

“That Seanad Éireann:

- (1) notes the agreed Report of the Joint Committee on Justice and Equality under Standing Order 107 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 Seanad Éireann on 16 February 2017 in accordance with Standing Order 107(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 107(3)(d), 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.”.

Senator Jerry Buttimer.

MOTION FOR INCLUSION ON SEANAD ORDER PAPER

“Go ndéanann Seanad Éireann:

- (1) an Tuarascáil chomhaontaithe a thabhairt dá aire ón gComhchoiste um Dhlí agus Ceart agus Comhionannas faoi Bhuan-Ordú 107 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)723 a leagadh faoi bhráid Dháil Éireann ar an 16 Feabhra 2017 de réir Seanad Bhuan-Ordú 107(3)(b);
- (2) 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
- (3) a thabhairt dá aire, de bhun Bhuan-Ordú 107(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 Seanadóir Jerry Buttimer.