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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (part 2)/Council
Subject:	COUNCIL DECISION amending Protocol No 5 on the Statute of the European Investment Bank – Adoption

1. On 28 August 2024, the European Investment Bank submitted a request to the Council under Article 308 of the Treaty on the Functioning of the European Union to amend its Statute (ST 12974/24).
2. The request aims at removing the nominal limit established in Article 16(5), first subparagraph, of the Statute of the European Investment Bank, which currently limits the outstanding loans and guarantees granted by the Bank to 250% of its subscribed capital, reserves, non-allocated provisions and profit and loss account surplus. The request also aims to empower the Board of Governors to decide by unanimity the maximum level of this ratio.
3. The Council consulted the Commission and the European Parliament on 20 September 2024.
4. The European Parliament voted its legislative resolution at the Plenary on 14 November 2024 (ST 5742/25), and the Commission delivered its opinion on 27 November 2024 (ST 16316/24).

5. The working party of Financial Counsellors was asked to examine the text of the Council Decision (ST 6143/25) on 25 February 2025, with no objections being raised. One Member State indicated that it is still finalising its prior parliamentary procedure.
 6. Against this background, it is suggested that the Permanent Representatives Committee confirms the agreement on the text and recommends to the Council to adopt the Decision as reflected in ST 6143/25, already revised by lawyer-linguists, in one of its forthcoming meetings.
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