaries-General of the two institutions, the legislative act will be published in the Official Journal of the European Union.

¹ OJ C 148, 28.5.1999, p. 1.

² 16623/06.