

STATUTORY INSTRUMENTS

2018 No. 1298

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

PART 4

Transitional and savings provisions

Provisions in respect of amendments made to the European Public Limited-Liability Company Regulations 2004 and Council Regulation 2157/2001/EC of 8 October 2001 on the Statute for a European Company

140. In regulations 141 to 145—

“the 2004 Regulations” means the European Public Limited-Liability Company Regulations 2004 ^{M1};

“the 2006 Act” means the Companies Act 2006 ^{M2};

“the EC Regulation” means Council Regulation 2157/2001/EC of 8 October 2001 on the Statute for a European Company;

“SE” means a European Public Limited-Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it had effect immediately before [^{F1}IP completion day], that was registered in the United Kingdom;

“UK Societas” means a SE which on [^{F1}IP completion day] converted to a UK Societas within the meaning of the EC Regulation.

F1 Words in reg. 140 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), **5(a)**

Commencement Information

I1 Reg. 140 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

Marginal Citations

M1 [S.I. 2004/2326](#).

M2 [2006 c.46](#).

141. Despite the amendments and revocations made by these Regulations—

(a) regulation 13 of the 2004 Regulations (documents sent to the registrar), as it applies in respect of the application and modification of section 1094 of the 2006 Act ^{M3}; and

- (b) regulation 14 of the 2004 Regulations (application of the 2006 Act to the registration of SEs), as it applies in respect of the application and modification of section 1084 of the 2006 Act,

continue to have effect, on and after [F2IP completion day], in relation to an SE which dissolved before [F2IP completion day].

F2 Words in reg. 141 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), **5(b)**

Commencement Information

I2 Reg. 141 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

Marginal Citations

M3 Section 1094 was amended by schedule 5(2), para 32(a)-(c) to the [Small Business, Enterprise and Employment Act 2015 \(c.26\)](#).

142.—(1) To the extent that enactments or rules of law applied to a dissolved SE immediately before [F3IP completion day], by virtue of applying to a public limited-liability company pursuant to the EC Regulation, they continue to apply to a dissolved SE after [F3IP completion day].

(2) If an SE dissolved before [F4IP completion day], and accordingly did not convert to a UK Societas under the EC Regulation, but after [F4IP completion day] is restored to the register, upon restoration it is deemed to have become a UK Societas on [F4IP completion day].

F3 Words in reg. 142(1) 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), **5(c)(i)**

F4 Words in reg. 142(2) 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), **5(c)(ii)**

Commencement Information

I3 Reg. 142 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

143.—(1) Where the amendments made by regulation 28 would (apart from this paragraph) require a UK Societas's register of supervisory organ members to contain additional particulars in respect of an existing corporate member, the UK Societas need not comply with that requirement until three months after [F5IP completion day].

(2) In this paragraph, “existing corporate member” means a body corporate, or a firm that is a legal person under the law by which it is governed, whose particulars were contained in the UK Societas's register of supervisory organ members immediately before [F6IP completion day].

F5 Words in reg. 143(1) 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), **5(d)(i)**

F6 Words in reg. 143(2) 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), **5(d)(ii)**

Commencement Information

I4 Reg. 143 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

144. Despite the amendments and revocations made by these Regulations, regulation 88 (effect of registration), together with paragraphs 2 to 9 of Schedule 4 (modifications of the Companies Acts) of the 2004 Regulations as they had effect immediately before [^{F7}IP completion day], continues to have effect on and after [^{F7}IP completion day], in respect of an SE that converted to a public limited-liability company in accordance with Article 66 of the EC Regulation, as it had effect immediately before [^{F7}IP completion day].

F7 Words in reg. 144 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), **5(e)**

Commencement Information

I5 Reg. 144 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

145. Where an SE has converted on [^{F8}IP completion day] to a UK Societas, that UK Societas is required to comply with the provisions in Part 6 (trading disclosures) of the Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015^{M4} within the period of three months beginning on [^{F8}IP completion day].

F8 Words in reg. 145 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), **5(f)**

Commencement Information

I6 Reg. 145 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

Marginal Citations

M4 [S.I. 2015/17](#).

Provisions in respect of amendments made to the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009

146.—(1) Despite the revocations and amendments made by these Regulations, an employee who was a member of a special negotiating body before [^{F9}IP completion day]—

- (a) may after [^{F10}IP completion day] present a complaint to an employment tribunal under regulation 28 (right to time off: complaints to tribunals) of the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009, and regulation 28A (extension of time limit to facilitate conciliation before institution of proceedings) applies accordingly, that the employer—

- (i) has unreasonably refused to permit the employee to take time off as required under regulation 26 (right to time off for members of special negotiating body etc.), or
- (ii) has failed to pay the whole or any part of any amount to which the employee is entitled under regulation 27 (right to remuneration for time off under regulation 26), provided the complaint is in respect of a time off before [F10IP completion day];
- (b) who is dismissed, is to be regarded as unfairly dismissed within the terms of regulation 29(2) and (3) (unfair dismissal), and regulation 30 (subsidiary provisions relating to unfair dismissal) applies accordingly, provided the reason (or, if more than one, the principal reason) for the dismissal occurred before [F11IP completion day];
- (c) has the right not to be subjected to any detriment within the terms of regulation 31(2) and (3) (detriment), and regulation 32 (detriment: enforcement and subsidiary provisions) applies accordingly, provided the grounds for the detriment occurred before [F12IP completion day].

- F9** Words in reg. 146(1) 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), **5(g)(i)**
- F10** Words in reg. 146(1)(a) 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), **5(g)(ii)**
- F11** Words in reg. 146(1)(b) 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), **5(g)(iii)**
- F12** Words in reg. 146(1)(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), **5(g)(iv)**

Commencement Information

- I7** Reg. 146 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

147. In regulations 148 to [F13152A] —

“the pre-exit 2009 GB Regulations” means the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009, as they had effect immediately before [F14IP completion day];

“the 2009 GB Regulations” means the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009;

“SE” means a European Public Limited-Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it had effect immediately before [F14IP completion day].

- F13** Word in reg. 147 substituted (31.12.2020) by [The International Accounting Standards and European Public Limited-Liability Company \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/685\)](#), reg. 1(2), **Sch. 3 para. 14**; [2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F14** Words in reg. 147 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), **5(h)**

Commencement Information

I8 Reg. 147 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

148. Despite the amendments and revocations made by these Regulations, regulations 3 and 7 to 18 of the pre-exit 2009 GB Regulations continue, on and after [^{F15}IP completion day], to have effect in relation to a special negotiating body reconvened under regulation 17 (decision not to open, or to terminate, negotiations) of the 2009 GB Regulations, as appropriate and practicable and subject to the modifications in regulation 149.

F15 Words in reg. 148 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), [5\(i\)](#)

Commencement Information

I9 Reg. 148 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

149. The modifications to the pre-exit 2009 Regulations are as follows—

- (a) references to “EEA State”, “an EEA State” or “EEA States” are to be read as though they were references to “Relevant State”, “a Relevant State” or “Relevant States”;
- (b) references to “SE” or “SE’s” are to be read as if they were references to “UK Societas” or “UK Societas’s”—
 - (i) in regulation 3 (interpretation)—
 - (aa) in paragraph (1), in the definitions of “employee involvement agreement” and “participation”;
 - (bb) in paragraph (2), in the definitions of “information” and “consultation”;
 - (ii) in regulation 15(2)(g) and (3A);
 - (iii) in the definition of “reduction of participation rights” in regulation 16(3); and
 - (iv) in regulation 17(3)(b), (4)(b)(ii) and (c)(ii);
- (c) otherwise, regulation 3 (interpretation) is to be read as if amended by these Regulations, save as if—
 - (i) in paragraph (1) the following definitions were not omitted—
 - (aa) “absolute majority vote”;
 - (bb) “agency worker”;
 - (cc) “participation”;
 - (dd) “SE established by merger”;
 - (ee) “SE established by formation of a holding company or subsidiary company”;
 - (ff) “SE established by transformation”;
 - (gg) “suitable information relating to the use of agency workers”;
 - (hh) “two thirds majority vote”;
 - (ii) “UK members of the special negotiating body”;
 - (ii) the definition of “information and consultation representative” were omitted;

(iii) after “participation” there were inserted—

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

(iv) for the definition of “SE” there were substituted—

““SE” means a European Public Limited Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it had effect immediately before [F16IP completion day];”;

(v) in paragraph (2), the definition of “special negotiating body” were to a special negotiating body reconvened after [F17IP completion day] under regulation 17 (decision not to open, or to terminate, negotiations) of these Regulations, as they have effect after [F17IP completion day];

(d) regulation 14 (negotiations to reach an employee involvement agreement) is to be read as if paragraphs (2) and (3) were omitted.

F16 Words in reg. 149(c)(iv) 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), **5(j)(i)**

F17 Words in reg. 149(c)(v) 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), **5(j)(ii)**

Commencement Information

I10 Reg. 149 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

150. Regulations 146 to 149 are without prejudice to the application otherwise, in these circumstances, of the remaining regulations of the 2009 GB Regulations.

Commencement Information

I11 Reg. 150 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

151. If an employee involvement agreement is not agreed following the reconvening of a special negotiating body, the standard rules on employee involvement in the Schedule to the pre-exit 2009 GB Regulations do not apply.

Commencement Information

I12 Reg. 151 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

152. If an employee involvement agreement is agreed following the reconvening of a special negotiating body, the provisions of the 2009 GB Regulations apply thereafter.

Commencement Information

I13 Reg. 152 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

^{F18}**152A.**—(1) Despite the amendments and revocations made by these Regulations, paragraph 5(1) of the Schedule to the pre-exit 2009 GB Regulations applies to a UK Societas whose representative body was established less than four years before IP completion day.

(2) Where paragraph 5(1) applies—

- (a) regulations 14 to 16 and 18 of the pre-exit 2009 GB Regulations apply, to the representative body as they apply to the special negotiating body, and the date referred to in regulation 14(3) is the date of the decision;
- (b) Parts 2 and 3 of the Schedule to the pre-exit 2009 GB Regulations apply, where appropriate, and
- (c) the following modifications to the pre-exit 2009 GB Regulations have effect—
 - (i) references to “EEA State” are to be read as though they were references to “Relevant State”;
 - (ii) references to “SE” are to be read as if they were references to “UK Societas”.]

F18 Reg. 152A inserted (31.12.2020) by The International Accounting Standards and European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/685), reg. 1(2), Sch. 3 para. 15 (as amended by S.I. 2020/523, regs. 1(2), 26(c); 2020 c. 1, Sch. 5 para. 1(1))

Provisions in respect of amendments made to the European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009

153.—(1) Despite the revocations and amendments made by these Regulations, an employee who was a member of a special negotiating body before ^{F19}IP completion day—

- (a) may after ^{F20}IP completion day] present a complaint to an industrial tribunal under regulation 28 (right to time off: complaints to tribunals) of the European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009, that the employer—
 - (i) has unreasonably refused to permit the employee to take time off as required under regulation 26 (right to time off for members of special negotiating body etc.), or
 - (ii) has failed to pay the whole or any part of any amount to which the employee is entitled under regulation 27 (right to remuneration for time off under regulation 26), provided the complaint is in respect of a time off before ^{F20}IP completion day];
- (b) who is dismissed, is to be regarded as unfairly dismissed within the terms of regulation 29(2) and (3) (unfair dismissal), and regulation 30 (subsidiary provisions relating to unfair dismissal) applies accordingly, provided the reason (or, if more than one, the principal reason) for the dismissal occurred before ^{F21}IP completion day];
- (c) has the right not to be subjected to any detriment within the terms of regulation 31(2) and (3) (detriment), and regulation 32 (detriment: enforcement and subsidiary provisions) applies accordingly, provided the grounds for the detriment occurred before ^{F22}IP completion day].

F19 Words in reg. 153(1) 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), 5(k)(i)

F20 Words in reg. 153(1)(a) 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), 5(k)(ii)

- F21** Words in reg. 153(1)(b) 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), **5(k)(iii)**
- F22** Words in reg. 153(1)(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), **5(k)(iv)**

Commencement Information

- I14** Reg. 153 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

154. In regulations 155 to ^[F23]159A—

“the pre-exit 2009 NI Regulations” means the European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009, as they had effect immediately before ^[F24]IP completion day];

“the 2009 NI Regulations” means the European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009;

“SE” means a European Public Limited-Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it had effect immediately before ^[F24]IP completion day].

- F23** Word in reg. 154 substituted (31.12.2020) by [The International Accounting Standards and European Public Limited-Liability Company \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/685\)](#), reg. 1(2), **Sch. 3 para. 16**; [2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F24** Words in reg. 154 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), **5(l)**

Commencement Information

- I15** Reg. 154 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

155. Despite the amendments and revocations made by these Regulations, regulations 3 and 7 to 18 of the pre-exit 2009 NI Regulations continue, on and after ^[F25]IP completion day], to have effect in relation to a special negotiating body reconvened under regulation 17 (decision not to open, or to terminate, negotiations) of the 2009 NI Regulations, as appropriate and practicable and subject to the modifications in regulation 156.

- F25** Words in reg. 155 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), **5(m)**

Commencement Information

- I16** Reg. 155 in force on IP completion day, see reg. 1 and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

156. The modifications to the pre-exit 2009 Regulations are as follows—

- (a) references to “EEA State”, “an EEA State” or “EEA States” are to be read as though they were references to “Relevant State”, “a Relevant State” or “Relevant States”;

- (b) references to “SE” or “SE’s” are to be read as if they were references to “UK Societas” or “UK Societas’s”—
- (i) in regulation 3 (interpretation)—
 - (aa) in paragraph (1), in the definitions of “employee involvement agreement” and “participation”;
 - (bb) in paragraph (2), in the definitions of “information” and “consultation”;
 - (ii) in regulation 15(2)(g) and (3A);
 - (iii) in the definition of “reduction of participation rights” in regulation 16(3); and
 - (iv) in regulation 17(3)(b), (4)(b)(ii) and (c)(ii);
- (c) otherwise, regulation 3 (interpretation) is to be read as if amended by these Regulations, save as if—
- (i) in paragraph (1) the following definitions were not omitted—
 - (aa) “absolute majority vote”;
 - (bb) “agency worker”;
 - (cc) “participation”;
 - (dd) “SE established by merger”;
 - (ee) “SE established by formation of a holding company or subsidiary company”;
 - (ff) “SE established by transformation”;
 - (gg) “suitable information relating to the use of agency workers”;
 - (hh) “two thirds majority vote”;
 - (ii) “UK members of the special negotiating body”;
 - (ii) the definition of “information and consultation representative” were omitted;
 - (iii) after “participation” there were inserted—
 - ““Relevant State” means an EEA State or the United Kingdom;”;
 - (aa) for the definition of “SE” there were substituted—
 - ““SE” means a European Public Limited Liability Company (or Societas Europaea) within the meaning of the EC Regulation, as it had effect immediately before [^{F26}IP completion day];”;
 - (iv) in paragraph (2), the definition of “special negotiating body” were to a special negotiating body reconvened after [^{F27}IP completion day] under regulation 17 (decision not to open, or to terminate, negotiations) of these Regulations, as they have effect after [^{F27}IP completion day];
- (d) regulation 14 (negotiations to reach an employee involvement agreement) is to be read as if paragraphs (2) and (3) were omitted.

F26 Words in reg. 156(c)(iii) 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), **5(n)(i)**

F27 Words in reg. 156(c)(iv) 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), **5(n)(ii)**

Commencement Information

I17 Reg. 156 in force on IP completion day, see reg. 1 and 2020 c. 1, **Sch. 5 para. 1(1)**

157. Regulations 154 to 156 are without prejudice to the application otherwise, in these circumstances, of the remaining regulations of the 2009 NI Regulations.

Commencement Information

I18 Reg. 157 in force on IP completion day, see reg. 1 and 2020 c. 1, **Sch. 5 para. 1(1)**

158. If an employee involvement agreement is not agreed following the reconvening of a special negotiating body, the standard rules on employee involvement in the Schedule to the pre-exit 2009 NI Regulations do not apply.

Commencement Information

I19 Reg. 158 in force on IP completion day, see reg. 1 and 2020 c. 1, **Sch. 5 para. 1(1)**

159. If an employee involvement agreement is agreed following the reconvening of a special negotiating body, the provisions of the 2009 NI Regulations apply thereafter.

Commencement Information

I20 Reg. 159 in force on IP completion day, see reg. 1 and 2020 c. 1, **Sch. 5 para. 1(1)**

[^{F28}159A.—(1) Despite the amendments and revocations made by these Regulations, paragraph 5(1) of the Schedule to the pre-exit 2009 NI Regulations applies to a UK Societas whose representative body was established less than four years before IP completion day.

(2) Where paragraph 5(1) applies—

- (a) regulations 14 to 16 and 18 of the pre-exit 2009 NI Regulations apply, to the representative body as they apply to the special negotiating body, and the date referred to in regulation 14(3) is the date of the decision;
- (b) Parts 2 and 3 of the Schedule to the pre-exit 2009 NI Regulations apply, where appropriate, and
- (c) the following modifications to the pre-exit 2009 NI Regulations have effect—
 - (i) references to “EEA State” are to be read as though they were references to “Relevant State”;
 - (ii) references to “SE” are to be read as if they were references to “UK Societas”.]

F28 Reg. 159A inserted (31.12.2020) by The International Accounting Standards and European Public Limited-Liability Company (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/685), reg. 1(2), **Sch. 3 para. 17** (as amended by S.I. 2020/523, regs. 1(2), **26(d)**); 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, PART 4.