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STATUTORY INSTRUMENTS

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**2004 No. 2326**

The European Public Limited-  
Liability Company Regulations 2004

PART 3

EMPLOYEE INVOLVEMENT

CHAPTER 2

*PARTICIPATING COMPANIES AND THE SPECIAL NEGOTIATING BODY*

**Circumstances in which certain provisions of Part 3 apply**

17.—(1) Subject to paragraphs (2) and (3), this Part shall apply where—

- (a) a participating company intends to establish an SE whose registered office is to be in Great Britain; or
- (b) an SE has its registered office in Great Britain.

(2) Where there are UK employees, Chapter 2 (election or appointment of members of special negotiating body and representation of employees) shall apply, regardless of where the registered office is to be situated, in relation to the election or appointment of UK members of the special negotiating body unless the majority of those employees is employed to work in Northern Ireland.

(3) Chapters 6 to 9 shall apply, regardless of where the registered office of the SE is, or is intended to be situated, where—

- (a) a participating company, its concerned subsidiaries or establishments;
- (b) a subsidiary of an SE;
- (c) an establishment of an SE; or
- (d) an employee or an employees' representative,

is registered or situated, as the case may be, in Great Britain.