

Civil Justice Business Register Interconnection

There are approximately 31.000.000 companies within the EU, all registered in the various Member States' business registers. The economy is expanding over national and European borders. Because the reorganisation of multinational companies, including mergers or splits, always concern several Member States, cooperation and interconnection of the national business registers is an absolute necessity.

A first step in interconnecting the business registers is being piloted within the e-CODEX project. The planned procedures are being supported by the latest developments at European level, which resulted in the acceptance of the policy 2012/17/EU. In amendment of the directive 89/666/EWG of the Council as well as the directives 2005/56/EG and 2009/101/EG this pilot strives for the interconnection of the national business registers by 2016.

In this context, Germany, France, Ireland, Italy and Austria have decided to pilot various "use cases" in the field of business registers. First are cross-border mergers and second the fully automated exchange of information concerning main offices and subsidiaries. A task force has been established out of the piloting countries, headed by France. The content of the e-CODEX messages will be complemented according to the guidelines of the European Commission, stated in directive 2012/17/EU and its Implementing Acts. The necessary e-CODEX infrastructure is already installed in the piloting countries.



In future, instead of a complicated and time consuming paper-based communication process within international legal processes, the necessary certificates and messages will be transmitted digitally according to European law. The communication between the authorities hosting the business registers will be based on the e-CODEX infrastructure. This means messages will be transmitted to the corresponding authority via national gateways and connectors.

For example, a German registry court sends the registration message using secure transmission via the German gateway to the French gateway, which forwards the message to the "Registre du commerce et des sociétés". A "Directory of Registers" (DoR) is currently taking care of the proper electronic addressing to the foreign register authority in the final application. In the long run a link-up to the to-be-developed European "court database" via webservice will be possible. The gateway provides the technical and organisational e-CODEX infrastructure for incoming and outgoing cross-border electronic communication. It is based on OASIS ebMS 3.0 (AS 4, ETSI REM evidences), which ensures a secure exchange of messages. The connector is an interface between the national e-Justice infrastructure, which produces

the document to be sent, and the national gateway. Furthermore it contains a security library, conducts the mapping of the structured content of the messages into national XML-standards and produces the so-called "Trust-OK Token". The "Trust-OK-Token", being produced by the sending connector, is a PDF acting as security protocol regarding signature and certificates of authentication, which can be read by the user. Additionally this information is being transferred as structured machine-readable data.

According to the directive 2012/17/ EU further aspects of a business register interconnection system have to be considered. The European Commission will use CIPA e-Delivery for all kinds of information exchange (e.g. the data exchange between business registers). e-CODEX is part of CIPA e-Delivery and the main contributor to e-Delivery. The e-CODEX project is ready to help tackle any challenges that arise.

If you would like to get more information or want to contact us,
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