

“That Dáil Éireann:

- (1) notes the agreed Report of the Joint Committee on Justice and Equality under Standing Order 114 on the Proposal for a Directive of the European Parliament and of the Council on preventive restructuring frameworks, second chance and measures to increase the efficiency of restructuring, insolvency and discharge procedures and amending Directive 2012/30/EU - *COM(2016)723* which was laid before Dáil Éireann on 16 February 2017 in accordance with Standing Order 114(3)(b);
- (2) having regard to the aforementioned Report, and in exercise of its functions under section 7(3) of the European Union Act 2009, is of the opinion that the Proposal for a Directive of the European Parliament and of the Council on preventive restructuring frameworks, second chance and measures to increase the efficiency of restructuring, insolvency and discharge procedures and amending Directive 2012/30/EU - *COM(2016)723* do not comply with the principle of subsidiarity for the reasons set out in paragraph 3 of the Report, and
- (3) notes that, pursuant to Standing Order 114(4), a copy of this Resolution together with the reasoned opinion and the aforementioned Report shall be sent to the Presidents of the European Parliament, the Council and the Commission.”.

Deputy Caoimhghín Ó Caoláin, Chairman of the Committee.

MOTION FOR INCLUSION ON DÁIL ORDER PAPER

“Go ndéanann Dáil Éireann:

- (4) an Tuarascáil chomhaontaithe a thabhairt dá aire ón gComhchoiste um Dhlí agus Ceart agus Comhionannas faoi Bhuan-Ordú 114 maidir leis an Togra le haghaidh Treoir ó Pharlaimint na hEorpa agus ón gComhairle maidir le creatha coisctheacha athstruchtúrúcháin, dara deis agus bearta chun éifeachtacht nósanna imeachta athstruchtúrúcháin, dócmhainneachta agus urscaoilte a mhéadú agus lena leasaítear Treoir 2012/30/AE - COM(2016)723a leagadh faoi bhráid Dháil Éireann ar an 16 Feabhra 2017 de réir Bhuan-Ordú 114(3)(b);
- (5) ag féachaint don Tuarascáil réamhráite, agus le linn a feidhmeanna faoi alt 7(3) d’Acht an Aontais Eorpaigh, 2009 a fheidhmiú, an tuairim a shealbhú nach ndéanann an Togra le haghaidh Treoir ó Pharlaimint na hEorpa agus ón gComhairle maidir le creatha coisctheacha athstruchtúrúcháin, dara deis agus bearta chun éifeachtacht nósanna imeachta athstruchtúrúcháin, dócmhainneachta agus urscaoilte a mhéadú agus lena leasaítear Treoir 2012/30/AE - COM(2016)723 prionsabal na coimhdeachta a chomhlíonadh ar na cúiseanna atá leagtha amach i mír 3 den Tuarascáil; agus
- (6) a thabhairt dá aire, de bhun Bhuan-Ordú 114(3)(d), go gcuirfear cóip den Rún seo mar aon leis an tuairim réasúnaithe agus an Tuarascáil réamhráite chuig Uachtarán Pharlaimint na hEorpa, Uachtarán na Comhairle agus Uachtarán an Choimisiúin.”.

An Teachta Caoimghín Ó Caoláin, Cathaoirleach an Choiste.