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

16 March 2017 [shall come into force from 1 May 2017].

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:

**European Economic Interest Grouping Law**

**Section 1. Purpose of the Law**

The purpose of the Law is to prescribe the legal framework of European Economic Interest Groupings.

**Section 2. Legal Ground for the Operation of European Economic Interest Groupings**

(1) A contract for the formation shall be the legal ground for the formation of European Economic Interest Groupings (hereinafter – the grouping), and the laws and regulations governing the registration and operation of general partnerships shall be applied to the registration and operation of such groupings, insofar as it is not otherwise provided for in Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG) (hereinafter – the Regulation), this Law, and other laws and regulations.

(2) If the grouping is registered in another European Union Member State and a branch of the grouping is opened in Latvia, the laws and regulations that relate to a branch of a foreign merchant shall be applied to the registration and operation of such grouping.

**Section 3. Administration of the Grouping**

(1) The grouping shall be managed and represented by an administration of the grouping which shall include one or more managers of the grouping. A natural person with the capacity to act may become a manager of the grouping.

(2) A manager of the grouping and a person who, in accordance with a court judgment, has been deprived of the right to the relevant type or all types of commercial activity may not be an auditor of the grouping.

(3) The liability specified for members of a board of a capital company shall apply to a manager of the grouping.

**Section 4. Registration Provisions**

(1) On the basis of Article 39 of the Regulation, the Enterprise Register shall perform the registration of the grouping, taking into account the laws and regulations governing the procedures for keeping the commercial register.

(2) In order to register the particulars referred to in Articles 7 and 10 of the Regulation, a State notary of the Enterprise Register shall make entries in the Register of European Economic Interest Groupings on the basis of an application of the interested party or a court ruling.

(3) In order to register the grouping in the Register of European Economic Interest Groupings (also when transferring the registered office of the grouping from another European Union Member State to Latvia), an application shall be submitted where the following particulars to be entered on the grouping in the abovementioned Register are indicated:

1) the name of the grouping;

2) the given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document) of each member of the grouping and the main location of the performance of activities, but for a legal person – the name (firm name), legal form, place of registration, registration number, registered office, and location of the administration thereof, or if, in accordance with the legal acts of another European Union Member State, a legal person is not required to have a registered office, only the location of the administration thereof shall be indicated;

3) the registered office of the grouping;

4) the objects for which the grouping is formed;

5) if the grouping is formed for a specific period of time – the period of time for which such grouping has been formed;

6) given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document) of each manager of the grouping, and also an indication of whether the managers of the grouping may represent the grouping individually or collectively.

(4) The following documents shall be appended to an application for entering the grouping in the Register of European Economic Interest Groupings:

1) the documents specified in the Regulation;

2) a written consent of each manager of the grouping to be a manager of the grouping, certifying the absence of the restrictions specified in Section 3, Paragraph two of this Law;

3) [16 March 2017];

4) [16 March 2017].

(5) The particulars to be entered in the commercial register on the branch of a merchant or, if the grouping has been registered in another European Union Member State, on the branch of a foreign merchant shall be indicated in the application for making an entry in the Register of European Economic Interest Groupings on the opening of a branch of the grouping.

(6) The particulars referred to in Section 5, Paragraph two, Clause 9, Sub-clause a) of this Law shall be indicated in the application for making an entry in the Register of European Economic Interest Groupings on the insolvency proceedings and legal protection proceedings of the grouping, provided that the insolvency proceedings are declared, the administrator of insolvency proceedings is appointed or removed.

(7) The particulars on the essence of changes and the new information to be entered in the Register of European Economic Interest Groupings in respect of the grouping shall be indicated in the application for making an entry on the changes to the entries of the Register of European Economic Interest Groupings and to other information referred to in Articles 7 and 10 of the Regulation. If the changes have been made to the particulars indicated in a contract for the formation, the text of the amendments made to the contract for the formation as well as the full text of such contract in the new wording shall be appended to the application.

(8) The particulars referred to in Section 5, Paragraph two, Clause 8 of this Law and the address of the place for the application of claims of creditors shall be indicated in the application for making an entry in the Register of European Economic Interest Groupings on the termination of the operation of the grouping.

(9) Justification for the exclusion of the grouping from the Register of European Economic Interest Groupings shall be indicated in the application on the exclusion of the group from the Register of European Economic Interest Groupings.

[*16 March 2017*]

**Section 5. Content and Publication of Entries of the Register of European Economic Interest Groupings**

(1) Entries of the Register of European Economic Interest Groupings shall be published in the official gazette *Latvijas Vēstnesis*.

(2) The Enterprise Register shall enter in the Register of European Economic Interest Groupings and send in accordance with Article 8 of the Regulation for publication in the official gazette *Latvijas Vēstnesis* the following particulars:

1) the particulars referred to in Article 5 of the Regulation and the amendments thereto;

2) the main location of the performance of activities of a natural person;

3) in entering the particulars on the subject referred to in Article 7(2)(b) of the Regulation, the date, place, and number of registration, the legal form and the name (firm name) shall be indicated;

4) in entering the particulars referred to in Article 7(2)(c) of the Regulation, the name of a court, the date of rendering the judgment, and a court decision declaring the nullity of the grouping shall be indicated;

5) in entering the particulars referred to in Article 7(2)(d) of the Regulation, given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document) of each manager of the grouping, and also an indication of whether the managers of the grouping may represent the grouping individually or collectively shall be indicated;

6) in entering the particulars referred to in Article 7(2)(e) of the Regulation, provided that the member has transferred his or her membership rights or a part thereof to another member of the grouping or to a third person, the following shall be indicated:

a) given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document) of such member, but if the member is a legal person – the name (firm name), legal form, place of registration, registration number, registered office, and location of the administration thereof, or if, in accordance with the legal acts of another European Union Member State, a legal person is not required to have a registered office, only the location of the administration thereof shall be indicated;

b) given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document) of the other member of the grouping or the third person who has received the membership rights of the grouping or a part thereof, but if the member or the third person is a legal person – the name (firm name), legal form, place of registration, registration number, registered office, and location of the administration thereof, or if, in accordance with the legal acts of another European Union Member State, a legal person is not required to have a registered office, only the location of the administration thereof shall be indicated;

7) in entering the particulars referred to in Article 7(2)(f) of the Regulation, the date of the taking of a decision of members and a decision to terminate the operation of the grouping, or the name of a court, the date of rendering the judgment, and a court decision to terminate the operation of the grouping shall be indicated;

8) in entering the particulars referred to in Article 7(2)(g) of the Regulation, given name, surname, personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of the personal identification document, the country and authority which issued the document) of the liquidator shall be indicated;

9) in entering the particulars referred to in Article 7(2)(h) of the Regulation, the following information shall be indicated if insolvency proceedings have been initiated:

a) the name of a court, the date of rendering the court judgment, and a court decision on the appointment or removal of an administrator, and also the given name, surname, personal identification number, and the place of operation of the administrator;

b) the name of a court, the date of rendering the court judgment, and a court decision on the declaration of insolvency of the grouping, the date of the taking of a decision of a creditor meeting and a decision on the termination of insolvency proceedings;

10) in entering the particulars referred to in Article 7(2)(h) of the Regulation, the particulars on the exclusion of the grouping from the Register of European Economic Interest Groupings shall be indicated;

11) in entering the particulars referred to in Article 7(2)(i) of the Regulation, a proposal to transfer a registered office and the new registered office shall be indicated;

12) in entering the particulars referred to in Article 7(2)(j) of the Regulation, the following information shall be indicated:

a) if the member is a natural person – the given name, surname, and personal identity number (if the person does not have a personal identity number – the date of birth, the number and date of issue of a personal identification document, the country and authority which issued the document) of the member who has been released from liabilities that have originated prior to his or her admission to the grouping;

b) if the member is a legal person – the name (firm name), legal form, place of registration, registration number, registered office, and location of the administration thereof, or if, in accordance with the legal acts of another European Union Member State, a legal person is not required to have a registered office – only the location of the administration thereof;

13) the date of making the entry.

(3) An official of the Enterprise Register shall send the information referred to in Article 11 of the Regulation for publication to the Office for Official Publications of the European Communities.

[*16 March 2017*]

**Section 6. State Fee for the Making of Entries and the Costs of Publication of the Entries**

(1) A State fee shall be paid for the making of entries, and the amount, procedures for payment and relief of such fee shall be determined by the Cabinet.

(2) The Cabinet shall determine the amount of costs for the publication of entries and the procedures for the collection thereof.

**Transitional Provisions**

[*16 March 2017*]

1. With the coming into force of this Law, Cabinet Regulation No. 262, Regulations Regarding the European Economic Interest Grouping (*Latvijas Vēstnesis*, 2004, No. 60), issued in accordance with Section 81 of the Constitution of the Republic of Latvia is repealed.

[*16 March 2017*]

2. The official of the Enterprise Register shall, by 31 May 2017, make an entry in the Register of European Economic Interest Groupings on the exclusion of such particulars from the Register of European Economic Interest Groupings which contain information on the place of residence of a person without taking a separate decision and without submitting the entry for publication.

[*16 March 2017*]

**Informative Reference to Council Regulation**

The Law includes references to Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG) (published in the Official Journal of the European Communities, L 199, 31 July 1985).

The Law has been adopted by the *Saeima* on 17 June 2004.

President V. Vīķe-Freiberga

Rīga, 7 July 2004