Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

16 December 2010 [shall come into force on 1 January 2011];

3 December 2015 [shall come into force on 16 December 2015].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on European Groupings of Territorial Cooperation**

**Section 1. Purpose and Scope of Application of the Law**

(1) The purpose of the Law is to promote and facilitate cross-border, transnational or interregional cooperation of the members of European groupings of territorial cooperation (hereinafter – the cooperation grouping) with the aim of strengthening the social and economic cohesion.

(2) The activities of cooperation groupings shall be determined by Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC) (hereinafter – Regulation No 1082/2006), Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European grouping of territorial cooperation (EGTC) as regards the clarification, simplification and improvement of the establishment and functioning of such groupings (hereinafter – Regulation No 1302/2013), this Law, and other laws and regulations, and also the documents of establishment of the cooperation grouping.

[*3 December 2015*]

**Section 2. Legal Status of the Cooperation Grouping**

The cooperation grouping shall be a legal person and be entitled to operate on behalf of the members in the composition thereof. It shall be regarded as established from the day when the cooperation grouping has been entered in the Register of European Groupings of Territorial Cooperation (hereinafter – the Register).

**Section 3. Members of the Cooperation Grouping**

(1) The cooperation grouping may be established by the members that are located on the territory of at least two European Union Member States, except for the cases specified in Article 1(4) of Regulation No 1302/2013.

(2) The following person may be a member of the cooperation grouping from Latvia:

1) a legal person governed by public law, including through its institution;

2) a legal person governed by private law which concurrently conforms to the following criteria:

a) it has been established or is operating in order to ensure public needs which do not have a commercial or industrial character;

b) it is subordinate to or falls under the decisive influence of a legal person governed by public law or authority thereof or falls under the decisive influence of a legal person governed by private law which conforms to such criteria;

3) a legal person governed by private law which has been granted the right to provide services of general economic interest.

(3) A member of the cooperation grouping may also be such institution which may be added to several legal persons governed by public law.

[*3 December 2015*]

**Section 4. Documents of Establishment of the Cooperation Grouping**

The articles of association and statutes of the cooperation grouping shall be the documents of establishment of the cooperation grouping.

**Section 5. Proposal for Establishment of the Cooperation Grouping**

(1) A prospective member of the cooperation grouping from Latvia shall send a notification to the Ministry of Environmental Protection and Regional Development (hereinafter – the Ministry) regarding the intention thereof to participate in the cooperation grouping (regardless of whether the grouping is or is not being registered in Latvia). A copy of the articles of association and the statutes of the prospective cooperation grouping shall be appended to the notification.

(2) The Ministry shall, within six months after receipt of the documents referred to in Paragraph one of this Section, approve or not approve the participation of the prospective member in the cooperation grouping.

(3) The Ministry shall not approve the participation of the prospective member in the cooperation grouping in the cases specified in Article 1(5) of Regulation No 1302/2013.

(4) The cooperation grouping not registered in Latvia shall submit to the Ministry the final wording of the articles of association and statutes of the cooperation grouping.

[*16 December 2010; 3 December 2015*]

**Section 6. Registration of the Cooperation Grouping**

(1) The Ministry shall register the cooperation grouping in Latvia, making an entry in the Register on the basis of a respective application.

(2) The following shall be indicated in the application for entering the cooperation grouping in the Register:

1) the name of the cooperation grouping;

2) the names and address of the members of the cooperation grouping, and also the given name, surname, identification code, place of residence, and position of the persons who are entitled to represent the members;

3) the given name, surname, identification code, place of residence, and position of the persons who are entitled to represent the cooperation grouping, and also the scope of representation specified for these persons;

4) the size of the equity capital of the cooperation grouping if such is provided for in the statutes;

5) the registered office of the cooperation grouping.

(3) The following shall be appended to the application:

1) the documents of establishment of the cooperation grouping;

2) if an equity capital of the cooperation grouping is provided for in the statutes, a bank notice regarding the payment of the equity capital;

3) a written consent of the representative of each member of the cooperation grouping to be a member of the grouping. Such consent need not be submitted if the relevant representative of a member the cooperation grouping has signed the application for entering the cooperation grouping in the Register.

(4) The Ministry shall, within six months after receipt of the documents referred to in Paragraphs two and three of this Section, register the cooperation grouping in the Register and issue a registration certificate or refuse registration in the Register.

(5) The registered office of the cooperation grouping may be registered in Latvia provided that at least one of the members of the cooperation grouping has been registered in Latvia.

[*3 December 2015*]

**Section 7. Publication of Information on the Registration of the Cooperation Grouping**

(1) The cooperation grouping shall, within 10 working days after registration thereof in the Register, publish a notice in the official gazette *Latvijas Vēstnesis* regarding the establishment of the cooperation grouping, and the following information shall be included therein:

1) the name of the cooperation grouping;

2) the objective of the cooperation grouping;

3) the tasks of the cooperation grouping;

4) the members of the cooperation grouping;

5) the registered office of the cooperation grouping.

(2) The cooperation grouping shall send information on the establishment of the cooperation grouping to the Committee of the Regions in accordance with the procedures laid down in Article 1(7) of Regulation No 1302/2013.

[*3 December 2015*]

**Section 8. Amendments to the Documents of Establishment of the Cooperation Grouping**

(1) In order for amendments to the articles of association and amendments to the statutes of the cooperation grouping registered in Latvia which request making amendments to the articles of association to be in effect, they shall be registered with the Ministry in accordance with the procedures specified in Section 6 of this Law.

(2) Amendments to the articles of association and amendments to the statutes of the cooperation grouping not registered in Latvia which request making amendments to the articles of association shall, prior to the submission thereof for registration in another European Union Member State, be harmonised with the Ministry in accordance with the procedures specified in Section 5 of this Law.

**Section 9. Payment of the Equity Capital of the Cooperation Grouping and the Types Thereof**

(1) The existence or non-existence of the equity capital of the grouping, the size and type of payment thereof shall be determined by the cooperation grouping in the statutes.

(2) The equity capital of the cooperation grouping shall be paid in cash or by property investment. The equity capital of the cooperation grouping shall be expressed in full euros.

(3) The investment into the equity capital of the cooperation grouping shall become the property of the cooperation grouping.

[*3 December 2015*]

**Section 10. Dissolution of the Cooperation Grouping**

(1) The cases and the procedures for the dissolution of the cooperation grouping shall be determined by Regulation No 1082/2006, other laws and regulations, and the documents of establishment of the cooperation grouping, and also Paragraphs two and three of this Section.

(2) The decision on the dissolution of the cooperation grouping or the decision on the duty for a member of the cooperation grouping from Latvia to withdraw from the cooperation grouping not registered in Latvia, and also the decision to annul the entry in the Register shall be taken by the Ministry.

(3) In case of the dissolution of the cooperation grouping, the liquidation process of the grouping shall be commenced. The provisions which are provided for in the laws and regulations for the liquidation of an association shall be applied to the liquidation of cooperation groupings insofar as it has not been specified otherwise in this Law and in Regulation No 1082/2006.

(4) The Ministry shall publish an appropriate notice in the official gazette *Latvijas Vēstnesis* regarding the dissolution of the cooperation grouping.

[*3 December 2015*]

**Section 11. Insolvency of the Cooperation Grouping**

In case of the insolvency of the cooperation grouping, the laws and regulations governing insolvency proceedings shall be applied insofar as it has not been specified otherwise in this Law, Article 12 of Regulation No 1082/2006, and Article 1(13) of Regulation No 1302/2013.

[*3 December 2015*]

**Section 12. Appeal of Decisions**

The decisions of the Ministry referred to in Section 5, Paragraph two, Section 6, Paragraph four, and Section 10, Paragraph two of this Law may be appealed in accordance with the procedures specified in the Administrative Procedure Law.

**Section 13. Control of the Management of Funding**

The management of the funding allocated by a legal person governed by public law as well as international financial instruments shall be controlled in accordance with the procedures specified in laws and regulations.

**Section 14. Annual Statement of the Cooperation Grouping**

(1) After the end of the accounting year, the cooperation grouping shall prepare an annual statement of the cooperation grouping in accordance with the procedures specified in laws and regulations.

(2) The annual statement of the cooperation grouping shall be submitted to the Ministry. The following shall be appended to the annual statement:

1) an opinion of an auditor regarding the annual statement;

2) an extract from the minutes of the meeting of members of the cooperation grouping with the decision on the approval of the annual statement;

3) a report on the operations and activities of the cooperation grouping in the accounting year.

The Law shall come into force on the day following its proclamation.

The Law has been adopted by the *Saeima* on 20 August 2009.

President V. Zatlers

Rīga, 4 September 2009