

Council Regulation (EC) No 2157/2001 of 8 October
2001 on the Statute for a European company (SE)

TITLE II

FORMATION

Section 2

Formation by merger

Article 23

1 The general meeting of each of the merging companies shall approve the draft terms of merger.

2 Employee involvement in the SE shall be decided pursuant to Directive 2001/86/EC. The general meetings of each of the merging companies may reserve the right to make registration of the SE conditional upon its express ratification of the arrangements so decided.

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EC) No 2157/2001. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 14-37 omitted by [S.I. 2018/1298 reg. 109](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Title 3 heading words substituted by [S.I. 2018/1298 reg. 110](#)
- Signature words omitted by [S.I. 2018/1298 reg. 138](#)
- Art. AA1(1) words substituted in earlier amending provision S.I. 2018/1298, reg. 97 by [S.I. 2020/523 reg. 4\(a\)\(ii\)\(aa\)](#)
- Art. AA1(2) words substituted in earlier amending provision S.I. 2018/1298, reg. 97 by [S.I. 2020/523 reg. 4\(a\)\(ii\)\(bb\)](#)
- Art. AA1(5) words substituted in earlier amending provision S.I. 2018/1298, reg. 97 by [S.I. 2020/523 reg. 4\(a\)\(ii\)\(cc\)](#)
- Art. A1 words substituted in earlier amending provision S.I. 2018/1298, reg. 97 by [S.I. 2020/523 reg. 4\(a\)\(i\)](#)
- Art. 000A1-AAA1 inserted by [S.I. 2018/1298 reg. 97](#)
- Annex 1 omitted by [S.I. 2018/1298 reg. 139](#)
- Annex 2 omitted by [S.I. 2018/1298 reg. 139](#)
- Art. 9(1)(c)(i) substituted by [S.I. 2018/1298 reg. 104\(a\)\(ii\)](#)
- Art. 9(1)(c)(iii) words omitted by [S.I. 2018/1298 reg. 104\(a\)\(iv\)](#)
- Art. 9(1)(c)(ii) words omitted by [S.I. 2018/1298 reg. 104\(a\)\(iii\)\(bb\)](#)
- Art. 9(1)(c)(ii) words substituted by [S.I. 2018/1298 reg. 104\(a\)\(iii\)\(aa\)](#)
- Art. 40(2)(a)-(c) Art. 40(2)(a)-(c) substituted for words by [S.I. 2018/1298 reg. 113\(b\)](#)
- Art. 43(2)(a)(b) Art. 43(2)(a)(b) substituted for words by [S.I. 2018/1298 reg. 115\(b\)\(iv\)](#)
- Art. 43(3)(a)-(c) Art. 43(3)(a)(b) substituted for words by [S.I. 2018/1298 reg. 115\(c\)](#)
- Art. 47(2)(a) words omitted by [S.I. 2018/1298 reg. 117\(b\)\(ii\)\(bb\)](#)
- Art. 47(2)(a) words substituted by [S.I. 2018/1298 reg. 117\(b\)\(ii\)\(aa\)](#)
- Art. 47(2)(b) words omitted by [S.I. 2018/1298 reg. 117\(b\)\(iii\)\(aa\)](#)
- Art. 47(2)(b) words omitted by [S.I. 2018/1298 reg. 117\(b\)\(iii\)\(bb\)](#)
- Art. 52(b) substituted by [S.I. 2018/1298 reg. 122\(a\)](#)