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STATUTORY INSTRUMENTS

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**2007 No. 1949**

**EUROPEAN COMMUNITIES**

**The European Grouping of Territorial  
Cooperation Regulations 2007**

*Made* - - - - *9th July 2007*  
*Laid before Parliament* *10th July 2007*  
*Coming into force* - - *1st August 2007*

<sup>F1</sup>The Secretary of State is a Minister designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the creation, operation, regulation or dissolution of companies and other forms of business organisation.

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of that Act.

**Textual Amendments**

**F1** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

**PART 1**  
**GENERAL**

**Citation and commencement**

<sup>F2</sup>**1.** .....

**Textual Amendments**

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

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(1) S.I. 2007/193.  
(2) 1972 c.68.

*Status: Point in time view as at 31/07/2015.*

*Changes to legislation: There are currently no known outstanding effects for the The European Grouping of Territorial Cooperation Regulations 2007. (See end of Document for details)*

## Interpretation

<sup>F2</sup>2. ....

### Textual Amendments

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

## PART 2

### PROVISIONS RELATING TO ARTICLES 4, 5, 11, 12, 13 and 14 OF THE EC REGULATION

#### Establishment of an EGTC (Article 4(3) of the EC Regulation)

<sup>F2</sup>3. ....

### Textual Amendments

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

#### Acquisition of legal personality (Article 5(1) of the EC Regulation)

<sup>F2</sup>4. ....

### Textual Amendments

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

#### Competent authority and court (Articles 4(4), 13(1) and 14(1) of the EC Regulation)

<sup>F2</sup>5. ....

### Textual Amendments

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

#### Budget (Article 11 of the EC Regulation)

<sup>F2</sup>6. ....

**Textual Amendments**

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

**Insolvency and winding up (Article 12(1) of the EC Regulation)**

**F27.** .....

**Textual Amendments**

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

**PART 3**

**EXERCISE OF MEMBER STATE OPTIONS UNDER THE EC REGULATION**

**Prohibition of members with limited liability (Article 12(2) of the EC Regulation)**

**F28.** .....

**Textual Amendments**

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

**PART 4**

**SUPPLEMENTAL PROVISIONS RELATING TO THE  
EFFECTIVE APPLICATION OF THE EC REGULATION**

**Application of the Company Directors Disqualification Act 1986**

**F29.** .....

**Textual Amendments**

**F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

**Penalties**

**F2F2** ....

**Status:** Point in time view as at 31/07/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The European Grouping of Territorial Cooperation Regulations 2007. (See end of Document for details)

**Textual Amendments**

- F2** Regulations revoked (except for Sch. Pts. 2, 3) (31.7.2015) by [The European Grouping of Territorial Cooperation Regulations 2015 \(S.I. 2015/1493\)](#), **reg. 13(1)** (with reg. 13(2))

*Stephen Timms*  
Minister of State for Competitiveness and  
Consumer Affairs  
Department for Business, Enterprise and  
Regulatory Reform

SCHEDULE

Regulations 6 and 7

<sup>F3</sup>PART 1

MODIFICATIONS TO PART 7 OF THE COMPANIES ACT 1985

**Textual Amendments**

**F3** Sch. Pt. 1 omitted (6.4.2008) by virtue of [The European Grouping of Territorial Cooperation \(Amendment\) Regulations 2008 \(S.I. 2008/728\)](#), regs. 1, **2(7)**

1. ....
2. ....
3. ....
4. ....
5. ....

PART 2

MODIFICATIONS TO THE INSOLVENCY ACT 1986 AND  
THE INSOLVENCY (NORTHERN IRELAND) ORDER 1989

6. Sections 117(2) to (5) (county court jurisdiction), 118 (proceedings taken in the wrong court), 119 (proceedings in county court) and 120(3) and (5) (sheriff court jurisdiction) of the 1986 Act do not apply.

**Commencement Information**

**I1** Sch. para. 6 in force at 1.8.2007, see [reg. 1\(2\)](#)

7. In section 221(1) of the 1986 Act and article 185(1) of the 1989 Order (winding up of unregistered companies) after the words “all the provisions” there shall be added the words “of Regulation (EC) No 1082/2006 of the European Parliament and of the Council and”.

**Commencement Information**

**I2** Sch. para. 7 in force at 1.8.2007, see [reg. 1\(2\)](#)

PART 3

MODIFICATIONS TO THE INSOLVENCY RULES

8. Any requirement in the Insolvency Rules to provide the registrar of companies with information in relation to the winding up of an unregistered company, shall not apply where such a company is a UK EGTC.

**Status:** Point in time view as at 31/07/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The European Grouping of Territorial Cooperation Regulations 2007. (See end of Document for details)

#### Commencement Information

**I3** Sch. para. 8 in force at 1.8.2007, see [reg. 1\(2\)](#)

**9.** In rule 4.21 of the Insolvency Rules 1986<sup>(3)</sup> and rule 4.021 of the Insolvency Rules (Northern Ireland) 1991<sup>(4)</sup> (transmission and advertisement of order) the court is required to serve two copies of the winding-up order on the official receiver.

#### Commencement Information

**I4** Sch. para. 9 in force at 1.8.2007, see [reg. 1\(2\)](#)

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision supplementing Regulation (EC) No 1082/2006 of the European Parliament and of the Council on a European grouping of territorial cooperation (O.J. No L210, 31.7.2006, p.19) (“the EC Regulation”) for the effective application of the EC Regulation in the United Kingdom.

The EC Regulation provides for the creation of a new form of body corporate, the European grouping of territorial cooperation (“EGTC”). It will be governed by the EC Regulation. An EGTC formed in the United Kingdom will also be governed by these Regulations.

Although directly applicable in the territory of the Community, the EC Regulation obliges each Member State to make arrangements in relation to a prospective member of an EGTC which is formed under its law and in relation to an EGTC the registered office of which is on its territory. The Regulations therefore:

- (a) make provision as to the establishment of an EGTC and a UK EGTC (regulations 3, 4 and 5(1));
- (b) contain provisions about what accounts and insolvency provisions are to apply to a UK EGTC (regulations 6 and 7);
- (c) contain provisions needed to achieve the effective application of the EC Regulation (regulations 5(2) and (3), 9 and 10).

The EC Regulation also enables Member States to exercise options set out in the EC Regulation. Regulation 8 exercises the option in Article 7(3) of the EC Regulation.

An Impact Assessment has not been prepared for this instrument, as it has no impact on business, charities or the voluntary sector.

A Transposition Note is available from the Company Law and Governance Directorate, Department for Business, Enterprise and Regulatory Reform, 1 Victoria Street, London, SW1H 0ET. A copy has also been placed in the libraries of both Houses of Parliament.

<sup>(3)</sup> S.I. 1986/1925.

<sup>(4)</sup> S.R. 1991 No.364.

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**Status:** *Point in time view as at 31/07/2015.*

**Changes to legislation:** *There are currently no known outstanding effects for the The European Grouping of Territorial Cooperation Regulations 2007. (See end of Document for details)*

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Point in time view as at 31/07/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the The European Grouping of Territorial Cooperation Regulations 2007.