



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 2 December 2009

**Interinstitutional File:
2008/0130 (CNS)**

**16115/09
ADD 1 COR 1**

**DRS 71
SOC 711**

CORRIGENDUM TO THE ADDENDUM TO THE NOTE

from : Presidency
to : Council

No. prev. doc.: 16155/09 DRS 72 SOC 713 ADD 1 + 16606/09 DRS 76 SOC 738

No Cion prop.: 11252/08 DRS 17

Subject : Proposal for a Council Regulation on a European private company
 - Political agreement

On page 2, footnote 1 should read as follows:

"DE: parliamentary scrutiny, DE: general scrutiny reservation."

On page 2, the first citation should read as follows:

"Having regard to the Treaty on the Functioning of the European Union, and in particular Article 352 thereof,"

On page 2, the third sentence of recital 1 should read as follows:

"The approximation of national laws by means of directives based on Article 50 of the Treaty on the Functioning of the European Union can overcome some of these difficulties."

On page 10, recital 19 should read as follows:

"The Treaty on the Functioning of the European Union does not provide, for the adoption of this Regulation, powers other than those under Article 352."

On page 20, footnote 19 should read as follows:

"BE, LV, LU: reservation on this provision."

On page 24, footnote 20 should read as follows:

"SK: suggests "*prohibited*" instead of "*avoided*"."

On page 47, footnote 22 should read as follows:

IT, PL: reservation on this Article.

EE: cannot accept employee participation when SPE is formed *ex nihilo* nor the lowering of the threshold, and suggests introducing an additional requirement in paragraph 1a. point b: 500 employees in the entire SPE.

BE cannot accept the lowering of the threshold.

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