
STATUTORY INSTRUMENTS

2018 No. 1298

The European Public Limited-Liability Company
(Amendment etc.) (EU Exit) Regulations 2018

PART 2

Amendment of subordinate legislation

49. In regulation 3 (interpretation) ^{M1}—

(a) in paragraph (1)—

(i) omit the definitions of “absolute majority vote” and “agency worker”;

(ii) for the definition of “employee involvement agreement” substitute—

““employee involvement agreement” means—

(a) an agreement reached before [^{F1}IP completion day] between the special negotiating body and the competent organs of the participating companies which governs the arrangements for the involvement of employees within the UK Societas,

(b) an agreement reached before or after [^{F1}IP completion day] between the special negotiating body and the competent organs of the participating companies which governs the arrangements for the involvement of employees within the SE,

(c) an agreement reached after [^{F1}IP completion day] following a special negotiating body having been reconvened under regulation 17 of these Regulations, which governs the arrangements for the involvement of employees within the UK Societas;”;

(iii) for the definition of “information and consultation representative” substitute—

““information and consultation representatives” means representatives elected or appointed to act pursuant to information and consultation procedures established in an employee involvement agreement instead of a representative body;”;

(iv) omit the definition of “participation”;

(v) before the definition of “representative body” insert—

““Relevant State” means an EEA State or the United Kingdom;”;

(vi) for the definition of “SE” substitute—

““SE” means a European Public Limited-Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it has effect in EU law as amended from time to time;”;

(vii) omit the definitions of “SE established by merger”, “SE established by formation of a holding company or subsidiary company” and “SE established by transformation”;

- (viii) for the definition of “standard rules on employee involvement” substitute—
- ““standard rules on employee involvement” means—
- (a) in respect of a UK Societas the rules on employee involvement which apply by virtue of regulation 19, as it had effect immediately before [^{F2}IP completion day],
- (b) in respect of an SE the rules laid down by the EEA State in which it has its registered office;”;
- (ix) omit the definitions of “suitable information relating to the use of agency workers”, “two thirds majority vote” and “UK members of the special negotiating body”;
- (x) at the end, insert—
- ““UK Societas” means a European Public Limited-Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it had effect immediately before [^{F3}IP completion day], which on [^{F3}IP completion day] converted to a United Kingdom Societas within the meaning of the EC Regulation.”;
- (b) in paragraph (2)—
- (i) after “the EC Directive”, insert “, subject to the stated modifications ”;
- (ii) for “information” substitute—
- ““information”, read as if—
- (a) for “Member State” there were substituted “ Relevant State ”,
- (b) after each occurrence of “SE” there were inserted “ or the UK Societas ”;
- (iii) after “consultation” insert “, read as if after each occurrence of “ SE ” there were inserted “or the UK Societas”;
- (c) after paragraph (2) insert—
- “(2A) Where an employee involvement agreement was reached before [^{F4}IP completion day] for a UK Societas, or where the standard rules on employee involvement apply in respect of that UK Societas, on and after [^{F4}IP completion day] any reference to an “EEA State” in that agreement or those rules, insofar as they apply to that UK Societas, must, where appropriate, be read as if they were to “an EEA State and the United Kingdom.”;
- (d) omit paragraph (4).

- | | |
|-----------|--|
| F1 | Words in reg. 49(a)(ii) substituted (31.12.2020 immediately before IP completion day) by The Companies and Statutory Auditors etc. (Consequential Amendments) (EU Exit) Regulations 2020 (S.I. 2020/523) , regs. 1(2), 3(c)(i)(aa) |
| F2 | Words in reg. 49(a)(viii) substituted (31.12.2020 immediately before IP completion day) by The Companies and Statutory Auditors etc. (Consequential Amendments) (EU Exit) Regulations 2020 (S.I. 2020/523) , regs. 1(2), 3(e)(i)(bb) |
| F3 | Words in reg. 49(a)(x) substituted (31.12.2020 immediately before IP completion day) by The Companies and Statutory Auditors etc. (Consequential Amendments) (EU Exit) Regulations 2020 (S.I. 2020/523) , regs. 1(2), 3(e)(i)(cc) |
| F4 | Words in reg. 49(c) substituted (31.12.2020 immediately before IP completion day) by The Companies and Statutory Auditors etc. (Consequential Amendments) (EU Exit) Regulations 2020 (S.I. 2020/523) , regs. 1(2), 3(e)(ii) |

Commencement Information

- I1** Reg. 49 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

Changes to legislation: *There are currently no known outstanding effects for the The European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2018, Section 49. (See end of Document for details)*

Marginal Citations

M1 Regulation 3 was amended by [S.I. 2010/93](#).

Changes to legislation:

There are currently no known outstanding effects for the The European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2018, Section 49.