

# EUROPEAN PARLIAMENT

2004



2009

---

*Committee on Economic and Monetary Affairs*

**2008/2233(INI)**

15.12.2008

## **OPINION**

of the Committee on Economic and Monetary Affairs

for the Committee on Legal Affairs

on the effective enforcement of judgements in the European Union: the  
transparency of debtors' assets  
(2008/2233(INI))

Rapporteur(\*): Antolín Sánchez Presedo

(\* ) Associated committee - Rule 47 of the Rules of Procedure

PA\_NonLeg

## SUGGESTIONS

The Committee on Economic and Monetary Affairs calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Welcomes the Commission Green Paper on "Effective enforcement of judgments in the European Union: the transparency of debtors' assets" (COM(2008)0128), because it contributes to the Lisbon Strategy;
2. States that the lack of transparency in the information required to oblige debtors to fulfil their obligations is contrary to common principles of good faith and pecuniary liability; insists that inadequate knowledge of the national laws on enforcement procedures or their ineffectiveness is likely to slow down completion of a unified internal market and leads to unnecessary costs;
3. Points out that late payment, non-payment and the problem of debt recovery damage the interests of creditor businesses and consumers, reduce confidence in the internal market and undermine legal action;
4. Supports an integrated and effective strategy based on the principles of 'better lawmaking', and considers that the objective to be achieved should be payment that ensures non-discrimination, the protection of sensitive data and legal guarantees with proportionate measures that provide the requisite transparency and significantly reduce processing and management costs;
5. Insists that, besides the public information, the creditor should have access to the data required – subject to supervision by, or with the assistance of, a competent authority – in order to initiate the enforcement procedure and recover the debt by procedures readily applicable throughout the internal market;
6. Advocates a manual of enforcement laws and practices, increasing and improving the information available in registers, and access to these registers under Community or national operating rules, the exchange of information between enforcement authorities and the investigation of other appropriate measures;
7. Suggests that the party who has acquired proprietary rights recognised in a court judgment be able to enforce these rights under the same conditions as the information provider.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	11.12.2008
<b>Result of final vote</b>	+: 30 -: 1 0: 0
<b>Members present for the final vote</b>	Zsolt László Becsey, Pervenche Berès, Sharon Bowles, Udo Bullmann, Manuel António dos Santos, José Manuel García-Margallo y Marfil, Robert Goebbels, Donata Gottardi, Louis Grech, Benoît Hamon, Othmar Karas, Wolf Klinz, Christoph Konrad, Hans-Peter Martin, Sirpa Pietikäinen, John Purvis, Bernhard Rapkay, Heide Rühle, Antolín Sánchez Presedo, Olle Schmidt, Margarita Starkevičiūtė, Ieke van den Burg, Sahra Wagenknecht
<b>Substitute(s) present for the final vote</b>	Mia De Vits, Janusz Onyszkiewicz, Bilyana Ilieva Raeva, Theodor Dumitru Stolojan, Kristian Vigenin
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Michael Gahler, Monica Giuntini, Catuscia Marini