
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 417

**The European Public Limited-Liability
Company Regulations (Northern Ireland) 2004**

PART VI

PROVISIONS RELATING TO THE EFFECTIVE
APPLICATION OF THE EC REGULATION

Register of members of supervisory organ

77.—(1) Every SE which has adopted the form of a two-tier system in its statutes shall keep at its registered office a register of the members of its supervisory organ (“the members”); and the register shall, with respect to the particulars to be contained in it of those persons, comply with the provisions of this regulation.

(2) The SE shall, within the period of 14 days from the occurrence of –

- (a) any change among the members, or
- (b) any change in the particulars contained in the register,

send to the registrar a notification in the Form SE77A(NI), SE77B(NI) or SE77C(NI), as may be appropriate, set out in Schedule 1, of the change and of the date on which it occurred; and a notification of a person having become a member shall contain a consent, signed by that person, to act in the relevant capacity.

(3) The register shall be open to the inspection of any shareholder of the SE without charge and of any other person on payment of a fee of £2.50 for each hour or part of an hour during which the right of inspection is exercised.

(4) If an inspection required under this regulation is refused, or if default is made in complying with paragraph (1) or (2), the SE is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) In the case of a refusal of inspection of the register, the High Court may by order compel an immediate inspection of it.

(6) For the purposes of this regulation and regulation 78, where, to the extent that the application of Article 9(2) of the 1986 Order under any provision of the EC Regulation requires it, a shadow director of an SE, by virtue of the members of the supervisory organ acting in accordance with his directions or instructions, is deemed a member of that organ.

(7) Where an SE is required to keep a register of members of the supervisory organ by this regulation, the application of regulation 76 to that SE shall not require that particulars of members of the supervisory organ to be kept on any register required be kept under Article 296 of the 1986 Order.