



CONVENTION

for the formation of the

EUROPEAN GROUPING OF TERRITORIAL COOPERATION TATRY Ltd

Preamble

We, as representatives of the Polish counties, cities and communities incorporated in the Euroregion Tatry Association, and as representatives of the Slovakian cities and villages incorporated in the Region Tatry Association, acting in accordance with the following:

- the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, dated May 21st, 1980,
- the Agreement Between the Republic of Poland and the Slovak Republic on Transborder Cooperation, dated August 18th, 1994,
- the Agreement between Local Self-Governments of the Republic of Poland and the Government of the Slovak Republic on the formation of the Euroregion Tatry Cross-border Cooperation Association dated August 26th, 1994,
- the Agreement between Local Self-Governments of the Republic of Poland and the Government of the Slovak Republic on Transborder Cooperation within the framework of the Euroregion Tatry Cross-border Cooperation Association dated October 22nd, 1999,

in light of the positive assessment of our work in the area of cross-border cooperation covering many years, and in light of our considerable achievements to date in the area of Polish-Slovak cooperation, carried out in accordance with:

- Regulation (EC) No 1082/2006 of the European Parliament and the Council of Europe dated July 5th, 2006 on a European Grouping of Territorial Cooperation (EGTC) (*Official Journal of the European Union* L 210 dated 31.07.2006, p. 19) hereafter referred to as Regulation (EC) No 1082/2006,
- the Act dated November 7th, 2008 on a European Grouping of Territorial Cooperation (*Official Journal of the Laws of the Republic of Poland* 2008 No 218, item 1390 with further amendments)

- the Act of the National Council of the Slovak Republic No 90/2008 Z.z. (*Official Journal of Laws of the Slovak Republic*) dated 15th February 2008 on a European Grouping of Territorial Cooperation as amended by Act No 540/2001 Z.z. on statistics with further amendments

and also

the Declaration of the 15th Congress of the Euroregion Tatry Cross-border Cooperation Association on the formation of a European Grouping of Territorial Cooperation in Muszyna dated April 17th, 2009

do hereby establish the European Grouping of Territorial Cooperation Tatry Ltd (hereafter referred to as the Grouping).

§ 1

Name and Registered Office

1. The name of the European Grouping of Territorial Cooperation in the Polish language shall be: Europejskie Ugrupowanie Współpracy Terytorialnej TATRY z ograniczoną odpowiedzialnością, and in the Slovak language: Európske zoskupenie územnej spolupráce TATRY s ručením obmedzeným, and in the English language: European Grouping of Territorial Cooperation TATRY Limited. The shortened name of the Grouping shall be: EUWT TATRY z o.o. (in the Polish language), EZÚS TATRY s r.o. (in the Slovak language) and EGTC TATRY Ltd (in the English language).
2. The registered offices of the Grouping shall be the city of Nowy Targ in the Republic of Poland.

§ 2

Members of the Grouping

1. The Founding Members of the Grouping are as follows:
 - 1) on the Polish side:
Euroregion Tatry Association as an association of units of territorial self-government with registered offices in Nowy Targ, ul. Sobieskiego 2, 34-400, REGON: 490510603,
 - 2) on the Slovakian side:
Region Tatry Association as an association of legal entities with registered offices in Kežmarok, Hradné námestie 30, 060 01, IČO organisational identity number: 35533978
2. Any other entity which meets the requirements outlined in Regulation (EC) No 1082/2006, in the legislation of the Republic of Poland and the Slovak Republic, as well as in the Convention and Statute of the Grouping may become a member of the Grouping.
3. All decisions regarding admission of new members to the Grouping shall be taken by the Assembly of the Grouping.

§ 3

Area of Intervention

The area of intervention of the Grouping covers the following:

- 1) in the Republic of Poland; the Małopolska Voivodeship
- 2) in the Slovak Republic; Kežmarok, Levoča, Poprad, Sabinov, and Stará Ľubovňa counties in the Prešov Region, Dolný Kubín, Liptovský Mikuláš, Námestovo, Ružomberok, and Tvrdošín in the Žilina Region, and Spišská Nová Ves in the Košice Region

§ 4

Legal Personality and Objectives of the Grouping

1. The Grouping shall have a legal personality according to Article 1 (3) of Regulation (EC) No 1082/2006.
2. The Grouping shall possess full legal capacity as understood by Article 1 (4) of Regulation (EC) No 1082/2006. It may specifically acquire and dispose of immovable property and employ staff, and may be a party to legal proceedings.
3. The Grouping shall acquire legal personality on the day of registration by the Minister of Foreign Affairs of the Republic of Poland.
4. The objective of the Grouping is the further development, facilitation, and spread of Polish-Slovak cross-border cooperation for the strengthening of economic and social cohesion in the area of intervention of the Grouping in both the Polish and Slovakian communities on both sides of the Tatras.

§ 5

Tasks of the Grouping

1. The objective outlined in paragraph 4, point 4 of this Convention shall be realised by means of the following tasks:
 - 1) support and improvement of shared protection of natural and cultural resources, shared management of such resources, and shared prevention of natural and technological threats to such resources
 - 2) development of cooperation capabilities, and shared usage of human resources and infrastructure, particularly as regards sectors such as public health, culture, tourism, and education, as well as research and development
 - 3) support of integration between rural and urban areas
 - 4) improvement of access to transportation, IT, and communication networks and services, as well as cross-border systems and facilities for the supply of water and energy and management of waste
 - 5) support of entrepreneurship, particularly the development of SMEs, tourism, culture, and cross-border trade
 - 6) promotion of legal and administrative cooperation
 - 7) promotion of the integration of cross-border labour markets
 - 8) by promotion of local employment, equal opportunity, training, and social integration initiatives
2. The tasks defined in point 1 shall be carried out by the Grouping by means of cross-border territorial cooperation projects co-financed by the European Community through the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund, as well as projects not funded by the European Union.
3. The Grouping may participate in the management and implementation of programs or parts of programs financed by the European Union, in particular Polish-Slovak microprojects and network projects.
4. The Grouping shall operate on the basis that they all fall within the competence of every member under its national law.

§ 6

Organs of the Grouping

1. The organs of the Grouping are:
 - 1) the Assembly,
 - 2) the Director,
 - 3) the Supervisory Board.
2. The creation, competences, means of activity and other issues related to the particular organs shall be defined by the Statute.

§ 7

Duration and Conditions for Dissolution of the Grouping

1. The Grouping is formed for an indefinite duration from the registration date.
2. The Grouping may be dissolved in accordance with the provisions of Articles 12 and 14 of Regulation (EC) No 1082/2006 and the Act dated November 7th, 2008 on a European Grouping of Territorial Cooperation.
3. Details of the functioning of the Grouping and conditions for its dissolution are defined in the Statute of the Grouping.
4. The Grouping shall be considered dissolved on the day of it is stricken from the register administered by the Minister of Foreign Affairs of the Republic of Poland.

§ 8

Applicable Law

1. For the purposes of the interpretation and implementation of this Convention, the applicable law shall be the law of the Republic of Poland, as the law of the Member State where the EGTC Tatry Ltd has its registered offices.
2. In the case of a dispute between members of the Grouping, its members shall seek to find resolution of the dispute through amicable agreement.
3. In the case that amicable agreement is impossible, a dispute shall be settled by the appropriate court of the Republic of Poland.

§ 9

Finances and Financial Control of the Grouping

1. Control of the Grouping's management of public funds shall be organised by the competent authorities of the Republic of Poland, as the Member State in which the Grouping has its registered offices.
2. Where required under the national legislation of the Slovak Republic, the authorities of the Republic of Poland shall make arrangements for the appropriate authorities of the Slovak Republic to carry out controls for those acts carried out on the territory of the Slovak Republic and to exchange all appropriate information.
3. Issues concerning the finances of the Grouping, disposition of its assets, financing and control of the financial operations of the Grouping shall be regulated by the Statute of the Grouping.

§ 10

Adoption and Procedures for the Amendment of the Statute and Convention of the Grouping

1. The founding members of the Grouping hereby ratify this Convention unanimously.
2. On the basis of this Convention, the founding members of the Grouping hereby ratify its Statute unanimously.
3. Any amendments or supplements to this Convention and Statute shall require the unanimous agreement of all members of the Grouping.
4. Any amendments to the Convention and any substantial amendments to the Statute, that is any amendments to the Statute entailing directly or indirectly an amendment to the Convention, shall require the approval of the Republic of Poland and of the Slovak Republic, in accordance with the procedures set forth in Regulation (EC) No 1082/2006.

§ 11
Final Provisions

1. This Convention was drawn up in in Nowy Targ on the day September 14th, 2013, in two identical copies, both in the Polish and Slovak languages.
2. This Convention becomes binding and enters into force on the day that the Grouping is entered into the Register of European Groupings for Territorial Cooperation maintained by the Minister of Foreign Affairs of the Republic of Poland.
3. The publication of the Convention and any further changes to it shall be announced in the Court and Commercial Gazette [*Monitor Sądowy i Gospodarczy*] by the Minister of Foreign Affairs of the Republic of Poland.

On behalf of the Euroregion Tatry Association

Bogusław Waksmundzki
Chairman of the Board

On behalf of the Region Tatry Association

Jozef Ďubjak
Chairman of the Board