
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under section 2(2) of the European Communities Act 1972 (c.68), replace the provisions of Part 3 of the European Public-Limited Liability Company Regulations (Northern Ireland) 2004 (SR 2004 No 417) (“the 2004 NI Regulations”). They continue the implementation in Northern Ireland of Council Directive [2001/86/EC](#) (O.J. L 294, 10.11.2001, p.22) supplementing the Statute for a European Company (Council Regulation [2157/2001/EC](#): O.J. L294, 10.11.2001, p.1) with regard to the involvement of employees. The Regulations come into force on 1st October 2009.

There are separate regulations continuing the implementation of Directive [2001/86/EC](#) in Great Britain (the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009(S.I. 2009/2401)).

Under section 1285 of the Companies Act 2006 (c.46) the remaining provisions of the 2004 NI Regulations cease to have effect on 1st October 2009, and the European Public-Limited Liability Company Regulations 2004 (S.I. 2004/2326), as amended by the European Public Limited-Liability Company (Amendment) Regulations 2009 (S.I. 2009/2400) are extended to Northern Ireland.

These Regulations continue the implementation in Northern Ireland of the Directive's provisions relating to employee involvement in the form of public limited-liability company, Societas Europea, known as the “SE”. The Regulations govern—

- the establishment of a special negotiating body (Part 2);
- the election or appointment of the UK members of the special negotiating body (Part 3);
- the negotiation of an employee involvement agreement (Part 4);
- standard rules on employee involvement (Part 5);
- compliance and enforcement (Part 6);
- treatment of confidential information (Part 7); and
- employee protection (Part 8).

An Impact Assessment of the effect that the European Public Limited-Liability Company Regulations 2004 would have on the costs of business was prepared and placed in the library of both Houses of Parliament, as were transposition notes. These documents can be obtained from the Department for Business, Innovation and Skills, 1 Victoria Street, London SW1H 0ET, and can be downloaded from http://www.opsi.gov.uk/si/em_20042326_en.pdf. No further Impact Assessment has been produced.

Changes to legislation:

There are currently no known outstanding effects for the The European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009.