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General Secretariat

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2023/0089 (COD)**

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WK 3075/2024 INIT

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Company Law (Attachés)
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law - 4-column table

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Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law (Text with EEA relevance)

2023/0089(COD)

DRAFT [Draft 23 February 2024]

23-02-2024 at 15h44

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0089 (COD)	2023/0089 (COD)	2023/0089 (COD)	2023/0089 (COD) Text Origin: Commission Proposal
Proposal Title				
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law (Text with EEA relevance) Text Origin: Commission Proposal
Formula				
3	THE EUROPEAN PARLIAMENT	THE EUROPEAN PARLIAMENT	THE EUROPEAN PARLIAMENT	THE EUROPEAN PARLIAMENT

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	AND THE COUNCIL OF THE EUROPEAN UNION,	AND THE COUNCIL OF THE EUROPEAN UNION,	AND THE COUNCIL OF THE EUROPEAN UNION,	AND THE COUNCIL OF THE EUROPEAN UNION, Text Origin: Commission Proposal
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 50(1), Article 50(2) and Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 50(1), Article 50(2) and Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 50(1), Article 50(2) and Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 50(1), Article 50(2) and Article 114 thereof, Text Origin: Commission Proposal
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, Text Origin: Commission Proposal
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal
Citation 4				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
7	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u> Text Origin: Commission Proposal
Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C , , p. .</u> Text Origin: Commission Proposal
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal
Formula				
10	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal
Recital 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
11	(1) Directive (EU) 2017/1132 of the European Parliament and of the Council¹ lays down inter alia rules on disclosure of company information in business registers of Member States and a system of interconnection of registers. That system has been operational since June 2017 and currently connects all Member States' registers. In response to digital developments, Directive (EU) 2017/1132 was amended by Directive (EU) 2019/1151 of the European Parliament and of the Council² to provide rules for the fully online formation of limited liability companies, registration of cross-border branches and submission of documents to business registers. 1. Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46). 2. Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law (OJ L 186, 11.7.2019, p. 80).	(1) Directive (EU) 2017/1132 of the European Parliament and of the Council¹ lays down inter alia rules on disclosure of company information in business registers of Member States and a system of interconnection of registers. That system has been operational since June 2017 and currently connects all Member States' registers. In response to digital developments, Directive (EU) 2017/1132 was amended by Directive (EU) 2019/1151 of the European Parliament and of the Council² to provide rules for the fully online formation of limited liability companies, registration of cross-border branches and submission of documents to business registers. 1. Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46). 2. Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law (OJ L 186, 11.7.2019, p. 80).	(1) Directive (EU) 2017/1132 of the European Parliament and of the Council¹ lays down inter alia rules on disclosure of company information in business registers of Member States to enhance legal certainty in the single market, and a system of interconnection of registers. That system of interconnection of registers has been operational since June 2017 and currently connects all Member States' registers. In response to digital developments, Directive (EU) 2017/1132 was amended by Directive (EU) 2019/1151 of the European Parliament and of the Council² to provide rules for the fully online formation of limited liability companies, registration of cross-border branches and submission of documents to business registers. 1. Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46). 2. Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law (OJ L 186, 11.7.2019, p. 80).	(1) Directive (EU) 2017/1132 of the European Parliament and of the Council¹ lays down inter alia rules on disclosure of company information in business registers of Member States <u>to enhance legal certainty in the single market</u>, and a system of interconnection of registers. That system <u>of interconnection of registers</u> has been operational since June 2017 and currently connects all Member States' registers. In response to digital developments, Directive (EU) 2017/1132 was amended by Directive (EU) 2019/1151 of the European Parliament and of the Council² to provide rules for the fully online formation of limited liability companies, registration of cross-border branches and submission of documents to business registers. 1. Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46). 2. Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law (OJ L 186, 11.7.2019, p. 80). <u>Text Origin: Council Mandate</u>
Recital 2				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
12	(2) In an increasingly digitalised world, digital tools are essential to ensure the continuity of business operations and companies' interactions with business registers and authorities. In order to increase trust and transparency in the business environment and facilitate companies' operations and activities in the single market, in particular in relation to micro, small and medium-sized enterprises ('SMEs'), as specified in Commission Recommendation 2003/361/EC¹, it is crucial that companies, authorities and other stakeholders have access to reliable information about companies that can be used without burdensome formalities in a cross-border context. 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).	(2) In an increasingly digitalised world, digital tools are essential to ensure the continuity of business operations and companies' interactions with business registers and authorities. In order to increase trust and transparency in the business environment and facilitate companies' operations and activities in the single market, in particular in relation to micro, small and medium-sized enterprises ('SMEs'), as specified in Commission Recommendation 2003/361/EC¹, it is crucial that companies, authorities and other stakeholders have access to reliable information about companies that can be used without burdensome formalities in a cross-border context. 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).	(2) In an increasingly digitalised world, digital tools are essential to ensure the continuity of business operations and companies' interactions with business registers and authorities. In order to increase trust and transparency in the business environment and facilitate companies' operations and activities in the single market, in particular in relation to micro, small and medium-sized enterprises ('SMEs'), as specified in Commission Recommendation 2003/361/EC¹, it is crucial that companies, authorities and other stakeholders have access to reliable information about companies that can be used without burdensome formalities in a cross-border context. 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).	(2) In an increasingly digitalised world, digital tools are essential to ensure the continuity of business operations and companies' interactions with business registers and authorities. In order to increase trust and transparency in the business environment and facilitate companies' operations and activities in the single market, in particular in relation to micro, small and medium-sized enterprises ('SMEs'), as specified in Commission Recommendation 2003/361/EC¹, it is crucial that companies, authorities and other stakeholders have access to reliable information about companies that can be used without burdensome formalities in a cross-border context. 1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36). Text Origin: Commission Proposal
Recital 3				
13	(3) This Directive responds to the digitalisation objectives set out by the Communications "2030 Digital Compass"¹ and "Digitalisation of justice in the European Union"², and	(3) This Directive responds to the digitalisation objectives set out by the Communications "2030 Digital Compass"¹ and "Digitalisation of justice in the European Union"², and	(3) This Directive responds to the digitalisation objectives set out by the Communications "2030 Digital Compass"¹ and "Digitalisation of justice in the European Union"², and	(3) This Directive responds to the digitalisation objectives set out by the Communications "2030 Digital Compass"¹ and "Digitalisation of justice in the European Union"², and

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	to the need to facilitate the cross-border expansion of SMEs underlined in the Communications “Updating the 2020 New Industrial Strategy”³ and “SME Strategy for a sustainable and digital Europe”⁴. 1. COM(2021) 118 final. 2. COM(2020) 710 final. 3. COM(2021) 350 final. 4. COM(2020) 103 final.	to the need to facilitate the cross-border expansion of SMEs underlined in the Communications “Updating the 2020 New Industrial Strategy”³ and “SME Strategy for a sustainable and digital Europe”⁴. 1. COM(2021) 118 final. 2. COM(2020) 710 final. 3. COM(2021) 350 final. 4. COM(2020) 103 final.	to the need to facilitate the cross-border expansion of SMEs underlined in the Communications “Updating the 2020 New Industrial Strategy”³ and “SME Strategy for a sustainable and digital Europe”⁴. 1. COM(2021) 118 final. 2. COM(2020) 710 final. 3. COM(2021) 350 final. 4. COM(2020) 103 final.	to the need to facilitate the cross-border expansion of SMEs underlined in the Communications “Updating the 2020 New Industrial Strategy”³ and “SME Strategy for a sustainable and digital Europe”⁴. 1. COM(2021) 118 final. 2. COM(2020) 710 final. 3. COM(2021) 350 final. 4. COM(2020) 103 final. Text Origin: Commission Proposal
Recital 4				
14	(4) Access to, and use of, reliable company information from the registers are still hindered by barriers in cross-border situations. Firstly, company information that users, including companies and authorities, are looking for is not yet sufficiently available in national registers and/or cross-border through the system of interconnection of registers. Secondly, the use of such company information in cross-border situations, including administrative procedures before national authorities or EU institutions and bodies, court proceedings or the setting-up of cross-border subsidiaries or branches, is still hindered by time-consuming and costly procedures	(4) Access to, and use of, reliable company information from the registers are still hindered by barriers in cross-border situations. Firstly, company information that users, including companies and authorities, are looking for is not yet sufficiently available in national registers and/or cross-border through the system of interconnection of registers. Secondly, the use of such company information in cross-border situations, including administrative procedures before national authorities or EU institutions and bodies, court proceedings or the setting-up of cross-border subsidiaries or branches, is still hindered by time-consuming and costly procedures	(4) Access to, and use of, reliable company information from the registers are still hindered by barriers in cross-border situations. Firstly, company information that users, including companies and authorities, are looking for is not yet sufficiently available in national registers and/or cross-border through the system of interconnection of registers. Secondly, the use of such company information in cross-border situations, including administrative procedures before national authorities or EU institutions and bodies, court proceedings or the setting-up of cross-border subsidiaries or branches, is still hindered by time-consuming and costly procedures	(4) Access to, and use of, reliable company information from the registers are still hindered by barriers in cross-border situations. Firstly, company information that users, including companies and authorities, are looking for is not yet sufficiently available in national registers and/or cross-border through the system of interconnection of registers. Secondly, the use of such company information in cross-border situations, including administrative procedures before national authorities or EU institutions and bodies, court proceedings or the setting-up of cross-border subsidiaries or branches, is still hindered by time-consuming and costly procedures

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	and requirements, including the need for apostille or translation of company documents.	and requirements, including the need for apostille or translation of company documents.	and requirements, including the need for apostille or translation of company documents.	and requirements, including the need for apostille or translation of company documents. Text Origin: Commission Proposal
Recital 5				
15	(5) All stakeholders, including companies themselves, authorities and the public at large need to be able to rely on information about companies for their business purposes or in administrative procedures or court proceedings. Therefore, it is necessary that company data, which is entered into business registers and accessible through the system of interconnection of registers, is accurate, up-to-date and reliable.	(5) All stakeholders, including companies themselves, authorities and the public at large need to be able to rely on information about companies for their business purposes or in administrative procedures or court proceedings. Therefore, it is necessary that company data, which is entered into business registers and accessible through the system of interconnection of registers, is accurate, up-to-date and reliable.	(5) All stakeholders, including companies themselves, authorities and the public at large need to be able to rely on information about companies for their business purposes or in administrative procedures or court proceedings. Therefore, it is necessary that company data, which is entered into business registers and accessible through the system of interconnection of registers, is accurate, up-to-date and reliable.	(5) All stakeholders, including companies themselves, authorities and the public at large need to be able to rely on information about companies for their business purposes or in administrative procedures or court proceedings. Therefore, it is necessary that company data, which is entered into business registers and accessible through the system of interconnection of registers, is accurate, up-to-date and reliable. Text Origin: Commission Proposal
Recital 6				
16	(6) The introduction, by Directive (EU) 2019/1151, of standards for controls on the identity and legal capacity of persons that form a company, register a branch or file documents or information online was an important first step. It is now essential to take further steps to	(6) The introduction, by Directive (EU) 2019/1151, of standards for controls on the identity and legal capacity of persons that form a company, register a branch or file documents or information online was an important first step. It is now essential to take further steps to	(6) The introduction, by Directive (EU) 2019/1151, of standards for controls on the identity and legal capacity of persons that form a company, register a branch or file documents or information online was an important first step. It is now essential to take further steps to	(6) The introduction, by Directive (EU) 2019/1151, of standards for controls on the identity and legal capacity of persons that form a company, register a branch or file documents or information online was an important first step. It is now essential to take further steps to

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	improve the reliability and trustworthiness of company information in registers in order to facilitate its use in cross-border administrative procedures and court proceedings.	improve the reliability and trustworthiness of company information in registers in order to facilitate its use in cross-border administrative procedures and court proceedings.	improve the reliability and trustworthiness of company information in registers in order to facilitate its use in cross-border administrative procedures and court proceedings.	improve the reliability and trustworthiness of company information in registers in order to facilitate its use in cross-border administrative procedures and court proceedings. Text Origin: Commission Proposal
Recital 7				
17	(7) While all Member States carry out, to a certain extent, an ex-ante scrutiny of company documents and information before they are entered in the business register, there are different approaches in Member States as regards the intensity of checks, applicable procedures or also the person or body in charge of verifying the information. This results in insufficient trust in company documents or information on a cross-border basis and in situations where company documents or information from a business register in one Member State are sometimes not accepted as evidence in another Member State.	(7) While all Member States carry out, to a certain extent, an ex-ante scrutiny of company documents and information before they are entered in the business register, there are different approaches in Member States as regards the intensity of checks, applicable procedures or also the person or body in charge of verifying the information. This results in insufficient trust in company documents or information on a cross-border basis and in situations where company documents or information from a business register in one Member State are sometimes not accepted as evidence in another Member State.	(7) While all Member States carry out, to a certain extent, an ex-ante scrutiny of company documents and information before they are entered in the business register, there are different approaches in Member States as regards the intensity of checks, applicable procedures or also the person or body in charge of verifying the information. This results in insufficient trust in company documents or information on a cross-border basis and in situations where company documents or information from a business register in one Member State are sometimes not accepted as evidence in another Member State.	(7) While all Member States carry out, to a certain extent, an ex-ante scrutiny of company documents and information before they are entered in the business register, there are different approaches in Member States as regards the intensity of checks, applicable procedures or also the person or body in charge of verifying the information. This results in insufficient trust in company documents or information on a cross-border basis and in situations where company documents or information from a business register in one Member State are sometimes not accepted as evidence in another Member State. Text Origin: Commission Proposal
Recital 8				
18				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(8) Therefore, while respecting Member State traditions, it is important to ensure that certain checks are carried out in all Member States according to the same standards that guarantee a high level of accuracy and reliability of the information. For this purpose, it is necessary to extend the current standards by making them mandatory in general, not only for fully online formation of companies, but also for any other forms of formation of companies. Similarly, where Member States still allow other filing methods in addition to online filing, the same standards should apply in order to subject all information entered into the register to the same standard.	(8) Therefore, while respecting Member State traditions, it is important to ensure that certain checks are carried out in all Member States according to the same standards that guarantee a high level of accuracy and reliability of the information. For this purpose, it is necessary to extend the current standards by making them mandatory in general, not only for fully online formation of companies, but also for any other forms of formation of companies. Similarly, where Member States still allow other filing methods in addition to online filing, the same standards should apply in order to subject all information entered into the register to the same standard.	(8) Therefore, while respecting Member State traditions, it is important to ensure that certain checks are carried out in all Member States according to the same standards that in order to guarantee a high level of accuracy and reliability of the information. For this purpose, it is necessary to extend the current standards by making them, while at the same time respecting Member State traditions. It is also necessary that such checks are mandatory in general, not only for fully online formation of companies, but also for any other forms of formation of companies. Similarly, where Member States still allow other filing methods in addition to online filing, the same such checks standards should apply also be carried out in order to subject all information entered into the register to the same standard level of control. Such checks and other requirements should be adapted to the specificities related to the other forms of formation of companies. For example, online templates are only used by applicants as part of the fully online procedure for formation of companies.	
Recital 9				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
19	(9) A preventive administrative or judicial control, respecting Member States traditions including the possible involvement of notaries, should be ensured in all Member States in order to ensure reliability of cross-border company data. A legality check of the company's instrument of constitution, the company statutes if contained in a separate instrument, and of any amendment of such instruments and statutes, should be carried out, given that these are the most important documents concerning the company.	(9) A preventive administrative, <u>judicial or notarial</u> or judicial control <u>or any combination thereof</u> , respecting Member States traditions including the possible involvement of notaries , should be ensured in all Member States in order to ensure reliability of cross-border company data. <u>Member States should therefore provide for public preventive control through courts, administrative authorities or notaries in accordance with their national legal systems.</u> A legality check of the company's instrument of constitution, the company statutes if contained in a separate instrument, and of any amendment of such instruments and statutes, should be carried out, given that these are the most important documents concerning the company.	(9) A preventive administrative, judicial or notarial or judicial control or any combination thereof , respecting Member States traditions, including the possible involvement of notaries business registers as administrative or judicial authorities , should be ensured in all Member States in order to ensure reliability of cross-border company data in cross-border situations . A legality check of the company's instrument of constitution, the company statutes if contained in a separate instrument, and of any amendment of such instruments and statutes, should be carried out, given that these are the most important documents concerning the company. This preventive control should be without prejudice to national laws that, respecting Member States' legal systems and legal traditions, require that such documents shall be drawn up and certified in due legal form. A preventive control of the annual accounts is not required under this Directive.	
Recital 9a				
19a		<u>(9a) The legality of company law transactions, the protection of reliable public registers and the</u>		

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		<u>prevention of illegal activities require the correct and secure identification of the participants in such transactions as well as the verification of their legal capacity. This applies, inter alia, to company founders and directors. In particular, the reliable identification of the customer in line with the ‘know-your-customer’ principle under anti-money laundering and combating the financing of terrorism (AML/CFT) rules is a prerequisite for any AML/CFT customer due diligence obligations and thus any money laundering and terrorist financing (ML/TF) prevention. Therefore, for the procedures within the scope of this Directive, Member States should be allowed to provide for complementary public electronic controls of identity, legal capacity and legality. Those complementary public electronic controls could include public remote audio-visual identity controls, including electronic checks of identity photos.</u>		

Recital 10

20	(10) In order to further cut costs and reduce administrative burdens relating to the formation of companies, including the length of procedures, and to facilitate the	(10) In order to further cut costs and reduce administrative burdens relating to the formation of companies, including the length of procedures, and to facilitate the	(10) In order to further cut costs and reduce administrative burdens relating to the formation of companies, including the length of procedures, and to facilitate the	(10) In order to further cut costs and reduce administrative burdens relating to the formation of companies, including the length of procedures, and to facilitate the
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expansion of companies in the single market, in particular SMEs, the use of the ‘once-only’ principle should be further extended in the area of company law. This principle is already well recognised in the Union, including under the 2030 Digital Compass Communication as a means to allow public administrations to exchange data and evidence across borders, and used in different areas, such as for instance the once-only technical system for cross-border automated exchange of evidence under the Single Digital Gateway¹. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).	expansion of companies in the single market, in particular SMEs, the use of the ‘once-only’ principle should be further extended in the area of company law. This principle is already well recognised in the Union, including under the 2030 Digital Compass Communication as a means to allow public administrations to exchange data and evidence across borders, and used in different areas, such as for instance the once-only technical system for cross-border automated exchange of evidence under the Single Digital Gateway¹. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).	expansion of companies in the single market, in particular SMEs, the use of the ‘once-only’ principle should be further extended in the area of company law. This principle is already well recognised in the Union, including under the 2030 Digital Compass Communication as a means to allow public administrations to exchange data and evidence across borders, and used in different areas, such as for instance the once-only technical system for cross-border automated exchange of evidence under the Single Digital Gateway¹. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).	expansion of companies in the single market, in particular SMEs, the use of the ‘once-only’ principle should be further extended in the area of company law. This principle is already well recognised in the Union, including under the 2030 Digital Compass Communication as a means to allow public administrations to exchange data and evidence across borders, and used in different areas, such as for instance the once-only technical system for cross-border automated exchange of evidence under the Single Digital Gateway¹. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1). Text Origin: Commission Proposal
Recital 11				
21	(11) Applying the ‘once-only’ principle entails that companies are not asked to submit the same information to public authorities more than once. For example, companies should not have to resubmit the company documents or	(11) Applying the ‘once-only’ principle entails that companies are not asked to submit the same information to public authorities more than once. For example, companies should not have to resubmit the company documents or	(11) Applying the ‘once-only’ principle entails that companies are not asked to submit the same information to public authorities more than once. For example, companies should not have to resubmit the company documents or	

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	information already submitted to the register where the company is registered when creating a subsidiary in another Member State. Instead, information about the company should be exchanged electronically, between the register where the company is registered and the register where a subsidiary is to be registered, using the system of interconnection of registers. Such information should be made available by the business register to any authority, body or person mandated under national law to deal with any aspect of the formation of a company.	information already submitted to the register where the company is registered when creating a subsidiary in another Member State. Instead, information about the company should be exchanged electronically, between the register where the company is registered and the register where a subsidiary is to be registered, using the system of interconnection of registers; <u>however it should be possible to use other means to exchange documents and information, in parallel to the use of electronic means.</u> Such information should be made available by the business register to any authority, body or person mandated under national law to deal with any aspect of the formation of a company. <u>Documents or information transmitted as part of electronic communication through the system of interconnection of registers should not be denied legal effect or be considered inadmissible solely on the ground that they are in electronic form. They should have the same legal value as that provided by the register of the Member State where the company in question is registered.</u>	information relating to the existence and registration of the founder company and thus already submitted to the register where the company is registered when creating a subsidiary in another Member State. Instead, Applying the ‘once-only’ principle would entail that the information about the founder company should be exchanged electronically, between the register where the company is registered and the register where a subsidiary is to be registered, using the system of interconnection of registers. Such information should be made available by the business register to any authority, body or person mandated under national law to deal with any aspect of the formation of a about the founder company could be directly accessed from the system of interconnection of registers through the European e-Justice portal, or in the national register of the founder company.	
Recital 11a				
21a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(11a) Applying the ‘once-only’ principle also means that the founder company should not have to resubmit the company documents or information to any authority, body or person. These authorities should directly access information that is publicly available through the system of interconnections of registers via the European e-Justice portal. In case where the register should provide such information to any authority, body or person, Member States should be free to decide the means to do so, for example through national optional access points to the system of interconnection of registers, and whether to charge fees for such information.	
Recital 12				
22	(12) In order to increase transparency and trust with respect to companies in the single market, and to facilitate companies’ cross-border operations and activities, it is essential to make more company information available across the Union and to ensure that it is comparable and more easily accessible. This should be done by building on the company information that already exists in	(12) In order to increase transparency and trust with respect to companies in the single market, <u>to ensure legal certainty and protection of third parties in dealings with companies in a cross-border context, to contribute to the fight against fraud and abuse,</u> and to facilitate companies’ cross-border operations and activities, it is essential to make more company information available across the	(12) In order to increase transparency and trust with respect to companies in the single market, and to facilitate companies’ cross-border operations and activities, it is essential to make more company information available across the Union and to ensure that it is comparable and more easily accessible. This should be done by building on the company information that already exists in	

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	national registers and making it available at Union level through the system of interconnection of registers, as well as by providing access to more information both in the national registers and through the system of interconnection of registers.	Union and to ensure that it is comparable and more easily accessible. This should be done by building on the company information that already exists in national registers and making it available at Union level through the system of interconnection of registers, as well as by providing access to more information both in the national registers and through the system of interconnection of registers.	national registers and making it available at Union level through the system of interconnection of registers, as well as by providing access to more information both in the national registers and through the system of interconnection of registers.	
Recital 13				
23	(13) Information about the place of central administration and the principal place of business is important to increase transparency, and thus reinforce legal certainty with respect to the business relationships of Union companies, including when investing in those companies. This information is also relevant in different contexts such as in cases of insolvency or restructuring, competition law, tax or social security purposes, or for authorities when tackling fraud or abuse, as it can contribute to the identification of fraudulent or abusive letterbox companies. These elements may provide useful information on how companies are conducting business and to what	(13) Information about the place of central administration and the principal place of business is important to increase transparency, and thus reinforce legal certainty with respect to the business relationships of Union companies, including when investing in those companies. This information is also relevant in different contexts such as in cases of insolvency or restructuring, competition law, tax or social security purposes, or for authorities when tackling fraud or abuse, as it can contribute to the identification of fraudulent or abusive letterbox companies. These elements may provide useful information on how companies are conducting business and to what	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	extent companies are connected to the Union.	extent companies are connected to the Union.		
<i>Recital 14</i>				
24	(14) Article 54 of the Treaty on the Functioning of the European Union refers to the central administration and the principal place of business together with the registered office as decisive links with the Union, and it is common that they are located in the same Member State. However, freedom of establishment, as clarified by the Court of Justice of the European Union, entails the right of a company to have its central administration or principal place of business in a different Member State than the Member State where the registered office is located. In this case, stakeholders should have access to this information in order to take informed decisions and protect their interests. Therefore, in order to provide easier access to this information and reduce administrative burdens for companies and authorities, information about the Member State or third country where the central administration or the principal place of business is situated, when it is not in the Member State of the registered office, should be disclosed in national business registers and made	(14) Article 54 of the Treaty on the Functioning of the European Union refers to the central administration and the principal place of business together with the registered office as decisive links with the Union, and it is common that they are located in the same Member State. However, freedom of establishment, as clarified by the Court of Justice of the European Union, entails the right of a company to have its central administration or principal place of business in a different Member State than the Member State where the registered office is located. In this case, stakeholders should have access to this information in order to take informed decisions and protect their interests. Therefore, in order to provide easier access to this information and reduce administrative burdens for companies and authorities, information about the Member State or third country where the central administration or the principal place of business is situated, when it is not in the Member State of the registered office, should be disclosed in national business registers and made	deleted	

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	publicly available through the system of interconnection of registers.	publicly available through the system of interconnection of registers.		
<i>Recital 15</i>				
25	(15) In order to protect the interests of third parties and enhance trust in business transactions with different types of companies in the single market, it is important to enhance transparency and provide easier access on a cross-border basis to information about so-called ‘commercial partnerships’. These play an important role in the economy of Member States and are registered in all national business registers, yet there are differences between the types of partnerships and types of information made available about them across the Union, which results in difficulties in the cross-border access to this information. To address this, the same basic information about ‘commercial partnerships’ should be disclosed in all Member States. The disclosure requirements for partnerships should mirror the existing disclosure requirements for limited liability companies but be adapted to the specific characteristics of partnerships. For instance, the disclosure requirements should also cover information about	(15) In order to protect the interests of third parties and enhance trust in business transactions with different types of companies in the single market, it is important to enhance <u>reliability</u>, transparency and provide easier access on a cross-border basis to information about so-called ‘commercial partnerships’. These play an important role in the economy of Member States and are registered in all national business registers, yet there are differences between the types of partnerships and types of information made available about them across the Union, which results in difficulties in the cross-border access to this information. To address this, the same basic information about ‘commercial partnerships’ should be disclosed in all Member States <u>which should apply common minimum standards of preventive control to that information</u>. The disclosure requirements <u>as well as the legality checks</u> for partnerships should mirror the existing disclosure requirements for limited liability companies but be adapted to the	(15) In order to protect the interests of third parties and enhance trust in business transactions with different types of companies in the single market, it is important to enhance transparency and provide easier access on a cross-border basis to information about so-called so called ‘commercial partnerships’, which for the purpose of this Directive are understood to be types of partnerships listed in Annex IIB. These play an important role in the economy of Member States and are registered in all national business registers, yet there are differences between the types of partnerships and types of information made available about them across the Union, which results in difficulties in the cross-border access to this information. To address this, the same basic information about ‘commercial partnerships’ should be disclosed in all Member States. The disclosure requirements for partnerships should mirror the existing disclosure requirements for limited liability companies but be adapted to the specific	

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	partners, including those that are authorised to represent the partnership. As in the case of limited liability companies, Member States should be allowed to require that partnerships disclose documents or information beyond what is required by this Directive. Where such additional documents or information contain personal data, Member States should process such personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. ¹. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).	specific characteristics of partnerships. For instance, the disclosure requirements should also cover information about partners, including those that are authorised to represent the partnership. As in the case of limited liability companies, Member States should be allowed to require that partnerships disclose documents or information beyond what is required by this Directive. Where such additional documents or information contain personal data, Member States should process such personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. ¹. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).	characteristics of partnerships. For instance, the disclosure requirements should also cover information about partners, including those that are authorised to represent the partnership. As in the case of limited liability companies, Member States should be allowed to require that partnerships disclose documents or information beyond what is required by this Directive. Where such additional documents or information contain personal data, Member States should process such personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council¹. ¹. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).	
Recital 16				
26	(16) Information about ‘commercial partnerships’ should also be accessible at Union level through the system of interconnection of registers in the same way as for limited liability companies, with certain information to be made	(16) Information about ‘commercial partnerships’ should also be accessible at Union level through the system of interconnection of registers in the same way as for limited liability companies, with certain information to be made	(16) Information about ‘commercial partnerships’ should also be accessible at Union level through the system of interconnection of registers in the same way as for limited liability companies, with certain information to be made	(16) Information about ‘commercial partnerships’ should also be accessible at Union level through the system of interconnection of registers in the same way as for limited liability companies, with certain information to be made

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	available free of charge, and they should be unequivocally identified through the European unique identifier (“EUID”).	available free of charge, and they should be unequivocally identified through the European unique identifier (“EUID”).	available free of charge, and they should be unequivocally identified through the European unique identifier (“EUID”).	available free of charge, and they should be unequivocally identified through the European unique identifier (“EUID”). Text Origin: Commission Proposal
Recital 16a				
26a		<u>(16a) Cooperatives have an important place in many Member States. Therefore, where information on cooperatives is also included in national registers, this information should also be accessible at Union level through the system of interconnection of registers in the same way as for limited liability companies, with certain information to be made available free of charge, and they should be unequivocally identified through the EUID.</u>		
Recital 17				
27	(17) Shareholders, potential investors, creditors, authorities, employees and civil society associations have a legitimate interest in having access to information related to the structure of the group to which a company belongs. Information about company	(17) Shareholders, potential investors, creditors, authorities, employees and civil society associations have a legitimate interest in having access to information related to the structure of the group to which a company belongs. Information about company	<i>deleted</i>	

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	groups is important to promote transparency and enhance trust in the business environment as well as to contribute to the effective detection of fraudulent or abusive schemes that could affect public revenues and the credibility of the single market. Therefore, information about group structures should be disclosed in business registers and through the system of interconnection of registers for both domestic and cross-border groups.	groups is important to promote transparency and enhance trust in the business environment as well as to contribute to the effective detection of fraudulent or abusive schemes that could affect public revenues and the credibility of the single market. Therefore, information about group structures should be disclosed in business registers and through the system of interconnection of registers for both domestic and cross-border groups.		
Recital 18				
28	(18) Ultimate parent companies governed by the law of a Member State should disclose to their national registers basic information about all their subsidiary companies as they are in the best position to provide such information. Where the ultimate parent company is governed by the law of a third country, this disclosure obligation should be met by the subsidiary company closest to the ultimate parent company in the chain of control but established in the Union and governed by the law of a Member State. Where such a subsidiary company is an intermediate parent company, this intermediate parent company should provide information about the entire group, i.e. the ultimate parent	(18) Ultimate parent companies governed by the law of a Member State should disclose to their national registers basic information about all their subsidiary companies as they are in the best position to provide such information. Where the ultimate parent company is governed by the law of a third country, this disclosure obligation should be met by the subsidiary company closest to the ultimate parent company in the chain of control but established in the Union and governed by the law of a Member State. Where such a subsidiary company is an intermediate parent company, this intermediate parent company should provide information about the entire group, i.e. the ultimate parent	<i>deleted</i>	

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	company and all its subsidiary companies. Where the group includes several intermediate parent companies established in the Union, the group should select which intermediate parent company should fulfil the disclosure requirement. Where no intermediate parent company is governed by the law of a Member State, the group should select a subsidiary company governed by the law of a Member State to fulfil this disclosure requirement.	company and all its subsidiary companies. Where the group includes several intermediate parent companies established in the Union, the group should select which intermediate parent company should fulfil the disclosure requirement. Where no intermediate parent company is governed by the law of a Member State, the group should select a subsidiary company governed by the law of a Member State to fulfil this disclosure requirement.		
Recital 19				
29	(19) In order to provide enhanced transparency about the subsidiaries belonging to a group, the group information and in particular the information about the ultimate parent company and any intermediate parent company governed by the law of a Member State should also be available in the registers of the subsidiaries and, to that end, should be shared with the registers of the subsidiary companies through the system of the interconnection of registers. In addition, Member States where business registers are based on a decentralised structure may also decide to transfer the necessary information between national	(19) In order to provide enhanced transparency about the subsidiaries belonging to a group, the group information and in particular the information about the ultimate parent company and any intermediate parent company governed by the law of a Member State should also be available in the registers of the subsidiaries and, to that end, should be shared with the registers of the subsidiary companies through the system of the interconnection of registers. In addition, Member States where business registers are based on a decentralised structure may also decide to transfer the necessary information between national	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	registers through the system of interconnection of registers.	registers through the system of interconnection of registers.		
Recital 20				
30	(20) In order to avoid unnecessary burden, the obligation to update the group information, at least once per year, should be on the ultimate parent or, where applicable, on the intermediate parent or on the subsidiary company governed by the law of a Member State. If no change has occurred within a year, such parent company or subsidiary company should confirm this to its register, which should record and make this information publicly available. In addition, each subsidiary company should be responsible for keeping the information related to its affiliation to the group in its register up to date. In this regard, the ultimate parent or, where applicable, the intermediate parent or the subsidiary company governed by the law of a Member State should provide any changes in the group information to the (other) subsidiaries without delay in order for the subsidiaries to fulfil in time the obligation to keep the group-related information in their register up to date.	(20) In order to avoid unnecessary burden, the obligation to update the group information, at least once per year <u>where applicable</u>, should be on the ultimate parent or, where applicable, on the intermediate parent or on the subsidiary company governed by the law of a Member State. If no change has occurred within a year, such parent company or subsidiary company should confirm this to its register, which should record and make this information publicly available. In addition, each subsidiary company should be responsible for keeping the information related to its affiliation to the group in its register up to date. In this regard, the ultimate parent or, where applicable, the intermediate parent or the subsidiary company governed by the law of a Member State should provide any changes in the group information to the (other) subsidiaries without delay in order for the subsidiaries to fulfil in time the obligation to keep the group-related information in their register up to date.	deleted	

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<i>Recital 21</i>				
31	(21) Groups of companies may have complex structures. Therefore, a visualisation of the group structure based on the chain of control should be made available through the system of interconnection of registers to provide a comprehensive overview of the group and facilitate a better understanding of the group's method of operation. This would be drawn up based on information about the position of each subsidiary in the group structure submitted by the ultimate or, where applicable, the intermediate parent or the subsidiary company governed by the law of a Member State.	(21) Groups of companies may have complex structures. Therefore, a visualisation of the group structure based on the chain of control should be made available through the system of interconnection of registers to provide a comprehensive overview of the group and facilitate a better understanding of the group's method of operation. This would be drawn up based on information about the position of each subsidiary in the group structure submitted by the ultimate or, where applicable, the intermediate parent or the subsidiary company governed by the law of a Member State.	deleted	
<i>Recital 22</i>				
32	(22) In addition to common standards for checking company information before it is entered into the register, it is necessary to ensure that the information in the register is kept up to date. The Financial Action Task Force recommendation 24 'Transparency and beneficial ownership of legal persons', as revised in March 2022, includes requirements that company information in business registers be kept accurate and up to date. It is also in companies' interest to make	(22) In addition to common standards for checking company information before it is entered into the register, it is necessary to ensure that the information in the register is kept up to date. The Financial Action Task Force recommendation 24 'Transparency and beneficial ownership of legal persons', as revised in March 2022, includes requirements that company information in business registers be kept accurate and up to date. It is also in companies' interest to make	(22) In addition to common standards for checking company information before it is entered into the register, it is necessary to ensure that the information in the register is kept up to date. The Financial Action Task Force recommendation 24 'Transparency and beneficial ownership of legal persons', as revised in March 2022, includes requirements that company information in business registers be kept accurate and up to date. It is also in companies' interest to make	

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	sure that their information is updated in the register because this information, including the EU Company Certificate, can be relied on by third parties. Therefore, companies should be required to disclose changes to company information without unnecessary delay and the registers should record and make available such changes in a timely manner. While the deadline for the publication of accounting documents is regulated by Directive 2013/34/EU of the European Parliament and of the Council¹, the registers should also make them publicly available without unnecessary delay. In addition, in order to further enhance the reliability of company data, companies should confirm once per calendar year that their information in the business register is up to date, including when no change occurred. Companies may do this together with the filing of other changes or when filing accounting documents. 1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).	sure that their information is updated in the register because this information, including the EU Company Certificate, can be relied on by third parties. Therefore, companies should be required to disclose changes to company information without unnecessary delay and the registers should record and make available such changes in a timely manner. While the deadline for the publication of accounting documents is regulated by Directive 2013/34/EU of the European Parliament and of the Council¹, the registers should also make them publicly available without unnecessary delay. <i>In addition, in order to further enhance the reliability of company data, companies should confirm once per calendar year that their information in the business register is up to date, including when no change occurred. Companies may do this together with the filing of other changes or when filing accounting documents.</i> 1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).	sure that their information is updated in the register because this information, including the EU Company Certificate, can be relied on by third parties. Therefore, companies should be required to disclose changes to company information without unnecessary delay and the registers should record and make available such changes in a timely manner. These requirements do not cover conversions, mergers or divisions of limited liability companies, for which specific rules are provided in Directive (EU) 2017/1132. The deadline for the registers should start from the date when all formalities that are necessary for the filing are carried out, including the legality check confirming that the documents comply with national law. While the deadline for the publication of accounting documents is regulated by Directive 2013/34/EU of the European Parliament and of the Council¹, the registers should also make them publicly available without unnecessary delay. In addition, in order to further enhance the reliability of ensure that company data, companies should confirm once per calendar year that their information in the business register is up to date, including when no change occurred. Companies may	

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			do this together with the filing of other changes or when filing accounting documents information is accurate and up to date in all Member States, effective, proportionate and dissuasive penalties should be in place for failure to comply with all disclosure obligations under this Directive, including for late filing. 1. Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).	
Recital 23				
33	(23) In order to keep company information in registers updated, it is also important to identify companies which no longer fulfil the requirements to continue to be registered in the business register. Member States should have transparent procedures in place to verify, where doubts exists, the status of such companies. While companies may temporarily suspend their activity for valid reasons, it is important that their status in the business register is updated	(23) In order to keep company information in registers updated, it is also important to identify companies which no longer fulfil the requirements to continue to be registered in the business register. Member States should have transparent procedures in place to verify, where doubts exists, the status of such companies. While companies may temporarily suspend their activity for valid reasons, it is important that their status in the business register is updated	(23) In order to keep company information in registers updated, it is also important to identify companies which no longer fulfil the requirements to continue to be registered in the business register. While Member States should not be obliged to conduct periodic inspections, Member States should have transparent procedures in place to verify, in specific cases where doubts exists have arisen, the status of such companies. While companies may temporarily suspend	

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	accordingly. For example, indicators could be the fact that a company does not have a functioning board of directors as required by national law, has not filed accounting documents, or lack of any economic activity for some years. Similarly, the fact that a large number of companies are registered at the same address could indicate that some of these companies may have been set up for abusive purposes. Such procedures should include the possibility for companies to explain their situation and provide the necessary data, within reasonable deadlines, and should ensure that the status of the company, for example whether it is closed, wound up, dissolved, economically active or inactive, is updated accordingly. The procedures should also include a possibility, as a last resort, to strike off a company from the register in accordance with the procedures set by national law. Information about these procedures should be publicly available in accordance with this Directive.	accordingly. For example, indicators could be the fact that a company does not have a functioning board of directors as required by national law, has not filed accounting documents, or lack of any economic activity for some years. Similarly, the fact that a large number of companies are registered at the same address could indicate that some of these companies may have been set up for abusive purposes. Such procedures should include the possibility for companies to explain their situation and provide the necessary data, within reasonable deadlines, and should ensure that the status of the company, for example whether it is closed, wound up, dissolved, economically active or inactive, is updated accordingly. The procedures should also include a possibility, as a last resort, to strike off a company from the register in accordance with the procedures set by national law. Information about these procedures should be publicly available in accordance with this Directive.	their activity for valid reasons, it is important that their status in the business register is updated accordingly. For example, indicators could be the fact that a company does not have a functioning board of directors as required by national law, has not filed accounting documents, or lack of any economic activity for some years. Similarly, the fact that a large number of companies are registered at the same address could indicate that some of these companies may have been set up for abusive purposes. Such procedures should include the possibility for companies to explain their situation and provide the necessary data, within reasonable deadlines, and should ensure that the status of the company, for example, whether it is closed, struck off the register, wound up, dissolved, economically active or inactive, as defined in national law and where recorded in the national registers, is updated accordingly. The procedures should also include a possibility, as a last resort, to strike off a company from the register in accordance with the procedures set by– national law. Information about these procedures should be publicly available in accordance with this Directive.	
Recital 23a				

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33a		<u>(23a) Company law should not be a means that permits the circumvention of important Union and Member State laws that protect the public interest. Therefore, the legality of corporate transactions and procedures with effect for the internal market and their compliance with applicable Union and national law should be checked in the public interest by public gatekeepers under Union or Member States' public supervision.</u>		
Recital 24				
34	(24) In the single market, companies should be able to prove that their company is legally incorporated in a Member State through simple and reliable means, which are recognised cross-border by other Member States. Therefore, a harmonised EU Company Certificate should be established. Companies could apply for such an EU Company Certificate to use it for different purposes, including for administrative procedures before national authorities and court proceedings in other Member States or before EU institutions and bodies. Such EU Company Certificate should be issued and certified by the national business registers, should	(24) In the single market, companies should be able to prove that their company is legally incorporated in a Member State through simple and reliable means, which are recognised cross-border by other Member States. Therefore, a harmonised EU Company Certificate should be established <u>and disclosed in the register of the company</u>. Companies could apply for such an EU Company Certificate to use it for different purposes, including for administrative procedures before national authorities and court proceedings in other Member States or before EU institutions and bodies. Such EU Company Certificate should be	(24) In the single market, companies should be able to prove that their company is legally incorporated in a Member State through simple and reliable means, which are recognised cross-border by other Member States. Therefore, a harmonised EU Company Certificate should be established. Companies could apply for such an EU Company Certificate, with national business registers or through the system of interconnection of registers, to use it for different purposes, including for administrative procedures before national authorities and in court proceedings in other Member States or before EU institutions and bodies.	

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	include essential company information used by companies in cross-border situations, including the company name, its registered office and legal representatives, and should be available in all official languages of the Union. The electronic EU Company Certificate should be authenticated by using trust services as referred to in Regulation (EU) No 910/2014¹. This EU Company Certificate would also be accessible to third parties, including authorities, which need reliable essential information about companies. While Member States should be allowed to charge a fee for obtaining an EU Company Certificate, registers should be required to provide, upon request, each company registered in that register with its own EU Company Certificate free of charge at least once a year. Registers and authorities in other Member States should accept an EU Company Certificate in accordance with this Directive. 1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).	issued and certified by the national business registers, should include essential company information used by companies in cross-border situations, including the company name, its registered office and legal representatives, and should be available in all official languages of the Union. The electronic EU Company Certificate should be authenticated by using trust services as referred to in Regulation (EU) No 910/2014¹. This EU Company Certificate would<u>should</u> also be accessible <u>free of charge</u> to third parties, including authorities <u>and employee representatives</u>, which need reliable essential information about companies. While Member States should be allowed to charge a fee for obtaining an EU Company Certificate, Registers should be required to provide, upon request, each company registered in that register with its own EU Company Certificate free of charge at least once a year. Registers and authorities in other Member States should accept an EU Company Certificate in accordance with this Directive. 1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).	Such an EU Company Certificate should be issued and certified by the national business registers, should be available in all official languages of the Union and should include essential company information used by companies in cross-border situations, including, for instance, the company name, its registered office and, legal representatives or the object of the company, which, and should be available in all official languages understood as the main activity or activities of the Union company and could be expressed as a NACE code. The EU Company Certificate would be without prejudice to national extracts and certificates. The electronic EU Company Certificate should be authenticated by using trust services as referred to in Regulation (EU) No 910/2014¹. This EU Company The origin and authenticity of a paper format Certificate would also be accessible to third parties, including authorities, which need reliable essential information about companies. While Member States should be allowed to charge a fee for obtaining an EU Company Certificate, registers should be required to provide, upon request, each company registered in that register with its own EU Company Certificate free of charge	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			at least once a year should be able to be verified electronically, for example, through a protocol number corresponding to the original document in the register or by verifying the digital signature of the issuing authority stored in the quick-response code (QR code) appearing on this document. Third parties, including authorities, which need reliable, essential information about companies would also be able to apply for the EU Company Certificate of a particular company. Registers and authorities in other Member States should accept an EU Company Certificate in accordance with this Directive. 1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).	
Recital 24a				
34a			(24a) Directive (EU) 2017/1132 includes measures to ensure that company information is not only publicly disclosed, but also that it can be relied upon by third parties. In addition, Directive (EU) 2019/1151 introduced mandatory standards and controls in relation	

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			to the on-line formation of companies and the registration of branches. This Directive provides a comprehensive set of measures that will contribute further to ensuring that the company information in registers is accurate and up to date. The provisions to facilitate the cross-border use of company information in this Directive build on those already existing standards and controls as well as on the comprehensive set of measures proposed by this Directive to ensure accuracy.	
Recital 24b				
34b			(24b) In order to tackle fraud and abuse, Member States should be allowed to refuse to accept the company information or documents from a register of another Member State as evidence where the competent authority has reasonable grounds to suspect fraud or abuse in relation to that company's formation or continued existence or to other information about that company. In such cases, the competent authority should, as a first step, consult the register which provided the information or issued the documents in order to request its views. The company	

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			information or document from a register in another Member State should not be refused systematically, but only exceptionally, on a case-by-case basis, where justified by the public interest to protect against fraud or abuse. If the information or the document provided is refused, the competent authority should inform the register which provided the information or document, e.g., through the relevant contact point referred to in Article 16e. This is without prejudice to the possibility for competent authorities to alert the register from which the information or document originates in cases where they consider that the information or document provided to them might contain inadvertent, clerical or other manifest errors, with a view to seek its possible rectification before relying on the information or document, including for entries into their own register.	
Recital 25				
35	(25) In order to further facilitate cross-border procedures for companies and simplify and reduce formalities, such as apostille or translation, a digital EU power of	(25) In order to further facilitate cross-border procedures for companies and simplify and reduce formalities, such as apostille or translation, a digital EU power of	(25) In order to further facilitate cross-border procedures for companies and simplify and reduce formalities, such as apostille or translation, a digital EU power of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	attorney should be established. The digital EU power of attorney will be a multilingual standard model based on a common European template which companies may choose to use in cross-border situations. It should have a minimum mandatory content, while it would be drawn up in accordance with national legal and formal requirements. The standard digital EU power of attorney would only exist in digital form and it should be authenticated by using trust services as referred to in Regulation (EU) No 910/2014. In addition, in order to contribute to higher security of transactions, the digital EU power of attorney should be filed in the register of the company where third parties that can demonstrate legitimate interest can consult it. In particular, third parties, such as lawyers, notaries, credit and financial institutions or competent authorities to whom the digital EU power of attorney is presented, could thus verify the existence of these powers in the register of the company. Member States may also require that the digital EU power of attorney is filed, in addition, in another register in accordance with national law. In order to overcome language barriers and facilitate their use, the template for an EU Company Certificate and a standard model of the digital EU power of	attorney should be established. The digital EU power of attorney will be a multilingual standard model based on a common European template which companies may choose to use in cross-border situations. It should have a minimum mandatory content, while it would be drawn up in accordance with national legal and formal requirements. The standard digital EU power of attorney would only exist in digital form and it should be authenticated <u>in accordance with the assurance level 'high'</u> by using trust services as referred to in Regulation (EU) No 910/2014. In addition, in order to contribute to higher security of transactions <u>and reliable public registers</u>, the digital EU power of attorney should be <u>signed using qualified electronic signatures. In cases where the digital EU power of attorney is certified or authenticated, the certifying or authenticating authority should use qualified electronic signatures or seals, including its specific attributes in accordance with Regulation (EU) No 910/2014. The digital EU power of attorney should be</u> filed in the register of the company where third parties that can demonstrate legitimate interest can consult it. In particular, third parties, such as lawyers, notaries, credit and financial institutions or competent	attorney should be established. The digital EU power of attorney will be a multilingual standard model based on a common European template which companies may choose to use in cross-border situations. It should have a minimum mandatory content, while it would be drawn up in accordance with national legal and formal requirements. The standard digital EU power of attorney would only exist in digital form and order to authorise a person to represent the company in specific cross-border procedures in the scope of this Directive, such as the formation of companies, registration or closure of branches, filing of amendments to the instrument of constitution, completion of cross-border conversions, or cross-border and domestic mergers and divisions. It should be authenticated by using trust services as referred to in Regulation (EU) No 910/2014. In addition, in order to contribute to higher security of transactions, have a minimum mandatory content specifying at least the scope of representation, the person authorised to represent the company, the type of representation, and any potential restrictions on self-dealing or multiple representation, while it would be drawn up in accordance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	attorney should be available on the E-justice portal in all Union languages.	authorities to whom the digital EU power of attorney is presented, could thus verify the existence of these powers <u>of attorney</u> in the register of the company. Member States may also require that <u>Once filed,</u> the digital EU power of attorney is filed, in addition, in another register in accordance with national law <u>should be deemed to be valid in its published form until an amendment or revocation has been published in the register.</u> In order to overcome language barriers and facilitate their use, the template for an EU Company Certificate and a standard model of the digital EU power of attorney should be available on the E-justice portal in all Union languages.	with national legal and formal requirements. The digital EU power of attorney should be filed in the register accepted as evidence of the company where third parties that can demonstrate legitimate interest can consult it. In particular, third parties, such as lawyers, notaries, credit and financial institutions or competent authorities to whom authorised person's entitlement to represent the company. This is without prejudice to the national rules related to formation of companies and limitations to the use of powers of attorney in general. The digital EU power of attorney is presented, could thus verify the existence of these powers in the register of the company. Member States may also require that the digital EU power of attorney is filed, in addition, in another register in accordance with national law. In order to overcome language barriers and facilitate their use, the template for an EU Company Certificate and a standard model of the digital EU power of attorney should be available on the E-justice portal in all should be aligned with the requirements of electronic attestation of attributes set in Regulation [...] [eID regulation COM/2021/281 final] and the technical specifications of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European Digital Identity Wallet to ensure a horizontal solution with increased user-friendliness. This should contribute to reduce both administrative and financial burdens for Member States by lowering the risk of developing parallel systems that are not interoperable across the Union languages.	
Recital 25a				
35a			(25a) The digital EU power of attorney established under this Directive is without prejudice to national rules on legal and statutory representation or any other types of powers of attorney. The standard digital EU power of attorney would exist in digital form and it should be authenticated by using trust services as referred to in Regulation (EU) No 910/2014 as amended by [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity]. While, in accordance with Directive (EU) 2017/1132, the information about the legal representatives is required to be disclosed in the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			business registers, Member States should be free to choose whether to require that this specific EU digital power of attorney is filed, be it in the business register or in a different register in accordance with national law. In order to overcome language barriers and facilitate their use, the template for an EU Company Certificate and a template for the digital EU power of attorney should be available on the E-justice portal in all Union languages.	

Recital 26

36	(26) Companies often face difficulties and administrative barriers to use company information, which is already available in their national business register, in cross-border situations, including when dealing with competent authorities or in court proceedings in another Member State. The company data available in the business register of one Member State is often not accepted in another Member State without burdensome formalities that generate costs and delays. Therefore, in order to facilitate cross-border activities in the single market, Member States should ensure that no legalisation or similar formality, such as apostille, be required in	(26) Companies often face difficulties and administrative barriers to use company information, which is already available in their national business register, in cross-border situations, including when dealing with competent authorities or in court proceedings in another Member State. The company data available in the business register of one Member State is often not accepted in another Member State without burdensome formalities that generate costs and delays. Therefore, in order to facilitate cross-border activities in the single market, Member States should ensure that no legalisation or similar formality, such as apostille, be required in	(26) Companies often face difficulties and administrative barriers to use company information, which is already available in their national business register, in cross-border situations, including when dealing with competent authorities or in court proceedings in another Member State. The company data available in the business register of one Member State is often not accepted in another Member State without burdensome formalities that generate costs and delays. Therefore, in order to facilitate cross-border activities in the single market, Member States should ensure that no legalisation or similar formality, such as apostille, be required in	(26) Companies often face difficulties and administrative barriers to use company information, which is already available in their national business register, in cross-border situations, including when dealing with competent authorities or in court proceedings in another Member State. The company data available in the business register of one Member State is often not accepted in another Member State without burdensome formalities that generate costs and delays. Therefore, in order to facilitate cross-border activities in the single market, Member States should ensure that no legalisation or similar formality, such as apostille, be required in
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	respect of certified copies of documents and information related to companies obtained from registers. The same approach should also be applied for documents and information exchanged through the system of interconnection of registers (for example, pre-operation certificates) as well as for notarial acts or administrative documents in the context of the procedures under this Directive which are used in cross-border context. Such procedures include the formation of companies and the registration of branches in another Member State, cross-border conversions, mergers and divisions.	respect of certified copies of documents and information related to companies obtained from registers. The same approach should also be applied for documents and information exchanged through the system of interconnection of registers (for example, pre-operation certificates) as well as for notarial acts or administrative documents in the context of the procedures under this Directive which are used in cross-border context. Such procedures include the formation of companies and the registration of branches in another Member State, cross-border conversions, mergers and divisions.	respect of certified copies of documents and information related to companies obtained from registers. The same approach should also be applied for documents and information exchanged through the system of interconnection of registers (for example, pre-operation certificates) as well as for notarial acts or administrative documents in the context of the procedures under procedures under the scope of this Directive which are used in cross-border context. Such procedures include the formation of companies and the registration of branches in another Member State, cross-border conversions, mergers and divisions.	respect of certified copies of documents and information related to companies obtained from registers. The same approach should also be applied for documents and information exchanged through the system of interconnection of registers (for example, pre-operation certificates) as well as for notarial acts or administrative documents in the context of the procedures under procedures under the scope of this Directive which are used in cross-border context. Such procedures include the formation of companies and the registration of branches in another Member State, cross-border conversions, mergers and divisions. Text Origin: Council Mandate

Recital 27				
37	(27) At the same time, in order to prevent fraud or forgery, it should be possible for the authorities of the Member State in which the company document or information is presented, where they have a reasonable doubt as to its authenticity, to verify the document or information via the issuing register or the register in its own Member State, which could exchange information about the	(27) At the same time, in order to prevent fraud or forgery, it should be possible for the authorities of the Member State in which the company document or the information is presented it contains , where they have a reasonable doubt as to its authenticity and accuracy , to verify the document or information via the issuing register or the register in its own Member State, which could exchange information about the	(27) At the same time, in order to prevent fraud or forgery, it should be possible for the authorities of the Member State in which the company document or information is presented, where they have a reasonable doubt as to its authenticity, to verify the document or information via the issuing register or the register in its own Member State, which could exchange information about the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	authenticity of the document through the system of interconnection of registers. Such exchange of information should contribute to the mutual trust and cooperation between Member States within the single market.	authenticity of the document through the system of interconnection of registers. Such exchange of information should contribute to the mutual trust and cooperation between Member States within the single market.	authenticity of the document through the system of interconnection of registers. To this end, Member States should notify the electronic mail address as a contact point in their Member State to the Commission. Such exchange of information should contribute to the mutual trust and cooperation between Member States within the single market.	

Recital 28

38	(28) The companies' instruments of constitution are sometimes drawn up in two or more languages, one of them often being an official Union language broadly understood by the largest possible number of cross-border users. Companies also often voluntarily publish a translation of their instrument of constitution into such a language on their websites. In addition, an increasing amount of company information contained in the instrument of constitution is separately available and easily identifiable with the assistance of multilingual labels through the system of interconnection of registers. Company information will also need to be stored in business registers in a machine-readable and searchable format or as structured data, in line with Directive (EU)	(28) The companies' instruments of constitution are sometimes drawn up in two or more languages, one of them often being an official Union language broadly understood by the largest possible number of cross-border users. Companies also often voluntarily publish a translation of their instrument of constitution into such a language on their websites. In addition, an increasing amount of company information contained in the instrument of constitution is separately available and easily identifiable with the assistance of multilingual labels through the system of interconnection of registers. Company information will also need to be stored in business registers in a machine-readable and searchable format or as structured data, in line with Directive (EU)	(28) The companies' instruments of constitution are sometimes drawn up in two or more languages, one of them often being an official Union language broadly understood by the largest possible number of cross-border users. Companies also often voluntarily publish a translation of their instrument of constitution into such a language on their websites. In addition, an increasing amount of company information contained in the instrument of constitution is separately available and easily identifiable with the assistance of multilingual labels through the system of interconnection of registers. Company information will also need to be stored in business registers in a machine-readable and searchable format or as structured data, in line with Directive (EU)	(28) The companies' instruments of constitution are sometimes drawn up in two or more languages, one of them often being an official Union language broadly understood by the largest possible number of cross-border users. Companies also often voluntarily publish a translation of their instrument of constitution into such a language on their websites. In addition, an increasing amount of company information contained in the instrument of constitution is separately available and easily identifiable with the assistance of multilingual labels through the system of interconnection of registers. Company information will also need to be stored in business registers in a machine-readable and searchable format or as structured data, in line with Directive (EU)
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2019/1151, which will facilitate machine translation of such data. These developments make it easier to consult and use such company information in cross-border situations without the need for official translation. Therefore, legal requirements for certified translations of the instrument of constitution and, similarly, of other documents provided by the business register should be limited to what is strictly necessary and their imposition should be allowed only in specific cases such as where there is a requirement for certified translations of the documents to be disclosed or where certified translation is required by other areas of law, such as in the context of judicial proceedings.	2019/1151, which will facilitate machine translation of such data. These developments make it easier to consult and use such company information in cross-border situations without the need for official translation. Therefore, legal requirements for certified translations of the instrument of constitution and, similarly, of other documents provided by the business register should be limited to what is strictly necessary and their imposition should be allowed only in specific cases such as where there is a requirement for certified translations of the documents to be disclosed or where certified translation is required by other areas of law, such as in the context of judicial proceedings.	2019/1151, which will facilitate machine translation of such data. These developments make it easier to consult and use such company information in cross-border situations without the need for official translation. Therefore, legal requirements for certified translations of the instrument of constitution and, similarly, of other documents provided by the business register should be limited to what is strictly necessary and their imposition should be allowed only in specific cases such as where there is a requirement for certified translations of the documents to be disclosed or where this Directive aims to simplify the cross-border use of company information by reducing the cases where translation, and in particular certified translation, is required by other areas of law, such as in the context of judicial proceedings.	2019/1151, which will facilitate machine translation of such data. These developments make it easier to consult and use such company information in cross-border situations without the need for official translation. Therefore, legal requirements for certified translations of the instrument of constitution and, similarly, of other documents provided by the business register should be limited to what is strictly necessary and their imposition should be allowed only in specific cases such as where there is a requirement for certified translations of the documents to be disclosed or where <u>this Directive aims to simplify the cross-border use of company information by reducing the cases where translation, and in particular certified translation, is required by other areas of law, such as in the context of judicial proceedings.</u> Text Origin: Council Mandate
Recital 28a				
38a			(28a) For instance, authorities which need to verify specific information about a company from another Member State should first consult the required information in the EU Company	<u>(28a) For instance, authorities which need to verify specific information about a company from another Member State should first consult the required information in the EU Company Certificate or</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Certificate or through the system of interconnection of registers, instead of asking for translation of the entire document containing such specific information. This would not affect the right of Member States to require a non-certified translation into one of their official languages if they need the entire document in the context of a particular procedure. As regards certified translations, as a general principle, legal requirements for producing such translations of the instrument of constitution or of other documents provided by the business register should be limited to what is strictly necessary and certified translations should be required only in specific cases. However, a certified translation can be required, for example, where the documents are to be publicly disclosed by a register, in line with Articles 21 and 32 of Directive (EU) 2017/1132, or if this is necessary, in the context of judicial proceedings.	<u>through the system of interconnection of registers, instead of asking for translation of the entire document containing such specific information. This would not affect the right of Member States to require a non-certified translation into one of their official languages if they need the entire document in the context of a particular procedure. As regards certified translations, as a general principle, legal requirements for producing such translations of the instrument of constitution or of other documents provided by the business register should be limited to what is strictly necessary and certified translations should be required only in specific cases. However, a certified translation can be required, for example, where the documents are to be publicly disclosed by a register, in line with Articles 21 and 32 of Directive (EU) 2017/1132, or if this is necessary, in the context of judicial proceedings.</u> Text Origin: Council Mandate
Recital 29				
39	(29) In order to increase transparency, facilitate access to company information and create more connected public	(29) In order to increase transparency, facilitate access to company information and create more connected public	(29) In order to increase transparency, facilitate access to company information and create more connected public	(29) In order to increase transparency, facilitate access to company information and create more connected public

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	administrations on a cross-border basis in the single market, it is important to connect the already functioning Union level systems of interconnection that hold important information about companies. Therefore, the system of interconnection of registers (BRIS) should be connected with the EU Beneficial Ownership Registers Interconnection System (BORIS), established by Directive (EU) 2015/849¹ as amended by Directive (EU) 2018/843², which links national central registers containing information on the beneficial owners of companies and other legal entities, trusts and other types of legal arrangements, and with the EU Insolvency Registers Interconnection system (IRI) established in accordance with Regulation (EU) 2015/848³. The EUID should be used to link the information about a particular company across these systems. However, such connection between the systems should not affect the rules and requirements regarding the access to information set out under the relevant frameworks establishing those registers and interconnections. For example, this means that a user of BRIS should only be able to access BORIS if that user is entitled to access BORIS under its respective rules and requirements.	administrations on a cross-border basis in the single market, it is important to connect the already functioning Union level systems of interconnection that hold important information about companies. Therefore, the system of interconnection of registers (BRIS) should be connected with the EU Beneficial Ownership Registers Interconnection System (BORIS), established by Directive (EU) 2015/849¹ as amended by Directive (EU) 2018/843², which links national central registers containing information on the beneficial owners of companies and other legal entities, trusts and other types of legal arrangements, and with the EU Insolvency Registers Interconnection system (IRI) established in accordance with Regulation (EU) 2015/848³. The EUID should be used to link the information about a particular company across these systems. However, such connection between the systems should not affect the rules and requirements regarding the access to information set out under the relevant frameworks establishing those registers and interconnections. For example, this means that a user of BRIS should only be able to access BORIS if that user is entitled to access BORIS under its respective rules and requirements.	administrations on a cross-border basis in the single market, it is important to connect the already functioning Union level systems of interconnection that hold important information about companies. Therefore, the system of interconnection of registers (BRIS) should be connected with the EU Beneficial Ownership Registers Interconnection System (BORIS), established by Directive (EU) 2015/849¹ as amended by Directive (EU) 2018/843², which links national central registers containing information on the beneficial owners of companies and other legal entities, trusts and other types of legal arrangements, and with the EU Insolvency Registers Interconnection system (IRI) established in accordance with Regulation (EU) 2015/848³. The EUID should be used to link the information about a particular company across these systems. However, such connection between the systems should not affect the rules and requirements regarding the access to information set out under the relevant frameworks establishing those registers and interconnections. For example, this means that a user of BRIS should only be able to access BORIS if that user is entitled to access BORIS under its respective rules and requirements.	administrations on a cross-border basis in the single market, it is important to connect the already functioning Union level systems of interconnection that hold important information about companies. Therefore, the system of interconnection of registers (BRIS) should be connected with the EU Beneficial Ownership Registers Interconnection System (BORIS), established by Directive (EU) 2015/849¹ as amended by Directive (EU) 2018/843², which links national central registers containing information on the beneficial owners of companies and other legal entities, trusts and other types of legal arrangements, and with the EU Insolvency Registers Interconnection system (IRI) established in accordance with Regulation (EU) 2015/848³. The EUID should be used to link the information about a particular company across these systems. However, such connection between the systems should not affect the rules and requirements regarding the access to information set out under the relevant frameworks establishing those registers and interconnections. For example, this means that a user of BRIS should only be able to access BORIS if that user is entitled to access BORIS under its respective rules and requirements.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73). 2. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43). 3. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast) (OJ L 141, 5.6.2015, p. 19).	1. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73). 2. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43). 3. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast) (OJ L 141, 5.6.2015, p. 19).	1. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73). 2. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43). 3. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast) (OJ L 141, 5.6.2015, p. 19).	1. Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73). 2. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43). 3. Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast) (OJ L 141, 5.6.2015, p. 19). Text Origin: Commission Proposal
Recital 30				
40	(30) In order to help companies, and in particular SMEs, to expand their business activities cross-border more easily, the ‘once-only’ principle should be further developed in cases where companies register branches in another Member State. The information about the company registering the cross-border branch should be retrieved electronically	(30) In order to help companies, and in particular SMEs, to expand their business activities cross-border more easily, the ‘once-only’ principle should be further developed in cases where companies register branches in another Member State. The information about the company registering the cross-border branch should be retrieved electronically	(30) In order to help companies, and in particular SMEs, to expand their business activities cross-border more easily, the ‘once-only’ principle should be further developed in cases where companies register branches in another Member State. In a similar way to the case of setting up a subsidiary cross-border, applying the ‘once-only’ principle	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from the register of the company by the register of the branch through the system of interconnection of registers. This exchange of information, as any other exchange of information between registers through the system of interconnection of registers, will be carried out via secure transmission between national registers, which ensures that the information can be trusted and should not be required to be certified or subject to any legalisation or similar formality.	from the register of the company by the register of the branch through the system of interconnection of registers; <u>however, it should be possible to use other means to exchange documents and information in parallel to the use of electronic means</u> . This exchange of information, as any other exchange of information between registers through the system of interconnection of registers, will be carried out via secure transmission between national registers, which ensures that the information can be trusted and should not be required to be certified or subject to any legalisation or similar formality. <u>Documents or information transmitted as part of electronic communication through the system of interconnection of registers should not be denied legal effect or be considered inadmissible solely on the ground that they are in electronic form. They should have the same legal value as that provided by the register of the Member State where the company in question is registered.</u>	with respect to branches means that the information about the company registering the cross-border branch should be retrieved electronically from the register of the company by the register of the branch through the system of interconnection of registers. This exchange of information, as any other exchange of information between registers through the system of interconnection of registers, will be carried out via secure transmission between national registers, which ensures that the information can be trusted and should not be required to be certified or subject to any legalisation or similar formality. Alternatively, the register of the branch may access information about the company directly through the system of interconnection of registers via the European e-Justice portal or in the national register of the founder company.	
Recital 31				
41	(31) While information about cross-border branches of EU limited liability companies is already	(31) While information about cross-border branches of EU limited liability companies is already	(31) While information about cross-border branches of EU limited liability companies is already	(31) While information about cross-border branches of EU limited liability companies is already

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	available through the system of interconnection of registers, information about branches of non-EU companies is not, even if it is already disclosed in national registers in line with Directive (EU) 2017/1132. In order to facilitate access to this information at Union level for stakeholders, information about such third country company branches should be made available through the system of interconnection of registers and some of this information should be free of charge, as is already the case for cross-border branches of EU limited liability companies.	available through the system of interconnection of registers, information about branches of non-EU companies is not, even if it is already disclosed in national registers in line with Directive (EU) 2017/1132. In order to facilitate access to this information at Union level for stakeholders, information about such third country company branches should be made available through the system of interconnection of registers and some of this information should be free of charge, as is already the case for cross-border branches of EU limited liability companies.	available through the system of interconnection of registers, information about branches of non-EU companies is not, even if it is already disclosed in national registers in line with Directive (EU) 2017/1132. In order to facilitate access to this information at Union level for stakeholders, information about such third country company branches should be made available through the system of interconnection of registers and some of this information should be free of charge, as is already the case for cross-border branches of EU limited liability companies.	available through the system of interconnection of registers, information about branches of non-EU companies is not, even if it is already disclosed in national registers in line with Directive (EU) 2017/1132. In order to facilitate access to this information at Union level for stakeholders, information about such third country company branches should be made available through the system of interconnection of registers and some of this information should be free of charge, as is already the case for cross-border branches of EU limited liability companies. Text Origin: Commission Proposal
Recital 32				
42	(32) The documents and information about the company, including information about legal representatives, partners in partnerships and other persons that can lawfully represent a company, should be made publicly available in business registers in order to ensure legal certainty in dealings between companies and third parties. In particular, third parties, such as creditors, investors and business partners, but also authorities and	(32) The documents and information about the company, including information about legal representatives, partners in partnerships and other persons that can lawfully represent a company, should be made publicly available in business registers in order to ensure legal certainty in dealings between companies and third parties. In particular, third parties, such as creditors, investors and business partners, but also authorities and	(32) The documents and information about the company, including information about legal representatives, at least about general partners in partnerships and as well as other persons that can lawfully represent a company, should be made publicly available in business registers in order to ensure legal certainty in dealings between companies and third parties. In particular, third parties, such as creditors, investors and business	COM to provide input

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	courts, should have full legal certainty about the person that is appointed to act on behalf of the company and has the power to enter into contracts or conduct business on behalf of the company. In a partnership, partners are often authorised to represent the partnership in dealings with third parties and in legal proceedings. Similarly, with a view to protecting third parties, it is necessary that, where all the shares of a private limited liability company are held by a single shareholder, the identity of that single shareholder, which may be a natural or legal person, is made accessible to the public in the business register. Given that a single shareholder may for example exercise the powers of the general meeting of the company or conclude contracts between him or herself and the company as represented by him or her, third parties should be able to identify the sole member in order to know the identity of the person exercising control of the company or representing the company.. Therefore, such persons should be unequivocally identified.	courts, should have full legal certainty about the person that is appointed to act on behalf of the company and has the power to enter into contracts or conduct business on behalf of the company. In a partnership, partners are often authorised to represent the partnership in dealings with third parties and in legal proceedings. Similarly, with a view to protecting third parties, it is necessary that, where all the shares of a private limited liability company are held by a single shareholder, the identity of that single shareholder, which may be a natural or legal person, is made accessible to the public in the business register. Given that a single shareholder may for example exercise the powers of the general meeting of the company or conclude contracts between him or herself and the company as represented by him or her, third parties should be able to identify the sole member in order to know the identity of the person exercising control of the company or representing the company.. Therefore, such persons should be unequivocally identified.	partners, but also authorities and courts, should have full legal certainty about the person that is appointed to act on behalf of the company and has the power to enter into contracts or conduct business on behalf of the company. In a partnership, partners are often authorised to represent the partnership in dealings with third parties and in legal proceedings. Similarly, with a view to protecting third parties, it is necessary that, where all the shares of a private limited liability company are held by a single shareholder, the identity of that single shareholder, which may be a natural or legal person, is made accessible to the public in the business register when such companies are created or when the single shareholder changes. Given that a single shareholder may for example exercise the powers of the general meeting of the company or conclude contracts between him or herself and the company as represented by him or her, third parties should be able to identify the sole member in order to know the identity of the person exercising control of the company or representing the company.: Therefore, such persons should be unequivocally identified.	

Recital 33

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
43	(33) In order to enhance the functioning of the single market, third parties do not only need to have access to information about companies in their own Member State, but also about companies in another Member State. Similarly to a domestic situation, third parties need to have legal certainty about the legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about the single shareholders of companies in other Member State. Therefore, such information should be made available at Union level through the system of interconnection of registers which provides access to such information in a multilingual and comparable way, thereby ensuring the same level of protection of third parties in cross-border situations. In order to ensure legal certainty as to the identity of the legal representatives, partners in partnerships, and other persons that can lawfully represent a company, as well as single shareholders, it is necessary that such persons can be unequivocally identified. The need for ensuring certainty about the exact identity of such persons is particularly high in cross-border situations where the system of interconnection of registers provides access to such	(33) In order to enhance the functioning of the single market, third parties do not only need to have access to information about companies in their own Member State, but also about companies in another Member State. Similarly to a domestic situation, third parties need to have legal certainty about the legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about the single shareholders of companies in other Member State. Therefore, such information should be made available at Union level through the system of interconnection of registers which provides access to such information in a multilingual and comparable way, thereby ensuring the same level of protection of third parties in cross-border situations. In order to ensure legal certainty as to the identity of the legal representatives, partners in partnerships, and other persons that can lawfully represent a company, as well as single shareholders, it is necessary that such persons can be unequivocally identified. The need for ensuring certainty about the exact identity of such persons is particularly high in cross-border situations where the system of interconnection of registers provides access to such	(33) In order to enhance the functioning of the single market, third parties do not only need to have access to information about companies in their own Member State, but also about companies in another Member State. Similarly to a domestic situation, third parties need to have legal certainty about the legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about the single shareholders of companies in other Member State. Therefore, such information should be made available at Union level through the system of interconnection of registers which provides access to such information in a multilingual and comparable way, thereby ensuring the same level of protection of third parties in cross-border situations. In order to ensure legal certainty as to the identity of the legal representatives, partners in partnerships, and other persons that can lawfully represent a company, as well as single shareholders, it is necessary that such persons can be unequivocally identified. The need for ensuring certainty about the exact identity of such persons is particularly high in cross-border situations where the system of interconnection of registers provides access to such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information on all limited liability companies and “commercial partnerships”. Given that national systems have divergent approaches to the identification of such persons, it is necessary to harmonise the personal data categories that can be accessed at Union level. While the name and surname of such persons constitute personal data that serve to identify them, the name and surname do not guarantee unique identification in all cases and thus need to be complemented by additional information. Nor would adding only the year of birth be sufficient in this regard given the prevalence of certain names, both first name and surname and their combination, in Member States and the fact that popular names often follow yearly cycles, with the effect that many persons with identical names are born in the same year. It is therefore necessary and proportionate to require registers to make available the full date of birth of legal representatives, partners in partnerships, and other persons that can lawfully represent a company, as well as single shareholders.	information on all limited liability companies and “commercial partnerships”. Given that national systems have divergent approaches to the identification of such persons, it is necessary to harmonise the personal data categories that can be accessed at Union level. While the name and surname of such persons constitute personal data that serve to identify them, the name and surname do not guarantee unique identification in all cases and thus need to be complemented by additional information. Nor would adding only the year of birth be sufficient in this regard given the prevalence of certain names, both first name and surname and their combination, in Member States and the fact that popular names often follow yearly cycles, with the effect that many persons with identical names are born in the same year. It is therefore necessary and proportionate to require registers to make available the full date of birth of legal representatives, partners in partnerships, and other persons that can lawfully represent a company, as well as single shareholders.	information on all limited liability companies and “commercial partnerships”. Given that national systems have divergent approaches to the identification of such persons, it is necessary to harmonise the personal data categories that can be accessed at Union level. While the first name(s) and surname of such persons constitute personal data that serve to identify them, the first name(s) and surname do not guarantee unique identification in all cases and thus need to be complemented by additional information. Nor would adding only the year of birth be sufficient in this regard given the prevalence of certain names, both first name(s) and surname and their combination, in Member States and the fact that popular names often follow yearly cycles, with the effect that many persons with identical names are born in the same year. It is therefore necessary and proportionate to require registers to make available the full date of birth or equivalent information for those Member States that do not record the full date of birth in the national register and that would allow to unequivocally identify of legal representatives, partners in partnerships, and other persons that can lawfully represent a company, as well as of single shareholders.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 34				
44	(34) Member States should process any personal data about legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about single shareholders, including the personal data which is to be made publicly available in the registers, in accordance with Regulation (EU) 2016/679. The Commission should process personal data in the context of this Directive in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council¹. In particular, Member States and the Commission should implement appropriate data protection safeguards in order to ensure that the processing of personal data for the purposes of this Directive is limited to what is necessary to achieve its objectives. ¹. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	(34) Member States should process any personal data about legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about single shareholders, including the personal data which is to be made publicly available in the registers, in accordance with Regulation (EU) 2016/679. The Commission should process personal data in the context of this Directive in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council¹. In particular, Member States and the Commission should implement appropriate data protection safeguards in order to ensure that the processing of personal data for the purposes of this Directive is limited to what is necessary to achieve its objectives. ¹. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	(34) Member States should process any personal data about legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about single shareholders, including the personal data which is to be made publicly available in the registers, in accordance with Regulation (EU) 2016/679. The Commission should process personal data in the context of this Directive in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council¹. In particular, Member States and the Commission should implement appropriate data protection safeguards in order to ensure that the processing of personal data for the purposes of this Directive is limited to what is necessary to achieve its objectives. ¹. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	(34) Member States should process any personal data about legal representatives, partners in partnerships and other persons that can lawfully represent a company, and about single shareholders, including the personal data which is to be made publicly available in the registers, in accordance with Regulation (EU) 2016/679. The Commission should process personal data in the context of this Directive in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council¹. In particular, Member States and the Commission should implement appropriate data protection safeguards in order to ensure that the processing of personal data for the purposes of this Directive is limited to what is necessary to achieve its objectives. ¹. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Recital 35				
45	(35) To ensure that all Union citizens can enjoy the benefits of making more company information available in business registers, it is essential that such information is provided to persons with disabilities in accessible formats. According to Article 9 of the UN Convention on the Rights of Persons with Disabilities, State parties are to take appropriate measures to ensure that persons with disabilities can access, on an equal basis with others, inter alia information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public. In this regard, the Directive (EU) 2016/2102 of the European Parliament and of the Council¹ sets out general accessibility requirements for websites and mobile applications of public sector bodies with a view to make them more accessible to users, in particular persons with disabilities, and to foster interoperability. Directive (EU) 2016/2102 encourages Member States to extend its application to	(35) To ensure that all Union citizens can enjoy the benefits of making more company information available in business registers, it is essential that such information is provided to persons with disabilities in accessible formats. According to Article 9 of the UN Convention on the Rights of Persons with Disabilities, State parties are to take appropriate measures to ensure that persons with disabilities can access, on an equal basis with others, inter alia information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public. In this regard, the Directive (EU) 2016/2102 of the European Parliament and of the Council¹ sets out general accessibility requirements for websites and mobile applications of public sector bodies with a view to make them more accessible to users, in particular persons with disabilities, and to foster interoperability. Directive (EU) 2016/2102 encourages Member States to extend its application to	(35) To ensure that all Union citizens can enjoy the benefits of making more company information available in business registers, it is essential that such information is provided to persons with disabilities in accessible formats. According to Article 9 of the UN Convention on the Rights of Persons with Disabilities, State parties are to take appropriate measures to ensure that persons with disabilities can access, on an equal basis with others, inter alia information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public. In this regard, the Directive (EU) 2016/2102 of the European Parliament and of the Council¹ sets out general accessibility requirements for websites and mobile applications of public sector bodies with a view to make them more accessible to users, in particular persons with disabilities, and to foster interoperability. Directive (EU) 2016/2102– encourages Member States to extend its application to	(35) To ensure that all Union citizens can enjoy the benefits of making more company information available in business registers, it is essential that such information is provided to persons with disabilities in accessible formats. According to Article 9 of the UN Convention on the Rights of Persons with Disabilities, State parties are to take appropriate measures to ensure that persons with disabilities can access, on an equal basis with others, inter alia information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public. In this regard, the Directive (EU) 2016/2102 of the European Parliament and of the Council¹ sets out general accessibility requirements for websites and mobile applications of public sector bodies with a view to make them more accessible to users, in particular persons with disabilities, and to foster interoperability. Directive (EU) 2016/2102 encourages Member States to extend its application to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	private entities offering facilities and services that are open or provided to the public. Furthermore, Directive (EU) 2019/882 of the European Parliament and of the Council² contains accessibility requirements for certain products and services including their websites and related information. Given the diversity of bodies responsible for the management of business registers, ranging from courts and administrative authorities to private entities, and the diverse activities performed by business registers, it should be assessed whether specific measures are needed to ensure that persons with disabilities are able to access company information provided by the business registers in all the Member States on an equal basis with other users. 1. Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1). 2. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).	private entities offering facilities and services that are open or provided to the public. Furthermore, Directive (EU) 2019/882 of the European Parliament and of the Council² contains accessibility requirements for certain products and services including their websites and related information. Given the diversity of bodies responsible for the management of business registers, ranging from courts and administrative authorities to private entities, and the diverse activities performed by business registers, it should be assessed whether specific measures are needed to ensure that persons with disabilities are able to access company information provided by the business registers in all the Member States on an equal basis with other users. 1. Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1). 2. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).	private entities offering facilities and services that are open or provided to the public. Furthermore, Directive (EU) 2019/882 of the European Parliament and of the Council² contains accessibility requirements for certain products and services including their websites and related information. Given the diversity of bodies responsible for the management of business registers, ranging from courts and administrative authorities to private entities, and the diverse activities performed by business registers, it should be assessed whether specific measures are needed to ensure that persons with disabilities are able to access company information provided by the business registers in all the Member States on an equal basis with other users. 1. Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1). 2. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).	private entities offering facilities and services that are open or provided to the public. Furthermore, Directive (EU) 2019/882 of the European Parliament and of the Council² contains accessibility requirements for certain products and services including their websites and related information. Given the diversity of bodies responsible for the management of business registers, ranging from courts and administrative authorities to private entities, and the diverse activities performed by business registers, it should be assessed whether specific measures are needed to ensure that persons with disabilities are able to access company information provided by the business registers in all the Member States on an equal basis with other users. 1. Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1). 2. Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70). Text Origin: Commission Proposal
Recital 36				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
46	(36) The objectives of this Directive, namely to increase the amount and improve the reliability of company data available in business registers or through the system of interconnection of registers, and to enable direct use of company data available in business registers when setting up cross-border branches and subsidiaries and in other cross-border activities and situations, cannot be sufficiently achieved by Member States, but can rather, by reason of their scale and effects, be better achieved at Union level. Therefore, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary to achieve those objectives.	(36) The objectives of this Directive, namely to increase the amount and improve the reliability of company data available in business registers or through the system of interconnection of registers, and to enable direct use of company data available in business registers when setting up cross-border branches and subsidiaries and in other cross-border activities and situations, cannot be sufficiently achieved by Member States, but can rather, by reason of their scale and effects, be better achieved at Union level. Therefore, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary to achieve those objectives.	(36) The objectives of this Directive, namely to increase the amount and improve the reliability of company data available in business registers or through the system of interconnection of registers, and to enable direct use of company data available in business registers when setting up cross-border branches and subsidiaries and in other cross-border activities and situations, cannot be sufficiently achieved by Member States, but can rather, by reason of their scale and effects, be better achieved at Union level. Therefore, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary to achieve those objectives.	(36) The objectives of this Directive, namely to increase the amount and improve the reliability of company data available in business registers or through the system of interconnection of registers, and to enable direct use of company data available in business registers when setting up cross-border branches and subsidiaries and in other cross-border activities and situations, cannot be sufficiently achieved by Member States, but can rather, by reason of their scale and effects, be better achieved at Union level. Therefore, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary to achieve those objectives. Text Origin: Commission Proposal
Recital 37				
47	(37) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory	(37) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory	(37) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory	(37) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	documents¹, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified. ¹ OJ C 369, 17.12.2011, p. 14.	documents¹, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified. ¹ OJ C 369, 17.12.2011, p. 14.	documents¹, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified. ¹ OJ C 369, 17.12.2011, p. 14.	documents¹, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified. ¹ OJ C 369, 17.12.2011, p. 14. Text Origin: Commission Proposal
Recital 38				
48	(38) The Commission should carry out an evaluation of this Directive. Pursuant to paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, that evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and value added and should provide the basis for impact assessments of possible further measures. The evaluation should cover the practical experience with the EU Company Certificate, digital EU power of attorney and the reduced formalities in cross-border situations for	(38) The Commission should carry out an evaluation of this Directive <u><i>within five years of the end of its transposition period</i></u>. Pursuant to paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, that evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and value added and should provide the basis for impact assessments of possible further measures. The evaluation should cover the practical experience with the EU Company Certificate, digital EU power of attorney and the	(38) The Commission should carry out an evaluation of this Directive. Pursuant to paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, that evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and value added and should provide the basis for impact assessments of possible further measures. The evaluation should cover the practical experience with the EU Company Certificate, digital EU power of attorney and the reduced formalities in cross-border situations for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	companies. In addition, the Commission should assess the potential for cross-sector interoperability between the system of interconnection of registers (BRIS) and other systems providing mechanisms for cooperation between competent authorities, such as in the areas of taxation or social security or the Once-only Technical System established under Regulation (EU) 2018/1724 of the European Parliament and of the Council¹, with the aim of creating more connected public administrations cross-border in the single market². Finally, the Commission should also assess the need to introduce additional measures to fully address the needs of persons with disabilities when they access company information provided by the business registers. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1). 2. See also Proposal for a Regulation of the European Parliament and of the Council laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) (COM(2022) 720 final), Communication on a strengthened public sector interoperability policy - Linking public services, supporting public policies and delivering public benefits	reduced formalities in cross-border situations for companies. In addition, the Commission should assess the potential for cross-sector interoperability between the system of interconnection of registers (BRIS) and other systems providing mechanisms for cooperation between competent authorities, such as in the areas of taxation or social security or the Once-only Technical System established under Regulation (EU) 2018/1724 of the European Parliament and of the Council¹, with the aim of creating more connected public administrations cross-border in the single market². Finally, the Commission should also assess the need to introduce additional measures to fully address the needs of persons with disabilities when they access company information provided by the business registers. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1). 2. See also Proposal for a Regulation of the European Parliament and of the Council laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) (COM(2022) 720 final), Communication on a strengthened public sector interoperability policy - Linking public services, supporting	companies. In addition, the Commission should assess the potential for cross-sector interoperability between the system of interconnection of registers (BRIS) and other systems providing mechanisms for cooperation between competent authorities, such as in the areas of taxation or social security or the Once-only Technical System established under Regulation (EU) 2018/1724 of the European Parliament and of the Council¹, with the aim of creating more connected public administrations cross-border in the single market². Finally, the Commission should also assess the need to introduce additional measures to fully address the needs of persons with disabilities when they access company information provided by the business registers. 1. Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1). 2. See also Proposal for a Regulation of the European Parliament and of the Council laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) (COM(2022) 720 final), Communication on a strengthened public sector interoperability policy - Linking public services, supporting public policies and delivering public benefits	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	- Towards an 'Interoperable Europe' (COM(2022)710 final)	public policies and delivering public benefits - Towards an 'Interoperable Europe' (COM(2022)710 final)	- Towards an 'Interoperable Europe' (COM(2022)710 final)	
Recital 39				
49	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [XX XX 2022/2023] ¹ . 1. OJ...	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [XX XX 2022/2023] ¹ . 1. OJ...	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [XX-XX 2022/2023 17 May 2023] ¹ . 1. OJ...	(39) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [XX-XX 2022/2023 17 May 2023] ¹ . 1. OJ... Text Origin: Council Mandate
Recital 40				
50	(40) Directives 2009/102/EC and (EU) 2017/1132 should therefore be amended accordingly.	(40) Directives 2009/102/EC and (EU) 2017/1132 should therefore be amended accordingly.	(40) Directives 2009/102/EC and (EU) 2017/1132 should therefore be amended accordingly.	(40) Directives 2009/102/EC and (EU) 2017/1132 should therefore be amended accordingly. Text Origin: Commission Proposal
Formula				
51	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE: Text Origin: Commission Proposal
Article 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
52	Article 1 Amendments to Directive 2009/102/EC	Article 1 Amendments to Directive 2009/102/EC	Article 1 Amendments to Directive 2009/102/EC	Article 1 Amendments to Directive 2009/102/EC Text Origin: Commission Proposal
Article 1, first paragraph				
53	Article 3 of Directive 2009/102/EC is replaced by the following:	Article 3 of Directive 2009/102/EC is replaced by the following:	Article 3 of Directive 2009/102/EC is replaced by the following:	Article 3 of Directive 2009/102/EC is replaced by the following: Text Origin: Commission Proposal
Article 1, first paragraph, amending provision, first subparagraph				
54	Article 3	Article 3	Article 3	Article 3 Text Origin: Commission Proposal
Article 1, first paragraph, amending provision, second subparagraph				
55	Where a company becomes a single-member company because all its shares come to be held by a single person, that fact, together with the identity of the sole member, must be recorded in the file or entered in the register as referred to in Article 3(1) and (2) of Directive 68/151/EEC, and made publicly available through the system of interconnection of	Where a company becomes a single-member company because all its shares come to be held by a single person, that fact, together with the identity of the sole member, must be recorded in the file or entered in the register as referred to in Article 3(1) and (2) of Directive 68/151/EEC, and made publicly available through the system of interconnection of	Where a company becomes a single-member company because all its shares come to be held by a single person, that fact, together with the identity of the sole member, must be recorded in the file or entered in the register as referred to in Article 3(1) 16(1) and (2) of Directive 68/151/EEC (EU) 2017/1132 , and made publicly available through the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	registers referred to in Article 16(1) of Directive (EU) 2017/1132.	registers referred to in Article 16(1) of Directive (EU) 2017/1132.	system of interconnection of registers referred to in Article 16(1) of Directive (EU) 2017/1132.	
Article 1, first paragraph, amending provision, third subparagraph				
56	Article 18 and Article 19(1) of Directive (EU) 2017/1132 shall apply <i>mutatis mutandis</i> .’;	Article 18 and Article 19(1) of Directive (EU) 2017/1132 shall apply <i>mutatis mutandis</i> .’;	Article 18 and Article 19(1) of Directive (EU) 2017/1132 shall apply <i>mutatis mutandis</i> .’;	Article 18 and Article 19(1) of Directive (EU) 2017/1132 shall apply <i>mutatis mutandis</i> .’; Text Origin: Council Mandate
Article 2				
57	Article 2 Amendments to Directive (EU) 2017/1132	Article 2 Amendments to Directive (EU) 2017/1132	Article 2 Amendments to Directive (EU) 2017/1132	Article 2 Amendments to Directive (EU) 2017/1132 Text Origin: Commission Proposal
Article 2, first paragraph				
58	Directive (EU) 2017/1132 is amended as follows:	Directive (EU) 2017/1132 is amended as follows:	Directive (EU) 2017/1132 is amended as follows:	Directive (EU) 2017/1132 is amended as follows: Text Origin: Commission Proposal
Article 2, first paragraph, point (1)				
59	(1) The title of Title I is replaced by	(1) The title of Title I is replaced by	(1) The title of Title I is replaced by	(1) The title of Title I is replaced by

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the following:	the following:	the following:	the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (1), amending provision, first paragraph				
60	‘ GENERAL PROVISIONS AND THE ESTABLISHMENT AND FUNCTIONING OF COMPANIES’;	‘ GENERAL PROVISIONS AND THE ESTABLISHMENT AND FUNCTIONING OF COMPANIES’;	‘ GENERAL PROVISIONS AND THE ESTABLISHMENT AND FUNCTIONING OF COMPANIES’;	‘ GENERAL PROVISIONS AND THE ESTABLISHMENT AND FUNCTIONING OF COMPANIES’; Text Origin: Commission Proposal
Article 2, first paragraph, point (2)				
61	(2) Article 1 is amended as follows:	(2) Article 1 is amended as follows:	(2) Article 1 is amended as follows:	(2) Article 1 is amended as follows: Text Origin: Commission Proposal
Article 2, first paragraph, point (2)(a)				
62	(a) the following indent is inserted after the second indent:	(a) the following indent is inserted after the second indent:	(a) the following indent is inserted after the second indent:	(a) the following indent is inserted after the second indent: Text Origin: Commission Proposal
Article 2, first paragraph, point (2)(a), amending provision, first paragraph				
63	‘	‘	‘	‘

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	- common set of rules on preventive control of company information,’,	- common set of rules on preventive control of company information,’,	- common set of rules on preventive control of company information,’,	- common set of rules on preventive control of company information,’, Text Origin: Commission Proposal
Article 2, first paragraph, point (2)(b)				
64	(b) the following indent is inserted after the third indent:	(b) the following indent is inserted after the third indent:	(b) the following indent is inserted after the third indent:	(b) the following indent is inserted after the third indent: Text Origin: Commission Proposal
Article 2, first paragraph, point (2)(b), amending provision, first paragraph				
65	‘ - disclosure requirements in respect of partnerships,’,	‘ - disclosure requirements in respect of partnerships,’,	‘ - disclosure requirements in respect of partnerships,’,	‘ - disclosure requirements in respect of partnerships,’, Text Origin: Commission Proposal
Article 2, first paragraph, point (3)				
66	(3) in Title I, Chapter II, Section 2, the title is replaced by the following:	(3) in Title I, Chapter II, Section 2, the title is replaced by the following:	(3) in Title I, Chapter II, Section 2, the title is replaced by the following:	(3) in Title I, Chapter II, Section 2, the title is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (3), amending provision, first paragraph				
67				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	‘ Nullity of the company and validity of its obligations’; ’	‘ Nullity of the company and validity of its obligations’; ’	‘ Nullity of the company and validity of its obligations’; ’	‘ Nullity of the company and validity of its obligations’; ’ Text Origin: Commission Proposal
Article 2, first paragraph, point (4)				
68	(4) in Article 7, paragraph 1 is replaced by the following:	(4) in Article 7, paragraph 1 is replaced by the following:	(4) in Article 7, paragraph 1 is replaced by the following:	(4) in Article 7, paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (4), amending provision, numbered paragraph (1)				
69	‘ 1. The coordination measures prescribed by this Section shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, to the types of companies listed in Annex IIB.’; ’	‘ 1. The coordination measures prescribed by this Section shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, to the types of companies listed in Annex IIB.’; ’	‘ 1. The coordination measures prescribed by this Section shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, <i>mutatis mutandis</i> to the types of companies listed in Annex IIB.’; ’	‘ 1. The coordination measures prescribed by this Section shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, <i>mutatis mutandis</i> to the types of companies listed in Annex IIB.’; ’ Text Origin: Council Mandate
Article 2, first paragraph, point (5)				
70	(5) Article 10 is replaced by the	(5) Article 10 is replaced by the	(5) Article 10 is replaced by the	(5) Article 10 is replaced by the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following:	following:	following:	following: Text Origin: Commission Proposal
Article 2, first paragraph, point (5), amending provision, first paragraph				
71	Article 10	Article 10	Article 10	Article 10 Text Origin: Commission Proposal
Article 2, first paragraph, point (5), amending provision, second paragraph				
72	Preventive control	Preventive control	Preventive control	Preventive control Text Origin: Commission Proposal
Article 2, first paragraph, point (5), amending provision, numbered paragraph (1)				
73	1. Member States shall provide for preventive administrative or judicial control, at the time of the formation of a company, of the instrument of constitution, the company statutes and any amendments to those documents. Member States may provide that those documents shall be drawn up and certified in due legal form.	1. Member States shall provide for preventive administrative, <u>judicial or notarial</u> or judicial control, <u>or any combination thereof</u> , at the time of the formation of a company, of the instrument of constitution, the company statutes and any amendments to those documents. <u>This is without prejudice to national laws that, in accordance with Member States' legal systems, require</u> may provide that those documents shall <u>are to</u> be drawn up and certified in due legal form.	1. Member States shall provide for preventive administrative, judicial or notarial or judicial control, or any combination thereof , at the time of the formation of a company listed in Annexes II and IIB , of the instrument of constitution, the company statutes and any amendments to those documents. This requirement shall be without prejudice to national laws that, in accordance with Member States' legal systems, require may provide that those documents shall <u>are to</u> be	1. Member States shall provide for preventive administrative, <u>judicial or notarial</u> or judicial control, <u>or any combination thereof</u> , at the time of the formation of a company <u>listed in Annexes II and IIB</u> , of the instrument of constitution, the company statutes and any amendments to those documents. <u>This requirement shall be without prejudice to national laws that, in accordance with Member States' legal systems, require</u> may provide that those documents shall <u>are to</u> be

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			drawn up and certified in due legal form.	drawn up and certified in due legal form. Text Origin: Council Mandate
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), first subparagraph				
74	2. Member States shall ensure that their laws for the formation of companies listed in Annexes II and IIB lay down a procedure for the legality check of a company's instrument of constitution, and for its statutes if they are contained in a separate instrument. Member States shall ensure that such check is also carried out in case of any amendment of those documents.	2. Member States shall ensure that their laws for the formation of companies listed in Annexes II and IIB lay down a procedure for the legality check of a company's instrument of constitution, and for its statutes if they are contained in a separate instrument. Member States shall ensure that such check is also carried out in case of any amendment of those documents.	2. Member States shall ensure that their laws for the formation of companies listed in Annexes II and IIB lay down a procedure for the legality check of a company's instrument of constitution, and for its statutes if they are contained in a separate instrument. Member States shall ensure that such check is also carried out in case of any amendment of those documents.	2. Member States shall ensure that their laws for the formation of companies listed in Annexes II and IIB lay down a procedure for the legality check of a company's instrument of constitution, and for its statutes if they are contained in a separate instrument. Member States shall ensure that such check is also carried out in case of any amendment of those documents. Text Origin: Commission Proposal
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), second subparagraph				
75	Through the legality check, it shall be ascertained at least that:	Through the legality check, it shall be ascertained at least that:	Through the legality check, it shall be ascertained at least that:	Through the legality check, it shall be ascertained at least that: Text Origin: Commission Proposal
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), second subparagraph, point (a)				
76	(a) the formal requirements for the instrument of constitution, and for the statutes if they are contained in a	(a) the formal requirements for the instrument of constitution, and for the statutes if they are contained in a	(a) the formal requirements for the instrument of constitution, and for the statutes if they are contained in a	(a) the formal requirements for the instrument of constitution, and for the statutes if they are contained in a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	separate instrument, are fulfilled and that the correct use of templates referred to in Article 13h is verified;	separate instrument, are fulfilled and that the correct use of templates referred to in Article 13h is verified;	separate instrument, are fulfilled and, where templates are used , that the correct use of templates referred to in Article 13h is verified;	separate instrument, are fulfilled and, <u>where templates are used</u> , that the correct use of templates referred to in Article 13h is verified; Text Origin: Council Mandate
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), second subparagraph, point (b)				
77	(b) the mandatory minimum content is included;	(b) the mandatory minimum content is included;	(b) the mandatory minimum content is included;	(b) the mandatory minimum content is included; Text Origin: Commission Proposal
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), second subparagraph, point (c)				
78	(c) there are no evident substantive legal irregularities; and	(c) there are no evident <u>the substantive legal irregularities requirements are met</u> ; and	(c) there are no evident substantive legal irregularities; and	(c) <u>substantive legal requirements are met and</u> there are no evident substantive legal irregularities; and EP proposal to be checked by the Council
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), second subparagraph, point (d)				
79	(d) the contribution, whether payment in cash or contribution in kind, has been paid, in accordance with national law.	(d) the contribution, whether payment in cash or contribution in kind, has been paid, in accordance with national law.	(d) the contribution, whether payment in cash or contribution in kind, has been paid provided for , in accordance with national law.	(d) the contribution, whether payment in cash or contribution in kind, has been paid <u>provided for</u> , in accordance with national law. Text Origin: Council Mandate
Article 2, first paragraph, point (5), amending provision, numbered paragraph (2), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
R	80 Where, for the formation of companies listed in Annex IIB, national law does not require the drawing up of instruments of constitution and statutes, the procedure for the legality check shall include the formal and substantive control of the documents required under national law for the formation of such companies.	<i>deleted</i>	<i>deleted</i>	
Article 2, first paragraph, point (5), amending provision, numbered paragraph (3)				
R	81 3. Member States may waive the obligation to perform the legality check under paragraph 2, points (b) and (c), of this Article where templates referred to in Article 13h are used by applicants.	3. Member States may waive the obligation to perform the legality check under paragraph 2, points (b) and (c) <u>point (b)</u> , of this Article where templates referred to in Article 13h are used by applicants.	3. Member States may waive the obligation to perform Where, for the formation, or at the time of registration, of companies listed in Annex IIB, national law does not require the drawing up of instruments of constitution and statutes, the procedure for the legality check under paragraph 2, points (b) and (c), of this Article where templates referred to in Article 13h are used by applicants shall include the formal and substantive control of the documents or information required under national law for the application for entry into the register of such companies.	
Article 2, first paragraph, point (5), amending provision, numbered paragraph (4), first subparagraph				
G	82			G

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	4. The rules laid down in Article 13(4), points (b) and (c), Article 13(5) and (7), and Article 13g(3), points (a), (d), (e), (f), shall apply mutatis mutandis to other forms of formation of the companies listed in Annexes II and IIB that are not fully online.	4. The rules laid down in Article 13(4) <u>13c, Article 13g(3)</u> , points (b) and (c) <u>(a), (d), (e), (f)</u> , Article 13(5) and (7) <u>13g(4), points (b) and (c)</u> , and Article 13g(3), points (a), (d), (e), (f) <u>g(5) and (7)</u> , shall apply mutatis mutandis to other forms of formation of the companies listed in Annexes II and IIB that are not fully online.	 deleted	deleted
Article 2, first paragraph, point (5), amending provision, numbered paragraph (4), second subparagraph				
83	Member States shall ensure that rules are laid down to verify the identity of applicants in case of such other forms of formation of companies.	Member States shall ensure that rules are laid down to verify the identity of applicants in case of such other forms of formation of companies.	deleted	deleted
Article 2, first paragraph, point (5), amending provision, numbered paragraph (5)				
84	5. Paragraphs 1, 2 and 3 shall apply to fully online as well as other procedures.	5. Paragraphs 1, 2 and 3 shall apply to fully online as well as other procedures.	5. Paragraphs 1, 2 and 3 shall apply to fully online as well as to other procedures.	5. Paragraphs 1, 2 and 3 shall apply to fully online as well as <u>to</u> other procedures. Text Origin: Council Mandate
Article 2, first paragraph, point (6)				
85	(6) in Title I, Chapter III, the title is replaced by the following:	(6) in Title I, Chapter III, the title is replaced by the following:	(6) in Title I, Chapter III, the title is replaced by the following:	(6) in Title I, Chapter III, the title is replaced by the following: Text Origin: Commission Proposal

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	Article 2, first paragraph, point (6), amending provision, first paragraph			
86	‘ Online and other procedures (formation, registration and filing), disclosure and registers; ’,	‘ Online and other procedures (formation, registration and filing), disclosure and registers; ’,	‘ Online and other procedures (formation, registration and filing), disclosure and registers; ’,	‘ Online and other procedures (formation, registration and filing), disclosure and registers; ’, Text Origin: Commission Proposal
	Article 2, first paragraph, point (7)			
87	(7) Article 13 is replaced by the following:	(7) Article 13 is replaced by the following:	(7) Article 13 is replaced by the following:	(7) Article 13 is replaced by the following: Text Origin: Commission Proposal
	Article 2, first paragraph, point (7), amending provision, first paragraph			
88	‘ Article 13 ’,	‘ Article 13 ’,	‘ Article 13 ’,	‘ Article 13 ’, Text Origin: Commission Proposal
	Article 2, first paragraph, point (7), amending provision, second paragraph			
89	Scope	Scope	Scope	Scope Text Origin: Commission Proposal

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Article 2, first paragraph, point (7), amending provision, third paragraph				
90	The coordination measures prescribed by this Section and by Section 1A shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, to the types of companies listed in Annexes I, IIA and IIB.;	The coordination measures prescribed by this Section and by Section 1A shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, to the types of companies listed in Annexes I, IIA and IIB.;	The coordination measures prescribed by this Section and by Section 1A shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, to the types of companies listed in Annexes I, IIA and IIB.;	The coordination measures prescribed by this Section and by Section 1A shall apply to the laws, regulations and administrative provisions of the Member States relating to the types of companies listed in Annex II and, where specified, to the types of companies listed in Annexes I, IIA and IIB.;
				Text Origin: Commission Proposal
Article 2, first paragraph, point (8)				
91	(8) in Article 13a, the following points are added:	(8) in Article 13a, the following points are added:	(8) in Article 13a, the following points are added:	(8) in Article 13a, the following points are added:
				Text Origin: Commission Proposal
Article 2, first paragraph, point (8), amending provision, numbered paragraph (7)				
92	(7) ‘group’ means a parent company and all its subsidiary companies;	(7) ‘group’ means a parent company and all its subsidiary companies;	<i>deleted</i>	
Article 2, first paragraph, point (8), amending provision, numbered paragraph (8)				
93	(8) ‘subsidiary company’ means a company controlled by a parent	(8) ‘subsidiary company’ means a company controlled by a parent	<i>deleted</i>	

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	company;	company;		
<i>Article 2, first paragraph, point (8), amending provision, numbered paragraph (9)</i>				
94	(9) ‘ultimate parent company’ means a parent company which controls, either directly or indirectly in accordance with the criteria set out in Article 22(1) to (5) of Directive 2013/34/EU of the European Parliament and of the Council*, one or more subsidiary companies and is not controlled by another company;	(9) ‘ultimate parent company’ means a parent company which controls, either directly or indirectly in accordance with the criteria set out in Article 22(1) to (5) of Directive 2013/34/EU of the European Parliament and of the Council*, one or more subsidiary companies and is not controlled by another company;	deleted	
<i>Article 2, first paragraph, point (8), amending provision, numbered paragraph (10)</i>				
95	(10) ‘intermediate parent company’ means a parent company governed by the law of a Member State which is not controlled by another company governed by the law of a Member State;	(10) ‘intermediate parent company’ means a parent company governed by the law of a Member State which is not controlled by another company governed by the law of a Member State;	deleted	
<i>Article 2, first paragraph, point (8), amending provision, numbered paragraph (11)</i>				
96	(11) ‘legalisation’ means the formality for certifying the authenticity of a public office holder’s signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears;	(11) ‘legalisation’ means the formality for certifying the authenticity of a public office holder’s signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears;	‘ (11) ‘legalisation’ means the formality for certifying the authenticity of a public office holder’s signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal	(11) ‘legalisation’ means the formality for certifying the authenticity of a public office holder’s signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears;

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			or stamp which it bears; Numbering mistake in Coreper mandate: (12) instead of (11)	Text Origin: Commission Proposal
Article 2, first paragraph, point (8), amending provision, numbered paragraph (12), first subparagraph				
97	(12) ‘similar formality’ means the addition of the certificate provided for by the Apostille Convention.	(12) ‘similar formality’ means the addition of the certificate provided for by the Apostille Convention.	(12) ‘similar formality’ means the addition of the certificate provided for by the Apostille Convention.	(12) ‘similar formality’ means the addition of the certificate provided for by the Apostille Convention. Text Origin: Commission Proposal
Article 2, first paragraph, point (8), amending provision, numbered paragraph (12), second subparagraph				
98	_____	_____	_____	_____
				Text Origin: Commission Proposal
Article 2, first paragraph, point (8), amending provision, numbered paragraph (12), third subparagraph				
99	* Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).’;	* Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).’;	* Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).’;	* Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).’;

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				Text Origin: Commission Proposal
Article 2, first paragraph, point (9)				
100	(9) Article 13b is amended as follows:	(9) Article 13b is amended as follows:	(9) Article 13b is amended as follows:	Text Origin: Commission Proposal
Article 2, first paragraph, point (9)(a)				
101	(a) in paragraph 1, point (b) is replaced by the following:	(a) in paragraph 1, point (b) is replaced by the following:	(a) in paragraph 1, point (b) is replaced by the following the following point (ba) is added: Mistake in Council mandate: point (c) replaced by point (ba).	(a) in paragraph 1, point (b) is replaced by the following the following point (ba) is added: Text Origin: Council Mandate
Article 2, first paragraph, point (9)(a), amending provision, numbered paragraph (b)				
102	(b) an electronic identification means issued in another Member State in accordance with Regulation (EU) No 910/2014.;	(b) an electronic identification means issued in another Member State in accordance with Regulation (EU) No 910/2014.;	deleted	
Article 2, first paragraph, point (9)(a), amending provision, numbered paragraph (ba)				
102a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(ba) a European Digital Identity Wallet provided pursuant to [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].;	<u>(ba) a European Digital Identity Wallet provided pursuant to [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].;</u> Text Origin: Council Mandate
Article 2, first paragraph, point (9)(b)				
103	(b) paragraph 2 is replaced by the following:	(b) paragraph 2 is replaced by the following:	<i>deleted</i>	
Article 2, first paragraph, point (9)(b), amending provision, numbered paragraph (2)				
104	2. Member States may refuse to recognise electronic identification means where the assurance levels of those electronic identification means do not comply with the conditions set out in Regulation (EU) No 910/2014.;	2. Member States may refuse to recognise electronic identification means where the assurance levels of those electronic identification means do not comply with the conditions set out in Regulation (EU) No 910/2014.;	<i>deleted</i>	
Article 2, first paragraph, point (10)				
105	(10) Article 13c is amended as follows:	(10) Article 13c is amended as follows:	(10) Article 13c is amended as follows:	(10) Article 13c is amended as follows:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 2, first paragraph, point (10)(a)				
106	(a) in paragraph 2, the following subparagraph is added:	(a) in paragraph 2, the following subparagraph is added:	(a) in paragraph 2, the following subparagraph is added:	(a) in paragraph 2, the following subparagraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (10)(a), amending provision, first paragraph				
107	‘ This is without prejudice to the rules on preventive controls as referred to in Article 10.; ’	‘ This is without prejudice to the rules on preventive controls as referred to in Article 10.; ’	‘ This is The first subparagraph shall be applied without prejudice to the rules on preventive controls as referred to in Article 10.; ’	‘ This is The first subparagraph shall be applied without prejudice to the rules on preventive controls as referred to in Article 10.; ’ Text Origin: Council Mandate
Article 2, first paragraph, point (10)(b)				
108	(b) in paragraph 3, the following subparagraph is added:	(b) in paragraph 3, the following subparagraph is added:	(b) in paragraph 3, the following subparagraph is added:	(b) in paragraph 3, the following subparagraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (10)(b), amending provision, first paragraph				
109	‘ This paragraph shall be applied ’	‘ This paragraph shall be applied ’	‘ This paragraph The first ’	‘ This paragraph The first ’

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	without prejudice to Articles 16b, 16c, 16d and 16f.;	without prejudice to Articles 16b, 16c, 16d and 16f.;	subparagraph shall be applied without prejudice to Articles 16b, 16c, 16d and 16f.;	<u>subparagraph</u> shall be applied without prejudice to Articles 16b, 16c, 16d and 16f.;
				Text Origin: Council Mandate
Article 2, first paragraph, point (11)				
110	(11) in Article 13f, the following paragraphs are added:	(11) in Article 13f, the following paragraphs are added:	(11) in Article 13f, the following paragraphs are added is amended as follows:	(11) in Article 13f, the following paragraphs are added <u>is amended as follows:</u>
				Text Origin: Council Mandate
Article 2, first paragraph, point (11)(a)				
110a			(a) in paragraph 1, point (e) is added:	<u>(a) in paragraph 1, point (e) is added:</u>
				Text Origin: Council Mandate
Article 2, first paragraph, point (11), amending provision, first paragraph -a				
110b			(e) rules referred to in Article 15 on filing of changes to the documents and information in registers and on keeping that information in registers up to date.	<u>(e) rules referred to in Article 15 on filing of changes to the documents and information in registers and on keeping that information in registers up to date.</u>
				Text Origin: Council Mandate
Article 2, first paragraph, point (11), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
111	Member States shall ensure that information referred to in the first paragraph, points (a), (c) and (d), includes information also in relation to companies listed in Annex IIB.	Member States shall ensure that information referred to in the first paragraph, points (a), (c) and (d), includes information also in relation to companies listed in Annex IIB.	deleted	deleted
Article 2, first paragraph, point (11), amending provision, second paragraph				
112	Member States shall ensure that the requirements specified in the first paragraph of this Article also cover the rules referred to in Article 15 on filing deadlines and on keeping the information in registers up to date.;	Member States shall ensure that the requirements specified in the first paragraph of this Article also cover the rules referred to in Article 15 on filing deadlines and on keeping the information in registers up to date.;	deleted	deleted
Article 2, first paragraph, point (11)(b)				
112a			(b) the following paragraph is added:	<u>(b) the following paragraph is added:</u> Text Origin: Council Mandate
Article 2, first paragraph, point (11)(b), amending provision, first paragraph				
112b			Member States shall ensure that information referred to in the first subparagraph includes information <i>mutatis mutandis</i> also in relation to companies listed in Annex IIB.	<u>Member States shall ensure that information referred to in the first subparagraph includes information <i>mutatis mutandis</i> also in relation to companies listed in Annex IIB.</u>

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				Text Origin: Council Mandate
Article 2, first paragraph, point (12)				
113	(12) Article 13g is amended as follows:	(12) Article 13g is amended as follows:	(12) Article 13g is amended as follows:	(12) Article 13g is amended as follows: Text Origin: Commission Proposal
Article 2, first paragraph, point (12)(a)				
114	(a) the following paragraph 2a is inserted:	(a) the following paragraph 2a is inserted:	(a) the following paragraph 2a is inserted:	(a) the following paragraph 2a is inserted: Text Origin: Commission Proposal
Article 2, first paragraph, point (12)(a), amending provision, numbered paragraph (2a), first subparagraph				
115	2a. Member States shall ensure that, where a company listed in Annex II or IIB forms a company in another Member State, the register of the Member State where the company is being formed is to retrieve, through the system of interconnection of registers referred to in Article 22, the documents and information about the founder company relevant for the procedure of formation available in the register of the Member State where that company is registered,	2a. Member States shall ensure that, where a company listed in Annex II or IIB forms a company in another Member State, the register of the Member State where the company is being formed is to retrieve, through the system of interconnection of registers referred to in Article 22, the documents and information about the founder company relevant for the procedure of formation available in the register of the Member State where that company is registered,	2a. Member States shall ensure that, where a company listed in Annex II or IIB forms a company in another Member State, the register of the Member State where the company is being formed is to retrieve, by means of exchange of information , through the system of interconnection of registers referred to in Article 22; the documents and information about the founder company relevant for the procedure of formation available in the register	2a. Member States shall ensure that, where a company listed in Annex II or IIB forms a company in another Member State, <u>it shall not be requested to provide the documents and information relevant for the procedure of formation available in the register of the Member State where that company is registered.</u> The register of the Member State where the company is being formed is to retrieve, <u>by means of exchange of information</u> , through the system

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	and the company shall not be requested to provide that information or those documents. The register may also retrieve the EU Company Certificate under Article 16b.	and the company shall not be requested to provide that information or those documents. The register may also retrieve the EU Company Certificate under Article 16b. <u>The register may nevertheless use other means to retrieve the documents and information about the founder company, in parallel to using the system of interconnection of registers referred to in Article 22.</u>	of the Member State where that company is registered, and the . The register may also retrieve the EU Company shall not be requested to provide that information or those documents. The register Certificate under Article 16b. The register of the Member State where the company is being formed may also retrieve the EU directly access such information and documents which are available in the system of interconnection of registers via the portal, or in the national register of the founder company. The founder company shall not be requested to provide that information or those documents Certificate under Article 16b.	of interconnection of registers referred to in Article 22, the <u>those</u> documents and information about the founder company relevant for the procedure of formation available in . <u>The register may also retrieve the EU Company Certificate under Article 16b.</u> The register of the Member State where that <u>the</u> company is registered, and the company shall not be requested to provide that information or those documents. The register may also retrieve the EU Company Certificate under Article 16b <u>being formed may also directly access such information and documents which are available in the system of interconnection of registers via the portal, or in the national register of the founder company.</u>
Article 2, first paragraph, point (12)(a), amending provision, numbered paragraph (2a), second subparagraph				
116	Where any authority or person or body is mandated under national law to deal with any aspect of the formation of a company, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the company is being formed shall provide the documents and the information	Where any authority or person or body is mandated under national law to deal with any aspect of the formation of a company, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the company is being formed shall provide the documents and the information	—Where any authority or person or body is mandated under national law to deal with any aspect of the formation of a company, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the company is being formed shall, upon request , provide the documents and the	—Where any authority or person or body is mandated under national law to deal with any aspect of the formation of a company, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the company is being formed shall, <u>upon request</u> , provide the documents and the

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	retrieved to that authority, person or body.	retrieved to that authority, person or body.	information retrieved to that authority, person or body, unless this information is publicly available for free through the system of interconnection of registers. ;	information retrieved to that authority, person or body, <u>unless this information is publicly available for free through the system of interconnection of registers.</u> ; Text Origin: Council Mandate
Article 2, first paragraph, point (12)(a), amending provision, numbered paragraph (2a), third subparagraph				
117	Member States shall apply this paragraph to any other forms of formation of companies than fully online.;	Member States shall apply this paragraph to any other forms of formation of companies than fully online.;	<i>deleted</i>	<i>deleted</i>
Article 2, first paragraph, point (12)(a), amending provision, numbered paragraph (2a), third subparagraph a				
117a		<u>Documents or information transmitted as part of electronic communication through the system of interconnection of registers shall not be denied legal effect or be considered inadmissible solely on the ground that they are in electronic form. They shall have the same legal value as that provided by the register of the Member State where the company in question is registered.</u>		
Article 2, first paragraph, point (12)(b)				

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118	(b) paragraph 3 is amended as follows:	(b) paragraph 3 is amended as follows:	(b) paragraph 3 is amended as follows:	(b) paragraph 3 is amended as follows: Text Origin: Commission Proposal
Article 2, first paragraph, point (12)(b)(i)				
119	(i) point (d) is replaced by the following:	(i) point (d) is replaced by the following:	(i) point (d) is replaced by the following:	(i) point (d) is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (12)(b)(i), amending provision, numbered paragraph (d)				
120	(d) the procedures to verify the legality of the object of the company;;	(d) the procedures to verify the legality of the object of the company;;	(d) the procedures requirements to verify the legality of the object of the company in accordance with national law ;;	(d) the procedures <u>requirements</u> to verify the legality of the object of the company <u>in accordance with national law</u> ;; Text Origin: Council Mandate
Article 2, first paragraph, point (12)(b)(ii)				
121	(ii) point (e) is replaced by the following	(ii) point (e) is replaced by the following	(ii) point (e) is replaced by the following	(ii) point (e) is replaced by the following Text Origin: Commission Proposal
Article 2, first paragraph, point (12)(b)(ii), amending provision, numbered paragraph (e)				

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122	(e) the procedures to verify the legality of the name of the company;;	(e) the procedures to verify the legality of the name of the company;;	(e) the procedures requirements to verify the legality of the name of the company in accordance with national law ;;	(e) the procedures requirements to verify the legality of the name of the company <u>in accordance with national law</u> ;; Text Origin: Council Mandate
Article 2, first paragraph, point (12)(c)				
123	(c) in paragraph 4, point (a) is deleted;	(c) in paragraph 4, point (a) is deleted;	(c) in paragraph 4, point (a) is deleted;	(c) in paragraph 4, point (a) is deleted; Text Origin: Commission Proposal
Article 2, first paragraph, point (13)				
124	(13) in Article 13h(2), first subparagraph, the second sentence is deleted;	(13) in Article 13h(2), first subparagraph, the second sentence is deleted;	(13) in Article 13h(2), first subparagraph, the second sentence is deleted;	(13) in Article 13h(2), first subparagraph, the second sentence is deleted; Text Origin: Commission Proposal
Article 2, first paragraph, point (14)				
125	(14) Article 13j is amended as follows:	(14) Article 13j is amended as follows:	(14) Article 13j is amended as follows:	(14) Article 13j is amended as follows; Text Origin: Commission Proposal
Article 2, first paragraph, point (14)(a)				

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126	(a) in paragraph 1, the first sentence is replaced by the following:	(a) in paragraph 1, the first sentence is replaced by the following:	(a) in paragraph 1, the first sentence is replaced by the following:	(a) in paragraph 1, the first sentence is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (14)(a), amending provision, first paragraph				
127	‘ Member States shall ensure that documents and information, including any modification thereof, can be filed online with the register where the company is registered.;’	‘ Member States shall ensure that documents and information, including any modification thereof, can be filed online with the register where the company is registered.;’	‘ Member States shall ensure that documents and information, including any modification thereof, can be filed online with the register where the company is registered. This requirement shall also apply to companies listed in Annex IIB.; ’	‘ Member States shall ensure that documents and information, including any modification thereof, can be filed online with the register where the company is registered. <u>This requirement shall also apply to companies listed in Annex IIB.;</u> ’ Text Origin: Council Mandate
Article 2, first paragraph, point (14)(b)				
128	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (14)(b), amending provision, numbered paragraph (4)				
129	‘ 4. Articles 10(1) and (2) and 13g(2), (3), (4) and (5) shall apply mutatis mutandis to the online filing	‘ 4. Articles 10(1) and (2) and 13g(2), (3), (4) and (5) shall apply mutatis mutandis to the online filing	‘ 4. —Articles 10(1), (2) and (3) and (2) and 13g(2), (3), (4) and (5) shall apply <i>mutatis mutandis</i> mutatis	

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	of documents and information.;	of documents and information.;	mutandis to the online filing of documents and information. Article 10(1), (2) and (3) shall apply to the documents referred to in that Article.;	
Article 2, first paragraph, point (14)(c)				
130	(c) the following paragraph is added:	(c) the following paragraph is added:	<i>deleted</i>	
Article 2, first paragraph, point (14)(c), amending provision, numbered paragraph (6)				
131	6. Article 10(1) and (2) and Article 13g(2), (3), (4) and (5) shall apply mutatis mutandis to any other form of filing of documents and information than fully online by companies listed in Annexes II and IIB.;	6. Article 10(1) and (2) and Article 13g(2), (3), (4) and (5) shall apply mutatis mutandis to any other form of filing of documents and information than fully online by companies listed in Annexes II and IIB.;	<i>deleted</i>	
Article 2, first paragraph, point (14)(ca)				
131a			(14a) The following Article is inserted:	<u>(14a) The following Article is inserted:</u> Text Origin: Council Mandate
Article 2, first paragraph, point (14)(ca), amending provision, first paragraph				
131b				

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			Article 13k	<u>Article 13k</u> Text Origin: Council Mandate
Article 2, first paragraph, point (14)(ca), amending provision, second paragraph				
131c			Other forms of formation of companies and of filing	<u>Other forms of formation of companies and of filing</u> Text Origin: Council Mandate
Article 2, first paragraph, point (14)(ca), amending provision, third paragraph				
131d			1. The rules laid down in Article 13c, Article 13g(2a), Article 13g(3), points (a), (d), (e), (f), Article 13g(4), points (b) and (c), Article 13g(5) and (7), Article 28a(5a) shall apply <i>mutatis mutandis</i> to other forms of formation of the companies listed in Annexes II and IIB that are not fully online.	<u>1. The rules laid down in Article 13c, Article 13g(2a), Article 13g(3), points (a), (d), (e), (f), Article 13g(4), points (b) and (c), Article 13g(5) and (7), Article 28a(5a) shall apply mutatis mutandis to other forms of formation of the companies listed in Annexes II and IIB that are not fully online.</u> Text Origin: Council Mandate
Article 2, first paragraph, point (14)(ca), amending provision, fourth paragraph				
131e			Member States shall ensure that rules are laid down to verify the identity of applicants in case of such other forms of formation of companies.	<u>Member States shall ensure that rules are laid down to verify the identity of applicants in case of such other forms of formation of companies.</u> Text Origin: Council Mandate

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	Article 2, first paragraph, point (14)(ca), amending provision, fifth paragraph			
131f			2. Article 10(1) and (2) and Article 13g(2), (3), (4) and (5) shall apply <i>mutatis mutandis</i> to any other form of filing of documents and information than fully online by companies listed in Annexes II and IIB. Article 10(1) and (2) shall apply to the documents referred to in that Article.	<u>2. Article 10(1) and (2) and Article 13g(2), (3), (4) and (5) shall apply <i>mutatis mutandis</i> to any other form of filing of documents and information than fully online by companies listed in Annexes II and IIB. Article 10(1) and (2) shall apply to the documents referred to in that Article.</u> Text Origin: Council Mandate
	Article 2, first paragraph, point (15)			
132	(15) Article 14 is amended as follows:	(15) Article 14 is amended as follows:	(15) The title of Article 14 is amended as follows: replaced by the following:	
	Article 2, first paragraph, point (15)(a)			
133	(a) the Title of Article 14 is replaced by the following:	(a) the Title of Article 14 is replaced by the following:	<i>deleted</i>	
	Article 2, first paragraph, point (15)(a), amending provision, first paragraph			
134	Article 14	Article 14	Article 14 Documents and information to be disclosed by	

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			limited liability companies	
Article 2, first paragraph, point (15)(a), amending provision, second paragraph				
135	Documents and information to be disclosed by limited liability companies’;	Documents and information to be disclosed by limited liability companies’;	deleted	
Article 2, first paragraph, point (15)(b)				
136	(b) the following points are added:	(b) the following points are added:	deleted	
Article 2, first paragraph, point (15)(b), amending provision, numbered paragraph (l)				
137	(l) the place of central administration in case it is not in the Member State of the registered office;	(l) the place of central administration in case it is not in the Member State of the registered office;	deleted	
Article 2, first paragraph, point (15)(b), amending provision, numbered paragraph (m)				
138	(m) the principal place of business in case it is not in the Member State of the registered office.’;	(m) the principal place of business in case it is not in the Member State of the registered office.’;	deleted	
Article 2, first paragraph, point (15)(b), amending provision, numbered paragraph (Ma)				
138a				

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		<u>(m a) the object and the sectors of activity of the company, with the use of the Statistical Classification of Economic Activities in the European Community (NACE), where these codes are used according to applicable laws of a Member State;</u>		<u>Ma the object of the company describing the main activity or activities of a company which can be expressed using a NACE code in accordance with national law,</u> to be checked with the Member States
Article 2, first paragraph, point (16)				
139	(16) the following Articles are inserted:	(16) the following Articles are inserted:	(16) the following Articles are inserted:	
Article 2, first paragraph, point (16), amending provision, first paragraph				
140	Article 14a	Article 14a	Article 14a	Article 14a Text Origin: Commission Proposal
Article 2, first paragraph, point (16), amending provision, second paragraph				
141	Documents and information to be disclosed by partnerships	Documents and information to be disclosed by partnerships	Documents and information to be disclosed by partnerships	Documents and information to be disclosed by partnerships Text Origin: Commission Proposal
Article 2, first paragraph, point (16), amending provision, third paragraph				
142	Member States shall ensure	Member States shall ensure	Member States shall ensure	Member States shall ensure

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	compulsory disclosure by the types of companies listed in Annex IIB of at least the following documents and information:	compulsory disclosure by the types of companies listed in Annex IIB of at least the following documents and information:	compulsory disclosure by the types of companies partnerships listed in Annex IIB of at least the following documents and information:	compulsory disclosure by the types of companies partnerships listed in Annex IIB of at least the following documents and information: Text Origin: Council Mandate
Article 2, first paragraph, point (16), amending provision, third paragraph, point (a)				
143	(a) the name of the partnership;	(a) the name of the partnership;	(a) the name of the partnership;	(a) the name of the partnership; Text Origin: Commission Proposal
Article 2, first paragraph, point (16), amending provision, third paragraph, point (b)				
144	(b) the legal form of the partnership;	(b) the legal form of the partnership;	(b) the legal form of the partnership;	(b) the legal form of the partnership; Text Origin: Commission Proposal
Article 2, first paragraph, point (16), amending provision, third paragraph, point (c)				
145	(c) the registered office of the partnership and the Member State where it is registered;	(c) the registered office of the partnership and the Member State where it is registered;	(c) the registered office of the partnership and the Member State where it is registered or equivalent ;	(c) the registered office of the partnership and the Member State where it is registered or equivalent ; Text Origin: Council Mandate
Article 2, first paragraph, point (16), amending provision, third paragraph, point (d)				
146	(d) any change of the registered office of the partnership;	(d) any change of the registered office of the partnership;	<i>deleted</i>	
Article 2, first paragraph, point (16), amending provision, third paragraph, point (e)				

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147	(e) the registration number of the partnership;	(e) the registration number of the partnership;	(e) the registration number of the partnership;	(e) the registration number of the partnership; Text Origin: Commission Proposal
Article 2, first paragraph, point (16), amending provision, third paragraph, point (f)				
148	(f) the total amount of the contributions of the partners;	(f) the total amount of the contributions of the partners <u>and information about the partners with unlimited liability, indicating their liability status as unlimited, as well as information about the partners with limited liability, indicating the maximum possible extent of their liability;</u>	(f) the total maximum amount of the contributions of the partners liability or contribution of limited partners, where this information is recorded in the national register;	COM to provide input.
Article 2, first paragraph, point (16), amending provision, third paragraph, point (g)				
149	(g) the instrument of constitution, and the statutes if they are contained in a separate instrument, if these documents are required by national law;	(g) the instrument of constitution, and the statutes if they are contained in a separate instrument, if these documents are required by national law;	(g) the instrument of constitution, and the statutes if they are contained in a separate instrument, if the filing of these documents are to the register is required by national law;	
Article 2, first paragraph, point (16), amending provision, third paragraph, point (h)				
150	(h) any amendments to the instruments referred to in point (g), including any extension of the duration of the partnership;	(h) any amendments to the instruments referred to in point (g), including any extension of the duration of the partnership;	(h) any amendments to the instruments referred to in point (g), including any extension of the duration of the partnership where its duration is limited;	(h) any amendments to the instruments referred to in point (g), including any extension of the duration of the partnership <u>where its duration is limited;</u>

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				Text Origin: Council Mandate
Article 2, first paragraph, point (16), amending provision, third paragraph, point (i)				
151	(i) after every amendment of the instrument of constitution or of the statutes, the complete text of the instrument or statutes as amended to date;	(i) after every amendment of the instrument of constitution or of the statutes, the complete text of the instrument or statutes as amended to date;	(i) after every amendment of the instrument of constitution or of the statutes referred to in point (g) , the complete text of the instrument or statutes as amended to date;	(i) after every amendment of the instrument of constitution or of the statutes <u>referred to in point (g)</u> , the complete text of the instrument or statutes as amended to date; Text Origin: Council Mandate
Article 2, first paragraph, point (16), amending provision, third paragraph, point (j)				
152	(j) the particulars of the partners who are authorised to represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partners authorised to represent the partnership may do so alone or are required to act jointly;	(j) the particulars of the partners who are authorised to represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partners authorised to represent the partnership may do so alone or are required to act jointly;	(j) the particulars of the partners, directors or other statutory representatives who are authorised to represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partners those persons are authorised to represent the partnership may do so alone or are required to act jointly, or, if not available, information about the nature and scope of the authorisation of the partners, directors or other representatives to represent the partnership;	(j) the particulars of the partners, <u>directors or other statutory representatives</u> who are authorised to represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partners <u>those persons are</u> authorised to represent the partnership may do so alone or are required to act jointly, <u>or, if not available, information about the nature and scope of the authorisation of the partners, directors or other representatives to represent the partnership;</u> Text Origin: Council Mandate
Article 2, first paragraph, point (16), amending provision, third paragraph, point (k)				
153	(k) where different from point (j),	(k) where different from point (j),	(k) where different from point (j),	

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	the particulars of the general partners and, in case of limited partnerships, particulars of the limited partners;	the particulars of the general partners and, in case of limited partnerships, particulars of the limited partners;	the particulars of the general partners and, in case of limited partnerships, particulars of the limited partners;	COM to provide input
Article 2, first paragraph, point (16), amending provision, third paragraph, point (l)				
G	154 (l) the accounting documents for each financial year which are required to be published in accordance with Council Directives 86/635/EEC* and 91/674/EEC** and Directive 2013/34/EU;	(l) the accounting documents for each financial year which are required to be published in accordance with Council Directives 86/635/EEC* and 91/674/EEC** and Directive 2013/34/EU;	(l) the accounting documents for each financial year which are required to be published in accordance with Council Directives 86/635/EEC* and 91/674/EEC** and Directive 2013/34/EU;	(l) the accounting documents for each financial year which are required to be published in accordance with Council Directives 86/635/EEC* and 91/674/EEC** and Directive 2013/34/EU; Text Origin: Commission Proposal
Article 2, first paragraph, point (16), amending provision, third paragraph, point (m)				
Y	155 (m) the winding-up of the partnership;	(m) the winding-up of the partnership;	(m) the winding-up of the partnership, where this information is recorded in the national register ;	EP will come back on this.
Article 2, first paragraph, point (16), amending provision, third paragraph, point (n)				
Y	156 (n) any declaration of nullity of the partnership by the courts;	(n) any declaration of nullity of the partnership by the courts;	(n) any declaration of nullity of the partnership by the courts, where this information is recorded in the national register ;	EP will come back on this.
Article 2, first paragraph, point (16), amending provision, third paragraph, point (o)				

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157	(o) the particulars of the liquidators and their respective powers, unless such powers are expressly and exclusively derived from law or from the statutes of the partnership;	(o) the particulars of the liquidators and their respective powers, unless such powers are expressly and exclusively derived from law or from the statutes of the partnership;	(o) the particulars of the liquidators and their respective powers, unless such powers are expressly and exclusively derived from law or from the statutes of the partnership, where this information is recorded in the national register;	EP will come back on this.
Article 2, first paragraph, point (16), amending provision, third paragraph, point (p)				
158	(p) any termination of a liquidation and, in Member States where striking off the register entails legal consequences, the fact of any such striking off;	(p) any termination of a liquidation and, in Member States where striking off the register entails legal consequences, the fact of any such striking off;	(p) any termination of a liquidation and, in Member States where striking off the register entails legal consequences, the fact of any such striking off, where this information is recorded in the national register.	EP will come back on this.
Article 2, first paragraph, point (16), amending provision, third paragraph, point (q)				
159	(q) the place of central administration of the partnership in case it is not in the Member State of the registered office;	(q) the place of central administration of the partnership in case it is not in the Member State of the registered office;	<i>deleted</i>	
Article 2, first paragraph, point (16), amending provision, third paragraph, point (r)				
160	(r) the principal place of business of the partnership in case it is not in the Member State of the registered office.	(r) the principal place of business of the partnership in case it is not in the Member State of the registered office.	<i>deleted</i>	

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<i>Article 2, first paragraph, point (16), amending provision, fourth paragraph</i>				
161	Article 14b	Article 14b	deleted	
<i>Article 2, first paragraph, point (16), amending provision, fifth paragraph</i>				
162	Information on groups of companies	Information on groups of companies	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (1)</i>				
163	1. Member States shall ensure that the ultimate parent company governed by the law of a Member State discloses in the register where it is registered at least the following information about its group:	1. Member States shall ensure that the ultimate parent company governed by the law of a Member State discloses in the register where it is registered at least the following information about its group:	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (1), point (a)</i>				
164	(a) the name and legal form of each subsidiary company;	(a) the name and legal form of each subsidiary company;	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (1), point (b)</i>				
165	(b) the Member State or third country where each subsidiary company is registered and its registration number;	(b) the Member State or third country where each subsidiary company is registered and its registration number;	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (1), point (c)</i>				

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166	(c) the EUID of each subsidiary company governed by the law of a Member State;	(c) the EUID of each subsidiary company governed by the law of a Member State;	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (1), point (d)</i>				
167	(d) the name of the group, if different from the name of the ultimate parent company.	(d) the name of the group, if <u>such a name exists and is</u> different from the name of the ultimate parent company.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (1), point (e)</i>				
168	(e) the position of each subsidiary company in the group structure determined on the basis of control.	(e) the position of each subsidiary company in the group structure determined on the basis of control.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (2), first subparagraph</i>				
169	2. Where the ultimate parent company is governed by the law of a third country, the intermediate parent company shall disclose the information referred to in paragraph 1. If there is more than one intermediate parent company, only one of them shall disclose that information. The intermediate parent company shall also disclose the name of the ultimate parent company and the third country where the ultimate parent company is registered.	2. Where the ultimate parent company is governed by the law of a third country, the intermediate parent company shall disclose the information referred to in paragraph 1. If there is more than one intermediate parent company, only one of them shall disclose that information. The intermediate parent company shall also disclose the name of the ultimate parent company and the third country where the ultimate parent company is registered.	<i>deleted</i>	

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<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (2), second subparagraph</i>				
170	Where no intermediate parent company is governed by the law of a Member State, the subsidiary company governed by the law of a Member State shall disclose the information referred to in paragraph 1. If there is more than one subsidiary company, only one of them shall disclose the information referred to in paragraph 1. The subsidiary company shall also disclose the name of the ultimate parent company and the third country where the ultimate parent company is registered.	Where no intermediate parent company is governed by the law of a Member State, the subsidiary company governed by the law of a Member State shall disclose the information referred to in paragraph 1. If there is more than one subsidiary company, only one of them shall disclose the information referred to in paragraph 1. The subsidiary company shall also disclose the name of the ultimate parent company and the third country where the ultimate parent company is registered.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (3)</i>				
171	3. Member States may provide that the ultimate parent company governed by the law of a Member State or, where applicable, the intermediate parent company or the subsidiary company referred to in paragraph 2, discloses to the register where it is registered the proportion of the capital held between the ultimate parent and all the subsidiary companies of the group.	3. Member States may provide that the ultimate parent company governed by the law of a Member State or, where applicable, the intermediate parent company or the subsidiary company referred to in paragraph 2, discloses to the register where it is registered the proportion of the capital held between the ultimate parent and all the subsidiary companies of the group.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (4)</i>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
172	4. The register of the ultimate parent company governed by the law of a Member State or, where applicable, of the intermediate parent company or of the subsidiary company referred to in paragraph 2, shall make publicly available the information provided in accordance with paragraphs 1 to 3, including the date when this information was disclosed, or when it was updated or confirmed in accordance with paragraph 6.	4. The register of the ultimate parent company governed by the law of a Member State or, where applicable, of the intermediate parent company or of the subsidiary company referred to in paragraph 2, shall make publicly available the information provided in accordance with paragraphs 1 to 3, including the date when this information was disclosed, or when it was updated or confirmed in accordance with paragraph 6.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (5), first subparagraph</i>				
173	5. Member States shall ensure that where the ultimate parent company governed by the law of a Member State or, where applicable, the intermediate parent company referred to in paragraph 2, is registered in a different Member State than any of the subsidiary companies, the register of the ultimate parent company or, where applicable, of the intermediate parent company, shares the following information with the register of each subsidiary company registered in a different Member State through the system of interconnection of registers:	5. Member States shall ensure that where the ultimate parent company governed by the law of a Member State or, where applicable, the intermediate parent company referred to in paragraph 2, is registered in a different Member State than any of the subsidiary companies, the register of the ultimate parent company or, where applicable, of the intermediate parent company, shares the following information with the register of each subsidiary company registered in a different Member State through the system of interconnection of registers:	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (5), first subparagraph, point (a)</i>				

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174	(a) the name of the ultimate parent company, its EUID and, if different from the name of the ultimate parent company, the name of the group; or	(a) the name of the ultimate parent company, its EUID and, if different from the name of the ultimate parent company, the name of the group; or	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (5), first subparagraph, point (b)</i>				
175	(b) where the ultimate parent company is governed by the law of a third country, the name of the intermediate parent company referred to in paragraph 2, its EUID, the name of the ultimate parent company and the third country where it is registered and, if different from the name of the ultimate parent company, the name of the group.	(b) where the ultimate parent company is governed by the law of a third country, the name of the intermediate parent company referred to in paragraph 2, its EUID, the name of the ultimate parent company and the third country where it is registered and, if different from the name of the ultimate parent company, the name of the group.	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (5), second subparagraph</i>				
176	Where there is no intermediate parent company and the subsidiary company referred to in paragraph 2 is registered in a different Member State than other subsidiary companies, the register of that subsidiary company shall share the name of the subsidiary company, its EUID, the name of the ultimate parent company and the third country where it is registered and, if different from the name of the ultimate parent company, the name of the group with the register of each	Where there is no intermediate parent company and the subsidiary company referred to in paragraph 2 is registered in a different Member State than other subsidiary companies, the register of that subsidiary company shall share the name of the subsidiary company, its EUID, the name of the ultimate parent company and the third country where it is registered and, if different from the name of the ultimate parent company, the name of the group with the register of each	deleted	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	other subsidiary company registered in another Member State through the system of interconnection of registers.	other subsidiary company registered in another Member State through the system of interconnection of registers.		
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (5), third subparagraph</i>				
177	Member States may apply this paragraph also in situations where the ultimate or, where applicable, the intermediate parent company and the subsidiary companies are registered in the same Member State.	Member States may apply this paragraph also in situations where the ultimate or, where applicable, the intermediate parent company and the subsidiary companies are registered in the same Member State.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (5), fourth subparagraph</i>				
178	The register of each subsidiary company shall make that information publicly available.	The register of each subsidiary company shall make that information publicly available.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (6)</i>				
179	6. The ultimate parent company or, where applicable, the intermediate parent company or the subsidiary company referred to in paragraph 2 shall at least once per year, and in any case no later than the date of the disclosure of the accounting documents and, if no such disclosure is required, by the end of the financial year, update the information required in paragraphs 1 to 3, where applicable, or confirm	6. The ultimate parent company or, where applicable, the intermediate parent company or the subsidiary company referred to in paragraph 2 shall at least once per year, and in any case no later than the <u>due date for the filing</u> date of the disclosure of the accounting documents and, if no such disclosure is required, by the end of the financial year, update the information required in paragraphs 1 to 3, where applicable, or confirm	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	that no changes to the group structure have occurred.	that no changes to the group structure have occurred.		
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (7)</i>				
180	7. Member States shall ensure that the ultimate parent company governed by the law of a Member State or, where applicable, the intermediate parent company or the subsidiary company referred to in paragraph 2, shares the information referred to in paragraph 5 with all subsidiary companies governed by the law of a Member State before the disclosure referred to in paragraph 1 or 2.	7. Member States shall ensure that the ultimate parent company governed by the law of a Member State or, where applicable, the intermediate parent company or the subsidiary company referred to in paragraph 2, shares the information referred to in paragraph 5 with all subsidiary companies governed by the law of a Member State before the disclosure referred to in paragraph 1 or 2.	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (8)</i>				
181	8. In the case of changes to the information referred to in paragraph 5, each subsidiary company of the group governed by the law of a Member State, including any intermediate parent company, shall disclose such changes in the register where it is registered within a deadline of two weeks as from the date the changes were made.	8. In the case of changes to the information referred to in paragraph 5, each subsidiary company of the group governed by the law of a Member State, including any intermediate parent company, shall disclose such changes in the register where it is registered within a deadline of two weeks as from the date the changes were made, <u>or from the date it was made aware of the changes.</u>	deleted	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (9)</i>				

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182	9. Member States shall ensure that the information referred to in paragraphs 1 to 3, 5, 6 and 8, where applicable, shall be publicly available free of charge through the system of interconnection of registers.	9. Member States shall ensure that the information referred to in paragraphs 1 to 3, 5, 6 and 8, where applicable, shall be publicly available free of charge through the system of interconnection of registers.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (10)</i>				
183	10. The system of interconnection of registers shall provide on the portal a visualisation of the structure of the group based on the information referred to in paragraphs 1 or 2, and in paragraphs 3, 6 and 8 and transmitted through the system in accordance with this Article by the registers .	10. The system of interconnection of registers shall provide on the portal a visualisation of the structure of the group based on the information referred to in paragraphs 1 or 2, and in paragraphs 3, 6 and 8 and transmitted through the system in accordance with this Article by the registers .	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (11), first subparagraph</i>				
184	11. This Article does not apply when the group includes only two companies of which the subsidiary company is within the scope of Directive 2009/102/EC.	11. This Article does not apply when the group includes only two companies of which the subsidiary company is within the scope of Directive 2009/102/EC.	<i>deleted</i>	
<i>Article 2, first paragraph, point (16), amending provision, numbered paragraph (11a), first subparagraph</i>				
184a		<u><i>11a. Member States may choose to disclose the information in accordance with this Article in a</i></u>		

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		register referred to in Article 16.		
Article 2, first paragraph, point (16), amending provision, numbered paragraph (11), second subparagraph				
185	* Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1).	* Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1).	deleted	
Article 2, first paragraph, point (16), amending provision, numbered paragraph (11), third subparagraph				
186	** Council Directive 91/674/EEC of 19 December 1991 on the annual accounts and consolidated accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7)';	** Council Directive 91/674/EEC of 19 December 1991 on the annual accounts and consolidated accounts of insurance undertakings (OJ L 374, 31.12.1991, p. 7)';	deleted	
Article 2, first paragraph, point (16), amending provision, sixth paragraph				
186a		Article 14b a		
Article 2, first paragraph, point (16), amending provision, seventh paragraph				
186b		Documents and information to be disclosed by cooperatives		
Article 2, first paragraph, point (16), amending provision, eighth paragraph				
186c		In Member States where		

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		<u>information on cooperatives is included in company registers, the disclosure of the following information shall be compulsory:</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (a)				
186d		<u>(a) the name of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (b)				
186e		<u>(b) the legal form of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (c)				
186f		<u>(c) the registered office of the cooperative and the Member State where it is registered;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (d)				
186g		<u>(d) any change of the registered office of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (e)				
186h		<u>(e) the registration number of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (f)				

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186i		<u>(f) the instrument of constitution, and the statutes if they are contained in a separate instrument, if these documents are required by national law;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (g)				
186j		<u>(g) any amendments to the instruments referred to in point (f), including any extension of the duration of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (h)				
186k		<u>(h) after every amendment of the instrument of constitution or of the statutes, the complete text of the instrument or statutes as amended to date;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (i)				
186l		<u>(i) the particulars of the persons who are authorised to represent the cooperative in dealings with third parties and information as to whether the partners authorised to represent the cooperative may do so alone or are required to act jointly;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (j)				

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186m		<u>(j) the winding-up of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (k)				
186n		<u>(k) any declaration of nullity of the cooperative by the courts;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (l)				
186o		<u>(l) the particulars of the liquidators and their respective powers, unless such powers are expressly and exclusively derived from law or from the statutes of the cooperative;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (m)				
186p		<u>(m) any termination of a liquidation and, in Member States where striking off the register entails legal consequences, whether and when such striking off took place;</u>		
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (n)				
186q		<u>(n) the place of central administration of the cooperative in case it is not in the Member State of the registered office;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (16), amending provision, eighth paragraph, point (o)				
186r		<u>(o) the principal place of business of the cooperative in case it is not in the Member State of the registered office.</u>		
Article 2, first paragraph, point (17)				
187	(17) Article 15 is replaced by the following:	(17) Article 15 is replaced by the following:	(17) Article 15 is replaced by the following:	(17) Article 15 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (17), amending provision, first paragraph				
188	Article 15	Article 15	Article 15	Article 15 Text Origin: Commission Proposal
Article 2, first paragraph, point (17), amending provision, second paragraph				
189	Up to date registers	Up to date registers	Up to date registers	Up to date registers Text Origin: Commission Proposal
Article 2, first paragraph, point (17), amending provision, numbered paragraph (1)				
190	1. Member States shall have in place procedures to ensure that the	1. Member States shall have in place procedures to ensure that the	1. Member States shall have in place procedures to ensure that the	1. Member States shall have in place procedures to ensure that the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information about companies listed in Annexes II and IIB stored in the registers referred to in Article 16 is kept up to date.	information about companies listed in Annexes II and IIB stored in the registers referred to in Article 16 is kept up to date.	information about companies listed in Annexes II and IIB stored in the registers referred to in Article 16 is kept up to date.	information about companies listed in Annexes II and IIB stored in the registers referred to in Article 16 is kept up to date. Text Origin: Commission Proposal
Article 2, first paragraph, point (17), amending provision, numbered paragraph (2)				
191	2. These procedures shall provide at least the following:	2. These procedures shall provide at least the following:	2. These procedures shall provide at least the following:	2. These procedures shall provide at least the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (17), amending provision, numbered paragraph (2), point (a)				
192	(a) that companies listed in Annex II and IIB file any changes to the documents and information to the register, within a time period not exceeding 15 working days as from the date the changes were made. This time period shall not apply to changes to the information to be disclosed under Article 14b and accounting documents referred to in Article 14, point (f), and Article, 14a point (l);	(a) that companies listed in Annex II and IIB file any changes to the documents and information to <u>any changes to the documents and information on companies listed in Annex II and IIB are filed with</u> the register, within a time period not exceeding 15 working days as from the date the changes were made. This time period shall not apply to changes to the information to be disclosed under Article 14b and accounting documents referred to in Article 14, point (f), and Article, 14a point (l);	(a) that any changes to the documents and information regarding companies listed in Annex Annexes II and IIB file any changes to the documents and information are to be filed to the register, within a time period not exceeding 15 working days as from the date the changes were made. This time period shall not apply to changes to the information to be disclosed under Article 14b and accounting documents referred to in Article 14, point (f), and Article, 14a point (l);	
Article 2, first paragraph, point (17), amending provision, numbered paragraph (2), point (b)				

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193	(b) that any changes in the documents and information regarding companies listed in Annexes II and IIB are entered in the register and are disclosed, in accordance with Article 16(3), within 5 working days from the date of the completion of all formalities required for the filing, including the receipt of all documents and information, which comply with national law;	(b) that any changes in the documents and information regarding companies listed in Annexes II and IIB are entered in the register and are disclosed, in accordance with Article 16(3), within 5 working days from the date of the completion of all formalities required for the filing, including the receipt of all documents and information, which comply with national law. <u>Exceptionally, where necessary due to the complexity of the checks to be conducted in accordance with Article 10, that deadline may be extended by 10 working days;</u>	(b) that any changes in the documents and information regarding companies listed in Annexes II and IIB are entered in the register and are disclosed, in accordance with Article 16(3), within 5 15 working days from the date of the completion of all formalities required for the filing, including the receipt of all documents and information, which comply with national law;	
Article 2, first paragraph, point (17), amending provision, numbered paragraph (2), point (c)				
194	(c) that companies listed in Annexes II and IIB confirm once every calendar year that the information about the company in the register is up to date and that the registers make publicly available the date when the company provided that confirmation or updated the information;	<i>deleted</i>	<i>deleted</i>	<i>deleted</i>
Article 2, first paragraph, point (17), amending provision, numbered paragraph (2), point (d)				
195	(d) that in order to verify specific company information, registers may	(d) that in order to verify specific company information, registers may	(d) that in order to verify specific company information, registers may	(d) that in order to verify specific company information, registers may

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	consult other relevant authorities or registers within the procedural framework laid down in national law.	consult other relevant authorities or registers within the procedural framework laid down in national law.	consult other relevant authorities or registers within the procedural framework laid down in national law.	consult other relevant authorities or registers within the procedural framework laid down in national law. Text Origin: Commission Proposal
Article 2, first paragraph, point (17), amending provision, numbered paragraph (3)				
196	3. Member States shall have in place procedures to verify, where doubts exist, whether companies registered in the registers as referred to in Article 16 fulfil the requirements to continue to be registered. The rules governing these procedures shall include the possibility for the company to correct the relevant information within a reasonable time period, shall ensure that the status of the companies is updated in the register accordingly and where justified include a possibility that companies are struck off from the register in line with national law.;	3. Member States shall have in place procedures to verify, where doubts exist, whether companies registered in the registers as referred to in Article 16 fulfil the requirements to continue to be registered. The rules governing these procedures shall include the possibility for the company to correct the relevant information within a reasonable time period, shall ensure that the status of the companies is updated in the register accordingly and where justified include a possibility that companies are struck off from the register in line with national law.;	3. Member States shall have in place procedures to verify, where doubts exist, whether companies registered in the registers as referred to in Article 16 fulfil the requirements to continue to be registered. The rules governing these procedures shall include the possibility for the company to correct the relevant information within a reasonable time period, shall ensure that the status of the companies, such as when it is closed, struck off the register, wound up, dissolved, economically active or inactive as defined in national law and where recorded in the national registers , is updated in the register accordingly and where justified include a possibility that companies are struck off from the register in line with national law.;	
Article 2, first paragraph, point (18)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
197	(18) in Article 16, paragraph 1 is replaced by the following:	(18) in Article 16, paragraph 1 is replaced by the following:	(18) in Article 16, paragraph 1 is replaced by the following:	(18) in Article 16, paragraph 1 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (18), amending provision, numbered paragraph (1), first subparagraph				
198	‘ 1. In each Member State, a file shall be opened in a central, commercial or companies register (‘the register’), for each of the companies listed in Annexes II and IIB registered therein.	‘ 1. In each Member State, a file shall be opened in a central, commercial or companies register (‘the register’), for each of the companies listed in Annexes II and IIB registered therein.	‘ 1. In each Member State, a file shall be opened in a central, commercial or companies register (‘the register’), for each of the companies listed in Annexes II and IIB registered therein.	‘ 1. In each Member State, a file shall be opened in a central, commercial or companies register (‘the register’), for each of the companies listed in Annexes II and IIB registered therein. Text Origin: Commission Proposal
Article 2, first paragraph, point (18), amending provision, numbered paragraph (1), second subparagraph				
199	Member States shall ensure that companies listed in Annexes II and IIB have an EUID, referred to in point (9) of the Annex to Commission Implementing Regulation (EU) 2021/1042*, allowing them to be unequivocally identified in communications between registers through the system of interconnection of registers established in accordance with Article 22 (‘the system of interconnection of registers’). That unique identifier shall comprise, at	Member States shall ensure that companies listed in Annexes II and IIB have an EUID, referred to in point (9) of the Annex to Commission Implementing Regulation (EU) 2021/1042*, allowing them to be unequivocally identified in communications between registers through the system of interconnection of registers established in accordance with Article 22 (‘the system of interconnection of registers’). That unique identifier shall comprise, at	Member States shall ensure that companies listed in Annexes II and IIB have an EUID, referred to in point (9) of the Annex to Commission Implementing Regulation (EU) 2021/1042*, allowing them to be unequivocally identified in communications between registers through the system of interconnection of registers established in accordance with Article 22 (‘the system of interconnection of registers’). That unique identifier shall comprise, at	Member States shall ensure that companies listed in Annexes II and IIB have an EUID, referred to in point (9) of the Annex to Commission Implementing Regulation (EU) 2021/1042*, allowing them to be unequivocally identified in communications between registers through the system of interconnection of registers established in accordance with Article 22 (‘the system of interconnection of registers’). That unique identifier shall comprise, at

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	least, elements making it possible to identify the Member State of the register, the domestic register of origin and the company number in that register and, where appropriate, features to avoid identification errors.';	least, elements making it possible to identify the Member State of the register, the domestic register of origin and the company number in that register and, where appropriate, features to avoid identification errors.';	least, elements making it possible to identify the Member State of the register, the domestic register of origin and the company number in that register and, where appropriate, features to avoid identification errors.';	least, elements making it possible to identify the Member State of the register, the domestic register of origin and the company number in that register and, where appropriate, features to avoid identification errors.'; Text Origin: Commission Proposal
Article 2, first paragraph, point (18), amending provision, numbered paragraph (1), third subparagraph				
200	_____	_____	_____	_____ Text Origin: Commission Proposal
Article 2, first paragraph, point (18), amending provision, numbered paragraph (1), fourth subparagraph				
201	* Commission Implementing Regulation (EU) 2021/1042 of 18 June 2021 laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2020/2244 (OJ L 225, 25.6.2021, p 7.	* Commission Implementing Regulation (EU) 2021/1042 of 18 June 2021 laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2020/2244 (OJ L 225, 25.6.2021, p 7.	* Commission Implementing Regulation (EU) 2021/1042 of 18 June 2021 laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2020/2244 (OJ L 225, 25.6.2021, p 7.	* Commission Implementing Regulation (EU) 2021/1042 of 18 June 2021 laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2020/2244 (OJ L 225, 25.6.2021, p 7. Text Origin: Commission Proposal

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Article 2, first paragraph, point (19)				
202	(19) in Article 16, the following paragraph is added:	(19) in Article 16, the following paragraph is added:	(19) in Article 16, the following paragraph is added:	(19) in Article 16, the following paragraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (19), amending provision, numbered paragraph (7)				
203	‘ 7. Paragraphs 2, 3, 4, 5 and 6 of this Article shall apply to all documents and information referred to in Article 14a. Paragraph 2 of this Article shall apply to information referred to in Article 14b.;	‘ 7. Paragraphs 2, 3, 4, 5 and 6 of this Article shall apply to all documents and information referred to in Article 14a. Paragraph 2 of this Article shall apply to information referred to in Article 14b.;	‘ 7. 7. Paragraphs 2, 3, 4, 5 and 6 of this Article shall apply to all documents and information referred to in Article 14a. Paragraph 2 of this Article shall apply to information referred to in Article 14b.;	
Article 2, first paragraph, point (20)				
204	(20) In Article 16a, the following paragraphs are added:	(20) In Article 16a, the following paragraphs are added:	(20) In Article 16a, the following paragraphs are added:	(20) In Article 16a, the following paragraphs are added: Text Origin: Commission Proposal
Article 2, first paragraph, point (20), amending provision, numbered paragraph (5)				
205	‘ 5. Member States shall ensure that electronic copies and extracts of the documents and information provided by the register are compatible with the European Digital Identity Wallet,	‘ 5. Member States shall ensure that electronic copies and extracts of the documents and information provided by the register are compatible with the European Digital Identity Wallet,	‘ 5. Member States shall ensure that electronic copies and extracts of the documents and information provided by the register are compatible with the European Digital Identity Wallet,	‘ 5. Member States shall ensure that electronic copies and extracts of the documents and information provided by the register are compatible with the European Digital Identity Wallet,

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	referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity]. Text Origin: Commission Proposal
Article 2, first paragraph, point (20), amending provision, numbered paragraph (6)				
206	6. This Article shall apply <i>mutatis mutandis</i> to copies of all or any part of the documents and information referred to in Articles 14a and 14b.;	6. This Article shall apply <i>mutatis mutandis</i> to copies of all or any part of the documents and information referred to in Articles 14a and 14b.;	6. This Article shall apply <i>mutatis mutandis</i> to copies of all or any part of the documents and information referred to in Articles 14a and 14b Article 14a. ;	
Article 2, first paragraph, point (21)				
207	(21) the following Articles are inserted:	(21) the following Articles are inserted:	(21) the following Articles are inserted:	(21) the following Articles are inserted: Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, first paragraph				
208	Article 16b	Article 16b	Article 16b	Article 16b Text Origin: Commission Proposal

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Article 2, first paragraph, point (21), amending provision, second paragraph				
209	EU Company Certificate	EU Company Certificate	EU Company Certificate	EU Company Certificate Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1)				
210	1. Member States shall ensure that the registers referred to in Article 16 issue the EU Company Certificate about companies listed in Annexes II and IIB. The EU Company Certificate shall be accepted in all Member States as conclusive evidence of the incorporation of the company and of the information listed in paragraphs 2 and 3 of this Article, respectively, which is held by the register where the company is registered at the time of the issuance.	1. Member States shall ensure that the registers referred to in Article 16 issue the EU Company Certificate about companies listed in Annexes II and IIB. The EU Company Certificate shall be accepted in all Member States as econclusive ^{sufficient} evidence of the incorporation of the company and of the information listed in paragraphs 2 and 3 of this Article, respectively, which is held by the register where the company is registered at the time of the issuance.	1. Member States shall ensure that the registers referred to in Article 16 issue the EU Company Certificate about companies listed in Annexes II and IIB. The EU Company Certificate shall be accepted in all Member States as econclusive ^{evidence} , at the time of its issuance , of the incorporation of the company and of the information listed in paragraphs 2 and 3 of this Article, respectively, which is held by the register where the company is registered at the time of the issuance .	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1a)				
210a		<u><i>1a. Where a Member State, based on objective criteria such as the completeness of the legality check referred to in Article 10(2), has reasonable doubts as to whether the documents and information stored in the register of another Member State have undergone a preventive control in accordance with Article</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>10 which is functionally equivalent to that generally ensured by Member States in line with the principle of mutual trust, that Member State shall request an assessment of the reliability of that preventive control by the Commission. Where the Commission confirms that such preventive control is not functionally equivalent, that Member State or other Member States may decide not to accept the documents and information concerned as evidence in that and other Member States until the equivalence of the preventive control mechanism is re-established in accordance with the Commission's assessment.</u>		
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2)				
211	2. The EU Company Certificate for the limited liability companies listed in Annex II shall include the following information, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2):	2. The EU Company Certificate for the limited liability companies listed in Annex II shall include the following information, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2):	2. The EU Company Certificate for the limited liability companies listed in Annex II shall include the following information, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2) issued:	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (a)				
212	(a) the name of the company;	(a) the name of the company;	(a) the name(s) of the company;	(a) the name(s) of the company;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (b)				
213	(b) the legal form of the company;	(b) the legal form of the company;	(b) the legal form of the company;	(b) the legal form of the company; Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (c)				
214	(c) the registration number of the company and the Member State where the company is registered;	(c) the registration number of the company and the Member State where the company is registered;	(c) the registration number of the company and the Member State where the company is registered;	(c) the registration number of the company and the Member State where the company is registered; Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (d)				
215	(d) the EUID of the company;	(d) the EUID of the company;	(d) the EUID of the company;	(d) the EUID of the company; Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (e)				
216	(e) the registered office of the company;	(e) the registered office of the company;	(e) the registered office of the company;	(e) the registered office of the company; Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (f)				

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217	(f) the postal or contact address of the company;	(f) the postal or <u>and</u> contact address of the company, <u>where such details are recorded in the national register</u> ;	(f) the postal or contact correspondence address of the company, such as electronic mail or postal address ;	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (g)				
218	(g) the electronic address of the company;	(g) <u>details of the company website</u> <u>and</u> the electronic address of the company, <u>where such details are recorded in the national register</u> ;	<i>deleted</i>	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (h)				
219	(h) the date of registration of the company;	(h) the date of registration of the company;	(h) the date of registration of the company;	(h) the date of registration of the company; Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (i)				
220	(i) the amount of the capital subscribed;	(i) the amount of the capital subscribed;	(i) the amount of the capital subscribed, if applicable ;	(i) the amount of the capital subscribed, <u>if applicable</u> ; Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (j)				
221	(j) the status of the company;	(j) the status of the company, <u>such as when it is closed, struck off the register, wound up, dissolved, undergoing insolvency proceedings</u> ;	(j) the status of the company, such as when it is closed, struck off the register, wound up, dissolved, economically active or inactive as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>economically active or inactive as defined in national law and where such details are recorded in the national register;</u>	defined in national law and where recorded in the national register;	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (k)				
222	(k) the particulars of any persons who either as a body or as members of any such body are authorised by the company to represent it with respect to third parties and in legal proceedings and whether those persons may do so alone or are required to act jointly;	(k) the particulars of any persons who either as a body or as members of any such body are authorised by the company to represent it with respect to third parties and in legal proceedings and whether those persons may do so alone or are required to act jointly;	(k) the particulars first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register , of any persons who either as a body or as members of any such body are authorised by the company to represent it with respect to third parties and in legal proceedings and whether those persons may do so alone or are required to act jointly; Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number.	(k) the particulars first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register , of any persons who either as a body or as members of any such body are authorised by the company to represent it with respect to third parties and in legal proceedings and whether those persons may do so alone or are required to act jointly; <u>Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number.</u> Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (l)				
223	(l) the object of the company;	(l) the object <u>and the sectors of activity</u> of the company, <u>with the use of the Statistical Classification of Economic Activities in the European Community (NACE), where these codes are used pursuant to applicable national law;</u>	(l) the object of the company describing the activity or activities of a company, where recorded in the national registers;	(l) <u>the object of the company describing the main activity or activities of a company which can be expressed using a NACE code in accordance with national law, the</u> object of the company;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				to be checked with the Member States
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (m)				
224	(m) the duration of the company;	(m) the duration of the company;	(m) the duration of the company, where its duration is limited;	(m) the duration of the company, <u>where its duration is limited;</u> Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), point (n)				
225	(n) details of the company website where such details are recorded in the national register.	<i>deleted</i>	(n) details of the company website where such details are recorded in the national register.	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), first subparagraph				
226	3. The EU Company Certificate for partnerships listed in Annex IIB shall include the information referred to in paragraph 2, points (a), (b), (c), (d), (e), (f), (g), (h), (j) (k), (l), (m) and (n), of this Article, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2).	3. The EU Company Certificate for partnerships listed in Annex IIB shall include the information referred to in paragraph 2, points (a), (b), (c), (d), (e), (f), (g), (h), (j) (k), (l), (m) and (n), of this Article, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2).	3. The EU Company Certificate for partnerships listed in Annex IIB shall include the information referred to in paragraph 2, points (a), (b), (c), (d), (e), (f), (g), (h), (j) (k), (l), (m) and (n), save points (e), (k) and (i) of this Article, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2) issued.	3. The EU Company Certificate for partnerships listed in Annex IIB shall include the information referred to in paragraph 2, points (a), (b), (c), (d), (e), (f), (g), (h), (j) (k), (l), (m) and (n), <u>save points (e), (k) and (i)</u> of this Article, including the date when the information in the EU Company Certificate was last updated in accordance with Article 15(2) <u>issued.</u> Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph				
227	The following information shall also	The following information shall also	The following information shall also	The following information shall also

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	be included:	be included:	be included:	be included: Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph, point (-a)				
227a			(-a) the registered office of the partnership or equivalent; Error in Coreper mandate: (aa) instead of (-a)	<u><i>(-a) the registered office of the partnership or equivalent;</i></u> Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph, point (a)				
228	(a) the total amount of the contributions of the partners;	(a) the total amount of the contributions of the partners;	(a) the total amount of the maximum liability or contributions of limited partners, where this information is recorded in the national register the partners;	COM to provide input
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph, point (b)				
229	(b) the particulars of the general partners and, in case of limited partnerships, particulars about limited partners;	(b) the particulars of the general partners and, in case of limited partnerships, particulars about limited partners;	(b) the particulars first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register , of the general partners; Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration	(b) the particulars <u><i>first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register,</i></u> of the general partners; <u><i>Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number.</i></u> <i>and, in case of limited partnerships,</i>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			number. and, in case of limited partnerships, particulars about limited partners;	particulars about limited partners; Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph, point (ba)(c)				
230	(c) the particulars of the partners who are authorised to represent the partnership with third parties and in legal proceedings.	(c) the particulars of the partners who are authorised to represent the partnership with third parties and in legal proceedings.	(c) the particulars first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register , of the partners, directors or other statutory representatives , who are authorised to represent the partnership with third parties and in legal proceedings, or, if not available, information about the nature and scope of the authorisation of the partners, directors or other representatives to represent the partnership.	(c) the particulars <u>first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register</u> , of the partners, <u>directors or other statutory representatives</u> , who are authorised to represent the partnership with third parties and in legal proceedings, <u>or, if not available, information about the nature and scope of the authorisation of the partners, directors or other representatives to represent the partnership.</u> Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph, point (ba)(c) a				
230a			Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number.	<u>Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number.</u> Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (4), first subparagraph				
231	4. Member States shall ensure that	4. Member States shall ensure that	4. Member States shall ensure that	4. Member States shall ensure that

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the EU Company Certificate may be obtained from the register referred to in Article 16 upon application submitted to the register by paper or electronic means.	the EU Company Certificate may be obtained from the register referred to in Article 16 upon application submitted to the register by paper or electronic means.	the EU Company Certificate may be obtained from the register referred to in Article 16 upon application submitted to the register by paper or electronic means.	the EU Company Certificate may be obtained from the register referred to in Article 16 upon application submitted to the register by paper or electronic means. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (4), second subparagraph				
232	Member States shall ensure that the electronic version of the EU Company Certificate may also be obtained through the system of interconnection of registers.	Member States shall ensure that the electronic version of the EU Company Certificate may also be obtained through the system of interconnection of registers.	Member States shall ensure that the electronic version of the EU Company Certificate may also be obtained through the system of interconnection of registers.	Member States shall ensure that the electronic version of the EU Company Certificate may also be obtained through the system of interconnection of registers. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), first subparagraph				
233	5. The price for obtaining the EU Company Certificate, whether by paper or electronic means, shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers.	5. The price for obtaining the EU Company Certificate, whether by paper or electronic means, shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers.	5. The price for obtaining the EU Company Certificate, whether by paper or electronic means, shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers.	5. The price for obtaining the EU Company Certificate, whether by paper or electronic means, shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), second subparagraph				
234	Member States shall ensure that each	Member States shall ensure that each		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	company listed in Annexes II and IIB may obtain its EU Company Certificate in electronic format free of charge at least once per calendar year.	company listed in Annexes II and IIB, <u>as well as third parties which need reliable essential information about companies</u> , may obtain its EU Company Certificate in electronic format free of charge at least once per calendar year .	<i>deleted</i>	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (6)				
235	6. Member States shall ensure that the EU Company Certificate provided by the register in electronic format be authenticated by means of trust services referred to in Regulation (EU) No 910/2014, in order to guarantee that it has been provided by the register and that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. It shall also be compatible with the European Digital Identity Wallet, referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	6. Member States shall ensure that the EU Company Certificate provided by the register in electronic format be authenticated by means of trust services referred to in Regulation (EU) No 910/2014, in order to guarantee that it has been provided by the register and that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. It shall also be compatible with the European Digital Identity Wallet, referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	6. Member States shall ensure that the EU Company Certificate provided by the register in electronic format be authenticated by means of trust services referred to in Regulation (EU) No 910/2014, in order to guarantee that it has been provided by the register and that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. It shall also be compatible with the European Digital Identity Wallet, referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	6. Member States shall ensure that the EU Company Certificate provided by the register in electronic format be authenticated by means of trust services referred to in Regulation (EU) No 910/2014, in order to guarantee that it has been provided by the register and that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. It shall also be compatible with the European Digital Identity Wallet, referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity]. <u>Text Origin: Commission Proposal</u>
Article 2, first paragraph, point (21), amending provision, numbered paragraph (7)				

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236	7. Member States shall ensure that the EU Company Certificate provided by the register in paper format is to include the date of issuance, as well as the seal or stamp of the register in order to certify that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. The EU Company Certificate shall also bear a technical feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	7. Member States shall ensure that the EU Company Certificate provided by the register in paper format is to include the date of issuance, as well as the seal or stamp of the register in order to certify that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. The EU Company Certificate shall also bear a technical feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	7. Member States shall ensure that the EU Company Certificate provided by the register in paper format is to include the date of issuance, as well as the seal or stamp of the register, or equivalent means , in order to certify that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. The EU Company Certificate shall also bear a technical and show a unique protocol or identification number or similar feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	7. Member States shall ensure that the EU Company Certificate provided by the register in paper format is to include the date of issuance, as well as the seal or stamp of the register, <u>or equivalent means</u> , in order to certify that its content is a true copy of the information held by the register or that it is consistent with the information contained therein. The EU Company Certificate shall also bear a technical <u>and show a unique protocol or identification number or similar</u> feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number. Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (8)				
237	8. The Commission shall publish the template for the EU Company Certificate on the portal in all official languages of the Union.	8. The Commission shall publish the template for the EU Company Certificate on the portal in all official languages of the Union.	8. The Commission shall publish the template for the EU Company Certificate on the portal in all official languages of the Union.	8. The Commission shall publish the template for the EU Company Certificate on the portal in all official languages of the Union. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, eleventh paragraph				
238	Article 16c	Article 16c	Article 16c	Article 16c

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, twelfth paragraph				
239	Digital EU power of attorney	Digital EU power of attorney	Digital EU power of attorney	Digital EU power of attorney Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), first subparagraph				
240	1. Member States shall ensure that, in order to carry out procedures in another Member State in the context of this Directive, companies listed in Annexes II and IIB may use a standard model of the digital EU power of attorney in accordance with this Article to authorise a person to represent the company.	1. Member States shall ensure that, in order to carry out procedures in another Member State in the context within the scope of this Directive, companies listed in Annexes II and IIB may use a standard model of the digital EU power of attorney in accordance with this Article to authorise a person to represent the company.	1. Member States shall ensure that, in order to carry out procedures in another Member State in the context scope of this Directive, companies listed in Annexes II and IIB may use a standard model template for the digital EU power of attorney in accordance with this Article to authorise a person to represent the company.	1. Member States shall ensure that, in order to carry out procedures in another Member State in the context scope of this Directive, companies listed in Annexes II and IIB may use a standard model template for the digital EU power of attorney in accordance with this Article to authorise a person to represent the company. Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), second subparagraph				
241	The digital EU power of attorney shall be drawn up and revoked in accordance with national legal and formal requirements. The national requirements for drawing up the digital EU power of attorney shall at least include the verification of the	The digital EU power of attorney shall be drawn up and revoked in accordance with national legal and formal requirements. The national requirements for drawing up the digital EU power of attorney shall at least include the verification of the	The digital EU power of attorney shall be drawn up, amended and revoked in accordance with national legal and formal requirements. The national requirements for drawing up, amending or revoking the digital EU power of attorney shall at	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	identity, legal capacity and authority to represent the company of the person granting the power of attorney.	identity, legal capacity and authority to represent the company of the person granting the power of attorney <u>by courts, administrative authorities or notaries, in accordance with national law. In addition, the digital EU power of attorney shall be signed by the person granting the EU power of attorney using qualified electronic signatures. In cases where the digital EU power of attorney is certified or authenticated, the certifying or authenticating authority shall use a qualified electronic signature or seal, including its specific attributes in accordance with Regulation (EU) No 910/2014.</u>	least include the verification of the identity, legal capacity and authority to represent the company of the person granting, amending or revoking , the power of attorney carried out by courts, notaries or other competent authorities.	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), third subparagraph				
242	Member States shall ensure that the digital EU power of attorney is authenticated by means of trust services referred to in Regulation (EU) No 910/2014, and compatible with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	Member States shall ensure that the digital EU power of attorney is authenticated <u>in accordance with the assurance level 'high'</u> by means of trust services referred to in Regulation (EU) No 910/2014, and compatible with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital	Member States shall ensure that the digital EU power of attorney is authenticated by means of trust services referred to in Regulation (EU) No 910/2014, and compatible with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity].	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Identity].		
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), third subparagraph a				
242a		<u>Member States shall ensure that any amendment and any revocation of the digital EU power of attorney is disclosed in the file referred to in Article 16(1) and in accordance with Article 16(2) and (3).</u>		
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2)				
243	2. The digital EU power of attorney shall be accepted as evidence of the authorised person's entitlement to represent the company as specified in the document.	2. The digital EU power of attorney <u>disclosed in accordance with paragraph 1</u> shall be accepted as evidence of the authorised person's entitlement to represent the company as specified in the document <u>and as disclosed in the file referred to in Article 16(1).</u>	2. The digital EU power of attorney shall be accepted as evidence of the authorised person's entitlement to represent the company as specified in the document.	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3)				
244	3. Member States shall ensure that the companies referred to in paragraph 1 file the digital EU power of attorney, any amendment to it, and any revocation, with the register where the company is registered.	3. Member States shall ensure that the companies referred to in paragraph 1 file the digital EU power of attorney, any amendment to it, and any revocation, with the register where the company is registered, <u>within a maximum of five working days. That register shall thoroughly and comprehensively check the</u>	3. Member States shall ensure may require that the companies referred to in paragraph 1 file the digital EU power of attorney, any amendment to it, and any revocation, with the register where the company is registered is to be filed in a register.	

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		<u>authenticity of the digital EU power of attorney by technical means in accordance with Regulation (EU) No 910/2014.</u>		
Article 2, first paragraph, point (21), amending provision, numbered paragraph (4)				
245	4. Competent authorities, registers referred to in Article 16, or any other third party who can demonstrate legitimate interest, shall have access to the digital EU power of attorney in the register of the company.	4. Competent authorities, registers referred to in Article 16, or any other third party who can demonstrate legitimate interest, shall have access to the digital EU power of attorney in the register of the company. <u>Any charge for accessing such document shall be proportionate to the actual cost for the register.</u>	<i>deleted</i>	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (5)				
246	5. The Commission shall publish the standard model of the digital EU power of attorney on the portal in all official languages of the Union.	5. The Commission shall publish the standard model of the digital EU power of attorney on the portal in all official languages of the Union. <u>The digital EU power of attorney shall include provisions on:</u>	5. The Commission shall publish the standard model of template for the digital EU power of attorney on the portal in all official languages of the Union. The template shall have a minimum mandatory content to be defined by an implementing act in accordance with Article 24 (2), point (g).	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (a)				
246a		<u>(a) the type of representation, whether it is individual or joint, and, if it is joint, with whom the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>representation is shared;</u>		
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (b)			
Y	246b	<u>(b) any restrictions on self-dealing or multiple representation;</u>		Y
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (c)			
Y	246c	<u>(c) the scope of the digital EU power of attorney and information, including on the following:</u>		Y
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (c), subpoint (i)			
Y	246d	<u>(i) formation of companies;</u>		Y
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (c), subpoint (ii)			
Y	246e	<u>(ii) changes to the articles of association of companies;</u>		Y
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (c), subpoint (iii)			
Y	246f	<u>(iii) registration of branches;</u>		Y
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (c), subpoint (iv)			
Y	246g	<u>(iv) cross-border conversions;</u>		Y
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (5), point (c), subpoint (v)			

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Y	246h	<u>(v) cross-border mergers and divisions.</u>		
	Article 2, first paragraph, point (21), amending provision, eighteenth paragraph			
G	247	Article 16d	Article 16d	Article 16d Text Origin: Commission Proposal
	Article 2, first paragraph, point (21), amending provision, nineteenth paragraph			
G	248	Exemption from legalisation and similar formality	Exemption from legalisation and any similar formality	Exemption from legalisation and <u>any</u> similar formality Text Origin: Council Mandate
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), first subparagraph			
G	249	1. Where copies and extracts of documents and information provided and certified as true copies by a register referred to in Article 16, including certified translations, are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and similar formality.	1. Where copies and extracts of documents and information provided and certified as true copies by a register referred to in Article 16, including certified translations, are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and any similar formality.	1. Where copies and extracts of documents and information provided and certified as true copies by a register referred to in Article 16, including certified translations, are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and <u>any</u> similar formality. Text Origin: Council Mandate
	Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), second subparagraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250	This paragraph applies to electronic copies and extracts of documents and information, including certified translations, where they have been authenticated in accordance with Article 16a(4), and to paper-based ones where they include their date of issuance as well as the seal or stamp of the register and bear a technical feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	This paragraph applies to electronic copies and extracts of documents and information, including certified translations, where they have been authenticated in accordance with Article 16a(4), and to paper-based ones where they include their date of issuance as well as the seal or stamp of the register and bear a technical feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	This paragraph applies to electronic copies and extracts of documents and information, including certified translations, where they have been authenticated in accordance with Article 16a(4), and to paper-based ones where they include their date of issuance as well as the seal or stamp of the register, or equivalent means, and show a unique protocol or identification number or similar and bear a technical feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	This paragraph applies to electronic copies and extracts of documents and information, including certified translations, where they have been authenticated in accordance with Article 16a(4), and to paper-based ones where they include their date of issuance as well as the seal or stamp of the register, <u>or equivalent means, and show a unique protocol or identification number or similar</u> and bear a technical feature that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number. Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2)				
251	2. Member States shall ensure that the EU Company Certificate issued in accordance with Article 16b, the digital EU power of attorney referred to in Article 16c and the pre-operation certificates transmitted in accordance with Articles 86n, 127a and 160n are exempted from legalisation or any similar formality.	2. Member States shall ensure that the EU Company Certificate issued in accordance with Article 16b, the digital EU power of attorney referred to in Article 16c and the pre-operation certificates transmitted in accordance with Articles 86n, 127a and 160n are exempted from legalisation or any similar formality.	2. Member States shall ensure that the EU Company Certificate issued in accordance with Article 16b, the digital EU power of attorney referred to in Article 16c and the pre-operation certificates transmitted in accordance with Articles 86n, 127a and 160n are exempted from legalisation or any similar formality.	2. Member States shall ensure that the EU Company Certificate issued in accordance with Article 16b, the digital EU power of attorney referred to in Article 16c and the pre-operation certificates transmitted in accordance with Articles 86n, 127a and 160n are exempted from legalisation or any similar formality. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
252	3. Where notarial acts, administrative documents, their certified copies and translations issued in a Member State in the context of the procedures of this Directive are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and similar formality.	3. Where notarial acts, administrative documents, their certified copies and translations issued in a Member State in the context of the procedures of this Directive are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and similar formality.	3. Where notarial acts, administrative documents, their certified copies and translations issued in a Member State in the context of the procedures of this Directive are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and any similar formality.	3. Where notarial acts, administrative documents, their certified copies and translations issued in a Member State in the context of the procedures of this Directive are to be presented in another Member State, Member States shall ensure that they are exempted from all forms of legalisation and <u>any</u> similar formality. Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3), second subparagraph				
253	This paragraph applies to electronic notarial acts, administrative documents, their certified copies and translations where they have been authenticated by means of trust services referred to in Regulation (EU) No 910/2014, and to paper-based ones where they bear a technical feature allowing for electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	This paragraph applies to electronic notarial acts, administrative documents, their certified copies and translations where they have been authenticated by means of trust services referred to in Regulation (EU) No 910/2014, and to paper-based ones where they bear a technical feature allowing for electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	This paragraph applies to electronic notarial acts, administrative documents, their certified copies and translations where they have been authenticated by means of trust services referred to in Regulation (EU) No 910/2014, and to paper-based ones where they bear a technical show a unique protocol or identification number or similar feature allowing for that allows the electronic verification of the origin and authenticity of the document such as a unique protocol or identification number.	This paragraph applies to electronic notarial acts, administrative documents, their certified copies and translations where they have been authenticated by means of trust services referred to in Regulation (EU) No 910/2014, and to paper-based ones where they bear a technical <u>show a unique protocol or identification number or similar</u> feature allowing for <u>that allows the</u> electronic verification of the origin and authenticity of the document such as a unique protocol or identification number. Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, twenty-third paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
254	Article 16e	Article 16e	Article 16e	Article 16e Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, twenty-fourth paragraph				
255	Safeguards in case of reasonable doubt	Safeguards in case of reasonable doubt	Safeguards in case of reasonable doubt as to the origin and authenticity	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), first subparagraph				
256	1. Where the authorities in another Member State to which the copies and extracts of documents and information provided and certified as true copies by a register in accordance with Article 16d(1), or the EU Company Certificate issued in accordance with Article 16b, are presented have a reasonable doubt as to the origin and authenticity, including the identity of the seal or stamp, or have reason to consider that the document has been forged or tampered with, they may submit a request for information to the contact point:	1. Where the authorities in another Member State to which the copies and extracts of documents and information provided and certified as true copies by a register in accordance with Article 16d(1), or the EU Company Certificate issued in accordance with Article 16b, are presented have a reasonable doubt as to the origin and authenticity, including the identity of the seal or stamp, or have reason to consider that the document has been forged or tampered with, they may submit a request for information to the contact point:	1. Where the authorities in another Member State to which the copies and extracts of documents and information provided and certified as true copies by a register in accordance with Article 16d(1), or the EU Company Certificate issued in accordance with Article 16b, are presented have a reasonable doubt as to the origin and authenticity, including the identity of the seal or stamp, or have reason to consider that the document has been forged or tampered with, they may submit a request for information to the contact point:	1. Where the authorities in another Member State to which the copies and extracts of documents and information provided and certified as true copies by a register in accordance with Article 16d(1), or the EU Company Certificate issued in accordance with Article 16b, are presented have a reasonable doubt as to the origin and authenticity, including the identity of the seal or stamp, or have reason to consider that the document has been forged or tampered with, they may submit a request for information to the contact point: Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), first subparagraph, point (a)				

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257	(a) in the register that provided these copies and extracts of documents and information, or	(a) in the register that provided these copies and extracts of documents and information, or	(a) in linked to the register that provided these copies and extracts of documents and information, or	(a) in linked to the register that provided these copies and extracts of documents and information, or Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), first subparagraph, point (b)				
258	(b) in the register of the Member State of the authority in which the copies and extracts of documents and information were presented. That register shall verify through the system of interconnection of registers the authenticity of these copies and extracts of documents and information with the register that provided them.	(b) in the register of the Member State of the authority in which the copies and extracts of documents and information were presented. That register shall verify through the system of interconnection of registers the authenticity of these copies and extracts of documents and information with the register that provided them.	(b) in linked to the register of the Member State of the authority in which the copies and extracts of documents and information were presented. That register shall verify through the system of interconnection of registers the authenticity of these copies and extracts of documents and information with the register that provided them.	(b) in linked to the register of the Member State of the authority in which the copies and extracts of documents and information were presented. That register shall verify through the system of interconnection of registers the authenticity of these copies and extracts of documents and information with the register that provided them. Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), second subparagraph				
259	Member States shall notify to the Commission the relevant contact point in their register referred to in Article 16.	Member States shall notify to the Commission the relevant contact point in their register referred to in Article 16.	Member States shall notify to the Commission the relevant contact point in their register referred to in Article 16. (s).	Member States shall notify to the Commission the relevant contact point in their register referred to in Article 16. (s). Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), first subparagraph				
260	2. Requests for information referred	2. Requests for information referred	2. Requests for information referred	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to in paragraph 1 shall present the reasons for which the authority doubts the authenticity of the document, including at least the failure to be able to authenticate the extract through electronic verification methods. Every request shall be accompanied by the copy or extract of the document and information concerned transmitted electronically.	to in paragraph 1 shall present the reasons for which the authority doubts the authenticity of the document, including at least the failure to be able to authenticate the extract through electronic verification methods. Every request shall be accompanied by the copy or extract of the document and information concerned transmitted electronically.	to in paragraph 1 shall present the reasons for which the authority doubts the origin and authenticity of the document, including at least the failure to be able to authenticate the extract through electronic verification methods. Every request shall be accompanied by the copy or extract of the document and information concerned transmitted electronically.	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2), second subparagraph				
261	A register shall reject, without examination, requests which do not comply with the requirements set out in this paragraph and shall inform the authority that submitted the request of the rejection.	A register shall reject, without examination, requests which do not comply with the requirements set out in this paragraph and shall inform the authority that submitted the request of the rejection.	A register shall reject, without examination, requests which do not comply with the requirements set out in this paragraph and shall inform the authority that submitted the request of the rejection.	A register shall reject, without examination, requests which do not comply with the requirements set out in this paragraph and shall inform the authority that submitted the request of the rejection. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (3)				
262	3. The contact points shall reply to requests for information made under paragraph 1 within a period not exceeding 5 working days.	3. The contact points shall reply to requests for information made under paragraph 1 within a period not exceeding 5 working days.	3. The contact points shall reply to requests for information made under paragraph 1 within a period not exceeding 5 working days.	3. The contact points shall reply to requests for information made under paragraph 1 within a period not exceeding 5 working days. Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
263	4. If the authenticity of the copies and extracts of documents and information is not confirmed, the requesting authority may decide not to accept them.	4. If the authenticity of <u>The requesting authority may decide not to accept</u> the copies and extracts of documents and information <u>only if their authenticity and accuracy</u> is not confirmed, the requesting authority may decide not to accept them. <u>by the register from which it requests information pursuant to paragraph 2. In such case, they shall notify those who submitted such documents and information of that decision within 5 working days of receiving the reply from the contact points.</u>	4. If the origin and authenticity of the copies and extracts of documents and information is not confirmed, the requesting authority may decide not to accept them-	
Article 2, first paragraph, point (21), amending provision, twenty-fourth paragraph a				
263a			Article 16ea	
Article 2, first paragraph, point (21), amending provision, twenty-fourth paragraph a, point (a)				
263b			1. Where justified by reasons of public interest to prevent abuse or fraud, the authorities in another Member State may exceptionally and on a case-by-case basis where they have reasonable grounds to suspect fraud or abuse, refuse to accept information or documents about a company from a register in another Member State as evidence of the registration of a company or its continued	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			existence, or as evidence of the specific company information subject to suspicion of fraud or abuse.	
Article 2, first paragraph, point (21), amending provision, twenty-fourth paragraph a, point (b)				
263c			2. In such cases, the authorities shall consult the register which provided the information or document. If the information or document are not accepted in a Member State in accordance with this Article, the authorities shall inform the register which provided such information or document.	
Article 2, first paragraph, point (21), amending provision, twenty-fourth paragraph a, point (c)				
263d			3. Member States shall ensure that different approaches between Member States as to how to carry out the preventive control, or differences in Member States' legal systems and legal traditions, do not serve as grounds for such refusal.	
Article 2, first paragraph, point (21), amending provision, twenty-ninth paragraph				
264	Article 16f	Article 16f	Article 16f	Article 16f Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 2, first paragraph, point (21), amending provision, thirtieth paragraph				
265	Exemption of translation	Exemption of translation	Exemption of translation	Exemption of translation Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1)				
266	1. Member States shall ensure that for copies or extracts of documents and information provided by the registers referred to in Article 16 and that are used in cross-border situations, including in the situations referred to in Article 13g(2a) and Article 28a(5), a translation is not to be required:	1. Member States shall ensure that for copies or extracts of documents and information provided by the registers referred to in Article 16 and that are used in cross-border situations, including in the situations referred to in Article 13g(2a) and Article 28a(5), a translation is not to be required:	1. Member States shall ensure that endeavour not to require a translation of copies or extracts of documents and information provided by the registers referred to in Article 16 and that are used in cross-border situations, register from another Member State including in the situations referred to in Article 13g(2a) and Article 28a(5), a translation is not to be required 28a(5a), when the specific information needed about a company can be accessed and consulted:	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), point (a)				
267	(a) where the document or information is in the official language of the Member State where the document or information is presented, or in one of the official languages if that Member State has	(a) where the document or information is in the official language of the Member State where the document or information is presented, or in one of the official languages if that Member State has	(a) where the document or information is in the official language of the Member State where the document or information is presented, or in one of the official languages if that Member State has	

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	several official languages, or in any other language which that Member State expressly accepts;	several official languages, or in any other language which that Member State expressly accepts;	several official languages, or in any other language which that Member State expressly accepts; EU Company Certificate referred to in Article 16b, or	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), point (b)				
268	(b) where the information is accessible through the system of interconnection of registers and identifiable through explanatory labels referred to in Article 18;	(b) where the information is accessible through the system of interconnection of registers and identifiable through explanatory labels referred to in Article 18;	(b) where the information is accessible through the system of interconnection of registers and is identifiable through explanatory labels referred to in Article 18;	(b) where the information is accessible through the system of interconnection of registers and <u>is</u> identifiable through explanatory labels referred to in Article 18; Text Origin: Council Mandate
Article 2, first paragraph, point (21), amending provision, numbered paragraph (1), point (c)				
269	(c) where the specific information is included in the EU Company Certificate referred to in Article 16b.	(c) where the specific information is included in the EU Company Certificate referred to in Article 16b.	<i>deleted</i>	
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2)				
270	2. Without prejudice to paragraph 1, Member States shall ensure, that where the instruments of constitution and the statutes if they are contained in a separate instrument, and other documents provided by the registers referred to in Article 16, are to be presented in another Member State, a certified translation is only to be required when this is justified by the	2. Without prejudice to paragraph 1, Member States shall ensure, that where the instruments of constitution and the statutes if they are contained in a separate instrument, and other documents provided by the registers referred to in Article 16, are to be presented in another Member State, a certified translation is only to be required when this is justified by the	2. Without prejudice to paragraph 1, Member States shall ensure, that where the instruments of constitution and the statutes if they are contained in a separate instrument, and other documents provided by the registers referred to in Article 16, are to be presented in another Member State, a certified translation is only to be required when this is justified by the	2. Without prejudice to paragraph 1, Member States shall ensure, that where the instruments of constitution and the statutes if they are contained in a separate instrument, and other documents provided by the registers referred to in Article 16, are to be presented in another Member State, a certified translation is only to be required when this is justified by the

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	purpose for which the document shall be used, such as to meet a mandatory public disclosure requirement or to be presented in judicial proceedings, and is strictly necessary.’;	purpose for which the document shall be used, such as to meet a mandatory public disclosure requirement or to be presented in judicial proceedings, and is strictly necessary.’;	purpose for which the document shall be used, such as to meet a mandatory public disclosure requirement or to be presented in judicial proceedings, and is strictly necessary.’;	purpose for which the document shall be used, such as to meet a mandatory public disclosure requirement or to be presented in judicial proceedings, and is strictly necessary.’; Text Origin: Commission Proposal
Article 2, first paragraph, point (21), amending provision, numbered paragraph (2a)				
270a			3. This Article shall be applied without prejudice to Articles 21 and 32.	<u>3. This Article shall be applied without prejudice to Articles 21 and 32.</u> Text Origin: Council Mandate
Article 2, first paragraph, point (22)				
271	(22) in Article 17, the following paragraph is added:	(22) in Article 17, the following paragraph is added:	(22) in Article 17, the following paragraph is added:	(22) in Article 17, the following paragraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (22), amending provision, numbered paragraph (4)				
272	4. This Article shall also apply to the information on partnerships referred to in Article 14a.;	4. This Article shall also apply to the information on partnerships referred to in Article 14a.;	4. This Article shall also apply to the information on partnerships referred to in Article 14a.;	4. This Article shall also apply to the information on partnerships referred to in Article 14a.;; Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 2, first paragraph, point (23)				
273	(23) Article 18 is replaced by the following:	(23) Article 18 is replaced by the following:	(23) Article 18 is replaced by the following:	(23) Article 18 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, first paragraph				
274	Article 18	Article 18	Article 18	Article 18 Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, second paragraph				
275	Availability of electronic copies of documents and information	Availability of electronic copies of documents and information	Availability of electronic copies of documents and information	Availability of electronic copies of documents and information Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, numbered paragraph (1), first subparagraph				
276	1. Electronic copies of the documents and information referred to in Articles 14, 14a, and 14b shall also be made publicly available through the system of interconnection of registers. Member States may also make available	1. Electronic copies of the documents and information referred to in Articles 14, 14a, and 14b shall also be made publicly available through the system of interconnection of registers. Member States may also make available	1. Electronic copies of the documents and information referred to in Articles 14, 14a, and 14b and 14a shall also be made publicly available through the system of interconnection of registers. Member States may also make available	

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	documents and information referred to in Articles 14, 14a and 14b for types of companies other than those listed in Annexes II and IIB.	documents and information referred to in Articles 14, 14a and 14b for types of companies other than those listed in Annexes II and IIB.	documents and information referred to in Articles 14, 14a and 14b and 14a for types of companies other than those listed in Annexes II and IIB-	
Article 2, first paragraph, point (23), amending provision, numbered paragraph (1), second subparagraph				
277	Article 16a(3), (4) and (5) shall apply mutatis mutandis also to electronic copies of the documents and information made publicly available through the system of interconnection of registers.	Article 16a(3), (4) and (5) shall apply mutatis mutandis also to electronic copies of the documents and information made publicly available through the system of interconnection of registers.	Article 16a(3), (4) and (5) shall apply mutatis mutandis also to electronic copies of the documents and information made publicly available through the system of interconnection of registers.	Article 16a(3), (4) and (5) shall apply mutatis mutandis also to electronic copies of the documents and information made publicly available through the system of interconnection of registers. Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, numbered paragraph (2)				
278	2. Member States shall ensure that the documents and information referred to in Articles 14, 14a, 14b, Articles 19(2) and 19a(2) are available through the system of interconnection of registers in a standard message format and accessible by electronic means. Member States shall also ensure that minimum standards for the security of data transmission are respected.	2. Member States shall ensure that the documents and information referred to in Articles 14, 14a, 14b, Articles 19(2) and 19a(2) are available through the system of interconnection of registers in a standard message format and accessible by electronic means. Member States shall also ensure that minimum standards for the security of data transmission are respected.	2. Member States shall ensure that the documents and information referred to in Articles 14, 14a, 14b and 14a , Articles 19(2) and 19a(2) are available through the system of interconnection of registers in a standard message format and accessible by electronic means. Member States shall also ensure that minimum standards for the security of data transmission are respected.	
Article 2, first paragraph, point (23), amending provision, numbered paragraph (3)				
279				

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	3. The Commission shall provide a search service in all the official languages of the Union in respect of companies registered in Member States, in order to make available through the portal:	3. The Commission shall provide a search service in all the official languages of the Union in respect of companies registered in Member States, in order to make available through the portal:	3. The Commission shall provide a search service in all the official languages of the Union in respect of companies registered in Member States, in order to make available through the portal:	3. The Commission shall provide a search service in all the official languages of the Union in respect of companies registered in Member States, in order to make available through the portal: Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, numbered paragraph (3), point (a)				
280	(a) the documents and information referred to in Articles 14, 14a, 14b, Articles 19(2) and 19a(2), including for types of companies other than those listed in Annexes II and IIB, where such documents are made available by Member States;	(a) the documents and information referred to in Articles 14, 14a, 14b, Articles 19(2) and 19a(2), including for types of companies other than those listed in Annexes II and IIB, where such documents are made available by Member States;	(a) the documents and information referred to in Articles 14, 14a, 14b , Articles 19(2) and 19a(2), including for types of companies other than those listed in Annexes II and IIB, where such documents are made available by Member States;	
Article 2, first paragraph, point (23), amending provision, numbered paragraph (3), point (aa)				
281	(aa) the documents and information referred to in Articles 86g, 86n, 86p, 123, 127a, 130, 160g, 160n and 160p;	(aa) the documents and information referred to in Articles 86g, 86n, 86p, 123, 127a, 130, 160g, 160n and 160p;	(aa) the documents and information referred to in Articles 86g, 86n, 86p, 123, 127a, 130, 160g, 160n and 160p;	(aa) the documents and information referred to in Articles 86g, 86n, 86p, 123, 127a, 130, 160g, 160n and 160p; Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, numbered paragraph (3), point (b)				
282	(b) the explanatory labels, available in all the official languages of the Union, listing that information and	(b) the explanatory labels, available in all the official languages of the Union, listing that information and	(b) the explanatory labels, available in all the official languages of the Union, listing that information and	(b) the explanatory labels, available in all the official languages of the Union, listing that information and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the types of those documents.	the types of those documents.	the types of those documents.	the types of those documents. Text Origin: Commission Proposal
Article 2, first paragraph, point (23), amending provision, numbered paragraph (3a), numbered paragraph (4)				
283	4. Member States shall ensure that, through the system of interconnection of business registers, the first name, surname and date of birth of the persons referred to in Article 14, point (d), Article 14a, points (j) and (k), Articles 19(2), point (g), 19a (2), point (g), 30(1), point (e) and 36(3), point (f), are to be made publicly available.	4. Member States shall ensure that, through the system of interconnection of business registers, the first name, surname and date of birth of the persons referred to in Article 14, point (d), Article 14a, points (j) and (k), Articles 19(2), point (g), 19a (2), point (g), 30(1), point (e) and 36(3), point (f), are to be made publicly available.	43a. Member States shall ensure that, through the system of interconnection of business registers, the first name(s), surname and date of birth, or equivalent information when the latter is not recorded in the national register , of the persons referred to in Article 14, point (d), Article 14a, points (j) and (k), Articles 19(2), point (g), 19a (2), point (g), 30(1), point (e) and 36(3), point (f), where such persons are natural persons , are to be made publicly available.	4. Member States shall ensure that, through the system of interconnection of business registers, the first name(s), surname and date of birth, <u>or equivalent information when the latter is not recorded in the national register</u> , of the persons referred to in Article 14, point (d), Article 14a, points (j) and (k), Articles 19(2), point (g), 19a (2), point (g), 30(1), point (e) and 36(3), point (f), <u>where such persons are natural persons</u> , are to be made publicly available. Text Origin: Council Mandate
Article 2, first paragraph, point (23), amending provision, numbered paragraph (3a), numbered paragraph (4) a				
283a			Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number, are to be made publicly available through the system of interconnection of business registers.	<u>Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number, are to be made publicly available through the system of interconnection of business registers.</u> Text Origin: Council Mandate

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	Article 2, first paragraph, point (23), amending provision, numbered paragraph (3b), numbered paragraph (5)			
284	5. Member States shall ensure that, through the system of interconnection of business registers, the first name, surname and the date of birth of the persons referred to in Article 3 of Directive 2009/102/EC are to be made publicly available.	5. Member States shall ensure that, through the system of interconnection of business registers, the first name, surname and the date of birth of the persons referred to in Article 3 of Directive 2009/102/EC are to be made publicly available.	53b. Member States shall ensure that, through the system of interconnection of business registers, the first name(s), surname and the date of birth, or equivalent information when the latter is not recorded in the national register, of the persons referred to in Article 3 of Directive 2009/102/EC, where such persons are natural persons, are to be made publicly available.	5. Member States shall ensure that, through the system of interconnection of business registers, the first name <u>(s)</u> , surname and the date of birth, <u>or equivalent information when the latter is not recorded in the national register,</u> of the persons referred to in Article 3 of Directive 2009/102/EC, <u>where such persons are natural persons,</u> are to be made publicly available. Text Origin: Council Mandate
	Article 2, first paragraph, point (23), amending provision, numbered paragraph (3b), numbered paragraph (5) a			
284a			Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number, are to be made publicly available through the system of interconnection of business registers.	<u>Where such persons are legal persons, the company name, legal form, EUID or where EUID is not applicable the registration number, are to be made publicly available through the system of interconnection of business registers.</u> Text Origin: Council Mandate
	Article 2, first paragraph, point (23), amending provision, numbered paragraph (6)			
285	6. Member States shall ensure that the registers, authorities or persons	6. Member States shall ensure that the registers, authorities or persons	6. Member States shall ensure that the registers, authorities or persons	6. Member States shall ensure that the registers, authorities or persons

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or bodies mandated under national law to deal with any aspect of procedures covered by this Directive do not store personal data transmitted through the system of interconnection of registers for the purposes of Articles 13g, 28a and 30a, unless otherwise provided by Union or national law.;	or bodies mandated under national law to deal with any aspect of procedures covered by this Directive do not store personal data transmitted through the system of interconnection of registers for the purposes of Articles 13g, 28a and 30a, unless otherwise provided by Union or national law.;	or bodies mandated under national law to deal with any aspect of procedures covered by this Directive do not store personal data transmitted through the system of interconnection of registers for the purposes of Articles 13g, 28a and 30a, unless otherwise provided by Union or national law.;	or bodies mandated under national law to deal with any aspect of procedures covered by this Directive do not store personal data transmitted through the system of interconnection of registers for the purposes of Articles 13g, 28a and 30a, unless otherwise provided by Union or national law.;
	Article 2, first paragraph, point (23a)			
Y	285a	<u>(23a) In Article 19, paragraph 2, the following point is inserted:</u>		<u>(23a) In Article 19, paragraph 2, the following point is inserted:</u>
				Text Origin: EP Mandate
	Article 2, first paragraph, point (23)(-a)			
Y	285b	<u>(fa) the number of employees of the company, where this information is available in the company's financial statements as required by national law;</u>		<u>(-a) the number of employees of the company, where this information is available in the register as referred to in Article 16;</u>
				Presidency proposal to be checked both by the Parliament and the Council
	Article 2, first paragraph, point (24)			
G	286	(24) the following Article is inserted:	(24) the following Article is inserted:	(24) the following Article is inserted:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, first paragraph				
287	Article 19a	Article 19a	Article 19a	Article 19a Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, second paragraph				
288	Fees chargeable for documents and information as regards partnerships	Fees chargeable for documents and information as regards partnerships	Fees chargeable for documents and information as regards partnerships	Fees chargeable for documents and information as regards partnerships Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (1)				
289	1. The fees charged for obtaining the documents and information referred to in Article 14a through the system of interconnection of registers shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers.	1. The fees charged for obtaining the documents and information referred to in Article 14a through the system of interconnection of registers shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers.	1. The fees charged for obtaining the documents and information referred to in Article 14a through the system of interconnection of registers shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers.	1. The fees charged for obtaining the documents and information referred to in Article 14a through the system of interconnection of registers shall not exceed the administrative costs thereof, including the costs of development and maintenance of registers. Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2)				
290				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. Member States shall ensure that the following information and documents are available free of charge through the system of interconnection of registers about companies listed in Annex IIB:	2. Member States shall ensure that the following information and documents are available free of charge through the system of interconnection of registers about companies listed in Annex IIB:	2. Member States shall ensure that the following information and documents are available free of charge through the system of interconnection of registers about companies listed in Annex IIB:	2. Member States shall ensure that the following information and documents are available free of charge through the system of interconnection of registers about companies listed in Annex IIB: Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (a)				
291	(a) the name and legal form of the partnership;	(a) the name and legal form of the partnership;	(a) the name and legal form of the partnership;	(a) the name and legal form of the partnership; Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (b)				
292	(b) the registered office of the partnership and the Member State where it is registered;	(b) the registered office of the partnership and the Member State where it is registered;	(b) the registered office of the partnership and the Member State where it is registered;	(b) the registered office of the partnership and the Member State where it is registered; Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (c)				
293	(c) the registration number of the partnership and its EUID;	(c) the registration number of the partnership and its EUID;	(c) the registration number of the partnership and its EUID;	(c) the registration number of the partnership and its EUID; Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
294	(d) details of the partnership website where such details are recorded in the national register;	(d) details of the partnership website where such details are recorded in the national register;	(d) details of the partnership website where such details are recorded in the national register;	(d) details of the partnership website where such details are recorded in the national register; Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (e)				
295	(e) the status of the partnership, such as when it is closed, struck off the register, wound up, dissolved, economically active or inactive as defined in national law;	(e) the status of the partnership, such as when it is closed, struck off the register, wound up, dissolved, economically active or inactive as defined in national law;	(e) the status of the partnership, such as when it is closed, struck off the register, wound up, dissolved, economically active or inactive as defined in national law; and where recorded in the national registers	
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (f)				
296	(f) the object of the partnership;	(f) the object of the partnership;	(f) the object of the partnership; where recorded in national registers	
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (g)				
297	(g) the particulars of partners who represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partners authorised to represent the partnership may do so alone or are required to act jointly;	(g) the particulars of partners who represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partners authorised to represent the partnership may do so alone or are required to act jointly;	(g) the particulars of partners, directors or other statutory representatives who are authorised to who represent the partnership in dealings with third parties and in legal proceedings, and information as to whether the partner those persons authorised to represent the partnership may do so	Linked to discussion on Article 10.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			alone or are required to act jointly, or, if not available, information about the nature and scope of the authorisation of the partners, directors or other representatives to represent the partnership;	
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (h)				
298	(h) information on any branches opened by the partnership in another Member State, including the name, registration number, EUID and the Member State where the branch is registered.;	(h) information on any branches opened by the partnership in another Member State, including the name, registration number, EUID and the Member State where the branch is registered.;	(h) information on any branches opened by the partnership in another Member State, including the name, registration number, EUID and the Member State where the branch is registered.;	(h) information on any branches opened by the partnership in another Member State, including the name, registration number, EUID and the Member State where the branch is registered.;
				Text Origin: Commission Proposal
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2), point (ha)				
298a			2a. The exchange of any information through the system of interconnection of registers shall be free of charge for the registers.	2a. <u>The exchange of any information through the system of interconnection of registers shall be free of charge for the registers.</u>
				Text Origin: Council Mandate
Article 2, first paragraph, point (24), amending provision, numbered paragraph (2b)				
298b			2b. Member States may decide that the information referred to in paragraph 2, points (d) and (f) is to be made available free of charge	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			only for the authorities of other Member States.	
Article 2, first paragraph, point (25)				
299	(25) in Article 21, the following paragraph is added:	(25) in Article 21, the following paragraph is added:	(25) in Article 21, the following paragraph is added:	(25) in Article 21, the following paragraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (25), amending provision, numbered paragraph (5)				
300	‘ 5. This Article shall apply to Articles 14a and 14b.;’	‘ 5. This Article shall apply to Articles 14a and 14b.;’	‘ 5. This Article shall apply to Articles 14a and 14b.; Article 14a ’	
Article 2, first paragraph, point (26)				
301	(26) in Article 22, the following paragraph is added:	(26) in Article 22, the following paragraph is added:	(26) in Article 22, the following paragraph is added:	(26) in Article 22, the following paragraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (26), amending provision, numbered paragraph (7), first subparagraph				
302	‘ 7. Connections shall be established between the system of interconnection of registers, the beneficial ownership registers’	‘ 7. Connections shall be established between the system of interconnection of registers, the beneficial ownership registers’	‘ 7. Connections In accordance with Article 24(2), point h, the Commission shall be established establish connections’	‘ 7. Connections <u>In accordance with Article 24(2), point h, the Commission shall be established</u>establish connections

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	interconnection pursuant to Articles 30(10) and 31(9) of Directive (EU) 2015/849 of the European Parliament and of the Council * and the insolvency registers interconnection pursuant to Article 25(1) of Regulation (EU) 2015/848 of the European Parliament and of the Council **.	interconnection pursuant to Articles 30(10) and 31(9) of Directive (EU) 2015/849 of the European Parliament and of the Council * and the insolvency registers interconnection pursuant to Article 25(1) of Regulation (EU) 2015/848 of the European Parliament and of the Council **.	between the system of interconnection of registers, the beneficial ownership registers interconnection pursuant to Articles 30(10) and 31(9) of Directive (EU) 2015/849 of the European Parliament and of the Council * and the insolvency registers interconnection pursuant to Article 25(1) of Regulation (EU) 2015/848 of the European Parliament and of the Council **.	between the system of interconnection of registers, the beneficial ownership registers interconnection pursuant to Articles 30(10) and 31(9) of Directive (EU) 2015/849 of the European Parliament and of the Council * and the insolvency registers interconnection pursuant to Article 25(1) of Regulation (EU) 2015/848 of the European Parliament and of the Council **. Text Origin: Council Mandate
Article 2, first paragraph, point (26), amending provision, numbered paragraph (7), second subparagraph				
303	The establishment of connections in accordance with the first subparagraph shall not alter or circumvent the rules and requirements related to the access of the information set out under the relevant frameworks establishing those registers and interconnections.’;	The establishment of connections in accordance with the first subparagraph shall not alter or circumvent the rules and requirements related to the access of the information set out under the relevant frameworks establishing those registers and interconnections.’;	The establishment of connections in accordance with the first subparagraph shall not alter or circumvent the rules and requirements related to the access of the information set out under the relevant frameworks establishing those registers and interconnections.’;	The establishment of connections in accordance with the first subparagraph shall not alter or circumvent the rules and requirements related to the access of the information set out under the relevant frameworks establishing those registers and interconnections.’; Text Origin: Commission Proposal
Article 2, first paragraph, point (26), amending provision, numbered paragraph (7), third subparagraph				
304	—	—	—	— Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (26), amending provision, numbered paragraph (7), fourth subparagraph			
305	* Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, OJ L 141, 5.6.2015, p. 73–117.	* Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, OJ L 141, 5.6.2015, p. 73–117.	* Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, OJ L 141, 5.6.2015, p. 73–117.	* Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, OJ L 141, 5.6.2015, p. 73–117. Text Origin: Commission Proposal
	Article 2, first paragraph, point (26), amending provision, numbered paragraph (7), fifth subparagraph			
306	** Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast), OJ L 141, 5.6.2015, p. 19–72.	** Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast), OJ L 141, 5.6.2015, p. 19–72.	** Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast), OJ L 141, 5.6.2015, p. 19–72.	** Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast), OJ L 141, 5.6.2015, p. 19–72. Text Origin: Commission Proposal
	Article 2, first paragraph, point (27)			
307				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(27) in Article 24, the following paragraph is added:	(27) in Article 24, the following paragraph is added:	(27) in Article 24, the following paragraph is added:	(27) in Article 24, the following paragraph is <u>paragraphs are</u> added: Text Origin: Council Mandate
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph				
308	2. By means of implementing acts, the Commission shall also adopt the following:	2. By means of implementing acts, the Commission shall also adopt the following:	2. By means of implementing acts, the Commission shall also adopt the following:	2. By means of implementing acts, the Commission shall also adopt the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (a)				
309	(a) the detailed list of data and the technical specifications defining the methods of retrieval of information between the register of the founding company and the register of the company being formed as referred to in Article 13g(2a), and between the register of the company and the register of the branch as referred to in Article 28a(5);	(a) the detailed list of data and the technical specifications defining the methods of retrieval of information between the register of the founding company and the register of the company being formed as referred to in Article 13g(2a), and between the register of the company and the register of the branch as referred to in Article 28a(5);	(a) the detailed list of data and the technical specifications defining the methods of retrieval of information between the register of the founding company and the register of the company being formed as referred to in Article 13g(2a), and between the register of the company and the register of the branch as referred to in Article 28a(5) <u>28a(5a)</u> ;	(a) the detailed list of data and the technical specifications defining the methods of retrieval of information between the register of the founding company and the register of the company being formed as referred to in Article 13g(2a), and between the register of the company and the register of the branch as referred to in Article 28a(5) <u>28a(5a)</u> ; Text Origin: Council Mandate
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (b)				
310	(b) the detailed list of data, the use of explanatory labels and the technical specifications defining the	(b) the detailed list of data, the use of explanatory labels and the technical specifications defining the	(b) the detailed list of data, the use of explanatory labels and the technical specifications defining the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information referred to in Articles 14a, 14b and Article 19a(2) to be made available through the system of interconnection of registers;	information referred to in Articles 14a, 14b and Article 19a(2) to be made available through the system of interconnection of registers;	information referred to in Articles 14a, 14b and Article and Articles 19(2) and 19a(2) to be made available through the system of interconnection of registers;	
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (c)				
311	(c) the detailed list of data and the technical specifications for the purpose of exchanging information between registers as referred to in Article 14b(5);	(c) the detailed list of data and the technical specifications for the purpose of exchanging information between registers as referred to in Article 14b(5);	<i>deleted</i>	
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (d)				
312	(d) the technical details and detailed list of data for the visualisation of the structure of the group referred to in Article 14b(10);	(d) the technical details and detailed list of data for the visualisation of the structure of the group referred to in Article 14b(10);	<i>deleted</i>	
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (e)				
313	(e) the technical standards and taxonomy for the documents and information to be filed in accordance with Article 16(6), taking into account the technical standards already in use in Member States' registers;	(e) the technical standards and taxonomy for the documents and information to be filed in accordance with Article 16(6), taking into account the technical standards already in use in Member States' registers;	(e) the technical standards and taxonomy for the documents and information to be filed in accordance with Article 16(6), taking into account the technical standards already in use in Member States' registers;	(e) the technical standards and taxonomy for the documents and information to be filed in accordance with Article 16(6), taking into account the technical standards already in use in Member States' registers; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (f)			
314	(f) the technical specifications, taxonomy and the multilingual templates for the EU Company Certificate referred to in Article 16b;	(f) the technical specifications, taxonomy and the multilingual templates for the EU Company Certificate referred to in Article 16b;	(f) the technical specifications including the compatibility with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity], as well as the taxonomy and the multilingual templates for the EU Company Certificate referred to in Article 16b;	(f) the technical specifications <u>including the compatibility with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity], as well as the</u> taxonomy and the multilingual templates for the EU Company Certificate referred to in Article 16b; Text Origin: Council Mandate
	Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (g)			
315	(g) the technical specifications, taxonomy and the multilingual standard model of the digital EU power of attorney referred to in Article 16c;	(g) the technical specifications, taxonomy and the multilingual standard model of the digital EU power of attorney referred to in Article 16c;	(g) the technical specifications including the compatibility with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity], as well as the taxonomy and the multilingual standard model of the digital EU power of attorney referred to in Article 16c;	(g) the technical specifications <u>including the compatibility with the European Digital Identity Wallet referred to in [PO: Reference to Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity], as well as the</u> taxonomy and the multilingual standard model of the digital EU power of attorney referred to in Article 16c;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Council Mandate
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (h)				
G	316	(h) the technical specifications and detailed list of data defining the mutual accessibility between interconnections referred to in Article 22(7), which shall include the use of the unique identifier for companies attributed in accordance with Article 16;	(h) the technical specifications and detailed list of data defining the mutual accessibility between interconnections referred to in Article 22(7), which shall include the use of the unique identifier for companies attributed in accordance with Article 16;	(h) the technical specifications and detailed list of data defining the mutual accessibility between interconnections referred to in Article 22(7), which shall include the use of the unique identifier for companies attributed in accordance with Article 16; Text Origin: Commission Proposal
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), first subparagraph, point (i)				
G	317	(i) the technical specifications and detailed list of data defining the verification referred to in Article 16e(1), point (b).	(i) the technical specifications and detailed list of data defining the verification referred to in Article 16e(1), point (b).	(i) the technical specifications and detailed list of data defining the verification referred to in Article 16e(1), point (b). Text Origin: Commission Proposal
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2a)				
Y	317a		The Commission shall adopt the implementing acts pursuant to paragraph 2 by [PO: the last day of the 18th month after the date of entry into force of this Directive].	Come back after discussing deadlines of application/transposition.
Article 2, first paragraph, point (27), amending provision, numbered paragraph (2), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
318	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 164(2).;	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 164(2).;	3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 164(2).;	3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 164(2).; Text Origin: Council Mandate
Article 2, first paragraph, point (28)				
319	(28) in Article 26, the following subparagraph is added:	(28) in Article 26, the following subparagraph is added:	(28) in Article 26, the following subparagraph is added:	(28) in Article 26, the following subparagraph is added: Text Origin: Commission Proposal
Article 2, first paragraph, point (28), amending provision, first paragraph				
320	‘ This Article shall also apply to companies listed in Annex IIB.;	‘ This Article shall also apply to companies listed in Annex IIB.;	‘ This Article shall also apply apply <i>mutatis mutandis</i> to companies listed in Annex IIB.;	‘ This Article shall also apply apply <i>mutatis mutandis</i> to companies listed in Annex IIB.;
Article 2, first paragraph, point (29)				
321	(29) Article 28 is replaced by the following:	(29) Article 28 is replaced by the following:	(29) Article 28 is replaced by the following:	(29) Article 28 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (29), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
322	Article 28	Article 28	Article 28	Article 28 Text Origin: Commission Proposal
Article 2, first paragraph, point (29), amending provision, second paragraph				
323	Penalties	Penalties	Penalties	Penalties Text Origin: Commission Proposal
Article 2, first paragraph, point (29), amending provision, third paragraph				
324	Member States shall provide for effective, proportionate and dissuasive penalties at least in the case of:	Member States shall provide for effective, proportionate and dissuasive penalties, <u>including pecuniary penalties</u> , at least in the case of:	Member States shall provide for effective, proportionate and dissuasive penalties at least in the case of:	
Article 2, first paragraph, point (29), amending provision, third paragraph, point (a)				
325	(a) failure to disclose the documents and information as required by Articles 14, 14a and 14b;	(a) failure to disclose the documents and information as required by Articles 14, 14a and 14b;	(a) failure to disclose the documents and information as required by Articles 14, 14a and 14b and 14a;	
Article 2, first paragraph, point (29), amending provision, third paragraph, point (b)				
326	(b) failure to file changes within the time period laid down in Article 15(2);	(b) failure to file changes within the time period laid down in Article 15(2);	(b) failure to file changes within the time period laid down in Article 15(2) 15(2)(a);	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (29), amending provision, third paragraph, point (c)				
327	(c) omission from commercial documents or from any company website of the compulsory information provided for in Article 26.	(c) omission from commercial documents or from any company website of the compulsory information provided for in Article 26.	(c) omission from commercial documents or from any company website of the compulsory information provided for in Article 26.	(c) omission from commercial documents or from any company website of the compulsory information provided for in Article 26. Text Origin: Commission Proposal
Article 2, first paragraph, point (29), amending provision, fourth paragraph				
328	Member States shall take all the measures necessary to ensure that those penalties are enforced.;	Member States shall take all the measures necessary to ensure that those penalties are enforced. <u>In determining their nature and appropriate level, due account shall be taken of the seriousness and duration of the infringement, of any previous infringements and of the company's turnover;</u>	Member States shall take all the measures necessary to ensure that those penalties are enforced.;	
Article 2, first paragraph, point (30)				
329	(30) in Article 28a(4), point (c) is replaced by the following:	(30) in Article 28a(4), point (c) is replaced by the following:	(30) in Article 28a(4), point (c) is replaced by the following:	(30) in Article 28a(4), point (c) is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (30), amending provision, numbered paragraph (c)				
330	,	,	,	,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) verify the legality of the documents and information submitted for the registration of the branch, save the documents and information retrieved from the register of the company in accordance with paragraph 5;;	(c) verify the legality of the documents and information submitted for the registration of the branch, save the documents and information retrieved from the register of the company in accordance with paragraph 5 <u>5a</u> ;	(c) verify the legality of the documents and information submitted for the registration of the branch, save the documents and information retrieved from the register of the company in accordance with paragraph 5 <u>5a</u> ;	(c) verify the legality of the documents and information submitted for the registration of the branch, save the documents and information retrieved from the register of the company in accordance with paragraph 5 <u>5a</u> ; Text Origin: Council Mandate
Article 2, first paragraph, point (31)				
331	(31) in Article 28a(5), the first subparagraph is deleted;	(31) in Article 28a(5), the first subparagraph is deleted;	(31) in Article 28a(5), the first subparagraph is deleted;	(31) in Article 28a(5), the first subparagraph is deleted; Text Origin: Commission Proposal
Article 2, first paragraph, point (32)				
332	(32) in Article 28a, the following paragraph is inserted:	(32) in Article 28a, the following paragraph is inserted:	(32) in Article 28a, the following paragraph is inserted:	(32) in Article 28a, the following paragraph is inserted: Text Origin: Commission Proposal
Article 2, first paragraph, point (32), amending provision, numbered paragraph (5a), first subparagraph				
333	5a. Member States shall ensure that where a company listed in Annexes II or IIB registers a branch in another Member State, the register where the branch is being registered	5a. Member States shall ensure that where a company listed in Annexes II or IIB registers a branch in another Member State, the register where the branch is being registered	5a. —Member States shall ensure that where a company listed in Annexes II or IIB registers a branch in another Member State, the register where the branch is being registered	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall retrieve through the system of interconnection of registers the documents and information about the company relevant for the procedure of registration available in the register of the Member State where that company is registered, and the company shall not be requested to provide those. The register may also retrieve the EU Company Certificate under Article 16b. Member States shall also apply this paragraph to any other forms of registration of branches than fully online.	shall retrieve through the system of interconnection of registers the documents and information about the company relevant for the procedure of registration available in the register of the Member State where that company is registered, and the company shall not be requested to provide those. The register may also retrieve the EU Company Certificate under Article 16b. Member States shall also apply this paragraph to any other forms of registration of branches than fully online. <u>Member States may nevertheless also use other means of communication, in parallel to using the system of interconnection of registers. Documents or information transmitted as part of electronic communication through the system of interconnection of registers shall not be denied legal effect or be considered inadmissible solely on the ground that they are in electronic form. They shall have the same legal value as that provided by the register of the Member State where the company in question is registered.</u>	shall is to retrieve by means of exchange of information through the system of interconnection of registers the documents and information about the company relevant for the procedure of registration available in the register of the Member State where that company is registered, and the company shall not be requested to provide those. The register may also retrieve the EU Company Certificate under Article 16b. The register of the Member States shall also apply this paragraph to any other forms of registration of branches than fully online where the branch is being registered may also directly access such information and documents which are available in the system of interconnection of registers via the portal, or in the national register of the company. The company shall not be requested to provide the information or documents.	
Article 2, first paragraph, point (32), amending provision, numbered paragraph (5a), second subparagraph				
334	Where any authority or person or body is mandated under national law to deal with any aspect of the	Where any authority or person or body is mandated under national law to deal with any aspect of the	Where any authority or person or body is mandated under national law to deal with any aspect of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	registration of a branch, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the branch is being registered shall provide the documents and information retrieved to that authority, person or body.;	registration of a branch, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the branch is being registered shall provide the documents and information retrieved to that authority, person or body.;	registration of a branch, and the documents and information referred to in the first subparagraph are needed for the performance of such tasks, the register of the Member State where the branch is being registered shall, upon request , provide the documents and information retrieved to that authority, person or body, unless this information is publicly available for free through the system of interconnection of registers. ;	

Article 2, first paragraph, point (33)

335	(33) in Article 28b(1), the first sentence is replaced by the following:	(33) in Article 28b(1), the first sentence is replaced by the following:	(33) in Article 28b(1), the first sentence is replaced by the following:	(33) in Article 28b(1), the first sentence is replaced by the following: Text Origin: Commission Proposal
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Article 2, first paragraph, point (33), amending provision, numbered paragraph (1)

336	1. Member States shall ensure that documents and information referred to in Article 30 or any modification thereof may be filed online in accordance with Article 15(2), points (a) and (b).;	1. Member States shall ensure that documents and information referred to in Article 30 or any modification thereof may be filed online in accordance with Article 15(2), points (a) and (b).;	1. Member States shall ensure that documents and information referred to in Article 30 or any modification thereof may be filed online in accordance with Article 15(2), points (a) and (b).;	1. Member States shall ensure that documents and information referred to in Article 30 or any modification thereof may be filed online in accordance with Article 15(2), points (a) and (b).;
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 2, first paragraph, point (34)				
337	(34) in Article 30(2), point (c) is deleted;	(34) in Article 30(2), point (c) is deleted;	(34) in Article 30(2), point (c) is deleted;	(34) in Article 30(2), point (c) is deleted; Text Origin: Commission Proposal
Article 2, first paragraph, point (35)				
338	(35) in Article 36, the following paragraphs are added:	(35) in Article 36, the following paragraphs are added:	(35) in Article 36, the following paragraphs are added:	(35) in Article 36, the following paragraphs are added: Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (3)				
339	3. The documents and information referred to in Article 37 shall be made publicly available through the system of interconnection of registers. Article 18 and Article 19(1) shall apply mutatis mutandis.	3. The documents and information referred to in Article 37 shall be made publicly available through the system of interconnection of registers. Article 18 and Article 19(1) shall apply mutatis mutandis.	3. The documents and information referred to in Article 37 shall be made publicly available through the system of interconnection of registers. Article 18 and Article 19(1) shall apply mutatis mutandis.	3. The documents and information referred to in Article 37 shall be made publicly available through the system of interconnection of registers. Article 18 and Article 19(1) shall apply mutatis mutandis. Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4)				
340	4. Member States shall ensure that	4. Member States shall ensure that	4. Member States shall ensure that	4. Member States shall ensure that

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	at least the following information and documents are available free of charge through the system of interconnection of registers:	at least the following information and documents are available free of charge through the system of interconnection of registers:	at least the following information and documents are available free of charge through the system of interconnection of registers:	at least the following information and documents are available free of charge through the system of interconnection of registers: Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (a)				
341	(a) the name of the company and the name of the branch if that is different from the name of the company;	(a) the name of the company and the name of the branch if that is different from the name of the company;	(a) the name of the company and the name of the branch if that is different from the name of the company;	(a) the name of the company and the name of the branch if that is different from the name of the company; Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (b)				
342	(b) the legal form of the company;	(b) the legal form of the company;	(b) the legal form of the company;	(b) the legal form of the company; Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (c)				
343	(c) the law of the State by which the company is governed;	(c) the law of the State by which the company is governed;	(c) the law of the State by which the company is governed;	(c) the law of the State by which the company is governed; Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (d)				
344				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(d) where that law so provides, the register in which the company is entered and the registration number of the company in that register;	(d) where that law so provides, the register in which the company is entered and the registration number of the company in that register;	(d) where that law so provides, the register in which the company is entered and the registration number of the company in that register;	(d) where that law so provides, the register in which the company is entered and the registration number of the company in that register; Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (e)				
345	(e) the address of the branch;	(e) the address of the branch;	(e) the address of the branch;	(e) the address of the branch; Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (f), first subparagraph				
346	(f) the particulars of the persons who are authorised to represent the company in dealings with third parties and in legal proceedings:	(f) the particulars of the persons who are authorised to represent the company in dealings with third parties and in legal proceedings:	(f) the particulars of the persons who are authorised to represent the company in dealings with third parties and in legal proceedings:	(f) the particulars of the persons who are authorised to represent the company in dealings with third parties and in legal proceedings: Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (f), first subparagraph, first indent				
347	- as a company organ constituted pursuant to law or as members of any such organ	- as a company organ constituted pursuant to law or as members of any such organ	- as a company organ constituted pursuant to law or as members of any such organ	- as a company organ constituted pursuant to law or as members of any such organ Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (f), first subparagraph, second indent				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
348	- as permanent representatives of the company for the activities of the branch.	- as permanent representatives of the company for the activities of the branch.	- as permanent representatives of the company for the activities of the branch.	- as permanent representatives of the company for the activities of the branch. Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (f), second subparagraph				
349	The extent of the powers of the persons authorised to represent the company shall be stated, as well as whether those persons may represent the company alone or are required to act jointly;	The extent of the powers of the persons authorised to represent the company shall be stated, as well as whether those persons may represent the company alone or are required to act jointly;	The extent of the powers of the persons authorised to represent the company shall be stated, as well as whether those persons may represent the company alone or are required to act jointly;	The extent of the powers of the persons authorised to represent the company shall be stated, as well as whether those persons may represent the company alone or are required to act jointly; Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (4), point (g)				
350	(g) the unique identifier of the branch in accordance with paragraph 5.	(g) the unique identifier of the branch in accordance with paragraph 5.	(g) the unique identifier of the branch in accordance with paragraph 5.	(g) the unique identifier of the branch in accordance with paragraph 5. Text Origin: Commission Proposal
Article 2, first paragraph, point (35), amending provision, numbered paragraph (5)				
351	5. Member States shall apply Article 29(4) mutatis mutandis to the branches of companies from third countries.;	5. Member States shall apply Article 29(4) mutatis mutandis to the branches of companies from third countries.;	5. Member States shall apply Article 29(4) mutatis mutandis to the branches of companies from third countries.;	5. Member States shall apply Article 29(4) mutatis mutandis to the branches of companies from third countries.;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 2, first paragraph, point (36)				
352	(36) Article 40 is replaced by the following:	(36) Article 40 is replaced by the following:	(36) Article 40 is replaced by the following:	(36) Article 40 is replaced by the following: Text Origin: Commission Proposal
Article 2, first paragraph, point (36), amending provision, first paragraph				
353	Article 40	Article 40	Article 40	Article 40 Text Origin: Commission Proposal
Article 2, first paragraph, point (36), amending provision, second paragraph				
354	Penalties	Penalties	Penalties	Penalties Text Origin: Commission Proposal
Article 2, first paragraph, point (36), amending provision, third paragraph				
355	Member States shall provide for effective, proportionate and dissuasive penalties in the event of failure to disclose the matters set out in Articles 29, 30, 31, 36, 37 and 38 and of omission from letters and	Member States shall provide for effective, proportionate and dissuasive penalties, <u>including pecuniary penalties</u> , in the event of failure to disclose the matters set out in Articles 29, 30, 31, 36, 37 and 38	Member States shall provide for effective, proportionate and dissuasive penalties in the event of failure to disclose the matters set out in Articles 29, 30, 31, 36, 37 and 38 and of omission from letters and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	order forms of the compulsory information provided for in Articles 35 and 39.	and of omission from letters and order forms of the compulsory information provided for in Articles 35 and 39.	order forms of the compulsory information provided for in Articles 35 and 39.	
Article 2, first paragraph, point (36), amending provision, fourth paragraph				
356	Member States shall take all the measures necessary to ensure that those penalties are enforced.	Member States shall take all the measures necessary to ensure that those penalties are enforced. <u>In determining their nature and appropriate level, due account shall be taken of the seriousness and duration of the infringement, of any previous infringements and of the company's turnover.</u>	Member States shall take all the measures necessary to ensure that those penalties are enforced.	
Article 2, first paragraph, point (37)				
357	(37) Annex IIB, as set out in the Annex to this Directive, is inserted.	(37) Annex IIB, as set out in the Annex to this Directive, is inserted.	(37) Annex IIB, as set out in the Annex to this Directive, is inserted.	(37) Annex IIB, as set out in the Annex to this Directive, is inserted. Text Origin: Commission Proposal
Article 3				
358	Article 3 Transposition	Article 3 Transposition	Article 3 Transposition	Article 3 Transposition Text Origin: Commission Proposal
Article 3(1), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
359	1. Member States shall adopt and publish, by [PO: the last day of the 24 th month after the date of entry into force of this amending Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	1. Member States shall adopt and publish, by [PO: the last day of the 24 th month after the date of entry into force of this amending Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	1. Member States shall adopt and publish, by [PO: <i>the last day of the 36th month after the date of entry into force of this amending Directive</i> the last day of the 24th month after the date of entry into force of this amending Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	
Article 3(1), second subparagraph				
360	They shall apply those provisions from [PO: the last day of the 30 th month after the date of entry into force of this amending Directive].	They shall apply those provisions from [PO: the last day of the 30 th month after the date of entry into force of this amending Directive].	They shall apply those provisions from [PO: <i>the last day of the 48th month after the date of entry into force of this amending Directive</i> the last day of the 30th month after the date of entry into force of this amending Directive].	
Article 3(1), third subparagraph				
361	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 3(2)				
362	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. Text Origin: Commission Proposal
Article 4				
363	Article 4 Reporting and review	Article 4 Reporting and review	Article 4 Reporting and review	Article 4 Reporting and review Text Origin: Commission Proposal
Article 4(1), first subparagraph				
364	1. The Commission shall, by [PO: the date five years after the end of the transposition period of this Directive], carry out an evaluation of this Directive and present a report on the findings to the European Parliament, to the Council and to the European Economic and Social Committee.	1. The Commission shall, by [PO: the date five years after the end of the transposition period of this Directive], carry out an evaluation of this Directive and present a report on the findings to the European Parliament, to the Council and to the European Economic and Social Committee.	1. The Commission shall, by [PO: the date five years after the end of the transposition period of this Directive], carry out an evaluation of this Directive and present a report on the findings to the European Parliament, to the Council and to the European Economic and Social Committee.	1. The Commission shall, by [PO: the date five years after the end of the transposition period of this Directive], carry out an evaluation of this Directive and present a report on the findings to the European Parliament, to the Council and to the European Economic and Social Committee. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 4(1), second subparagraph				
365	Member States shall provide the Commission with the information necessary for the preparation of the report, in particular by providing data related to paragraph 2.	Member States shall provide the Commission with the information necessary for the preparation of the report, in particular by providing data related to paragraph 2.	Member States shall provide the Commission with the information necessary for the preparation of the report, in particular by providing data related to paragraph 2.	Member States shall provide the Commission with the information necessary for the preparation of the report, in particular by providing data related to paragraph 2. Text Origin: Commission Proposal
Article 4(2)				
366	2. The report of the Commission shall evaluate, amongst others, the following:	2. The report of the Commission shall evaluate, amongst others, the following:	2. The report of the Commission shall evaluate, amongst others, the following:	2. The report of the Commission shall evaluate, amongst others, the following: Text Origin: Commission Proposal
Article 4(2), point (a)				
367	(a) the practical experience with the use of the EU Company Certificate;	(a) the practical experience with the use of the EU Company Certificate;	(a) the practical experience with the use of the EU Company Certificate;	(a) the practical experience with the use of the EU Company Certificate; Text Origin: Commission Proposal
Article 4(2), point (b)				
368	(b) the practical experience with the use of Digital EU power of attorney;	(b) the practical experience with the use of Digital EU power of attorney;	(b) the practical experience with the use of Digital EU power of attorney;	(b) the practical experience with the use of Digital EU power of attorney;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 4(2), point (c)				
369	(c) the practical experience with the reduction of formalities in cross-border situations for companies.	(c) the practical experience with the reduction of formalities in cross-border situations for companies.	(c) the practical experience with the reduction of formalities in cross-border situations for companies.	(c) the practical experience with the reduction of formalities in cross-border situations for companies. Text Origin: Commission Proposal
Article 4(3)				
370	3. The Commission shall also assess	3. The Commission shall also assess	3. The Commission shall also assess	3. The Commission shall also assess Text Origin: Commission Proposal
Article 4(3), point (a)				
371	(a) the potential for cross-sector interoperability between the system of interconnection of business registers and other systems providing mechanisms for cooperation between competent authorities;	(a) the potential for cross-sector interoperability between the system of interconnection of business registers and other systems providing mechanisms for cooperation between competent authorities;	(a) the potential for cross-sector interoperability between the system of interconnection of business registers and other systems providing mechanisms for cooperation between competent authorities;	(a) the potential for cross-sector interoperability between the system of interconnection of business registers and other systems providing mechanisms for cooperation between competent authorities; Text Origin: Commission Proposal
Article 4(3), point (b)				
372	(b) whether additional measures are	(b) whether additional measures are	(b) whether additional measures are	(b) whether additional measures are

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	needed to fully address the needs of persons with disabilities when they access company information provided by the business registers.	needed to fully address the needs of persons with disabilities when they access company information provided by the business registers.	needed to fully address the needs of persons with disabilities when they access company information provided by the business registers.	needed to fully address the needs of persons with disabilities when they access company information provided by the business registers. Text Origin: Commission Proposal
Article 4(3), point (ba)				
372a		<u>(ba) factors that promote or dissuade the use of digital tools and processes in company law</u>		
Article 4(4)				
373	4. The report shall be accompanied, if appropriate, by a proposal for further amendment of Directive (EU) 2017/1132.	4. The report shall be accompanied, if appropriate, by a proposal for further amendment of Directive (EU) 2017/1132.	4. The report shall be accompanied, if appropriate, by a proposal for further amendment of Directive (EU) 2017/1132.	4. The report shall be accompanied, if appropriate, by a proposal for further amendment of Directive (EU) 2017/1132. Text Origin: Commission Proposal
Article 5				
374	Article 5 Entry into force	Article 5 Entry into force	Article 5 Entry into force	Article 5 Entry into force Text Origin: Commission Proposal
Article 5, first paragraph				
375	This Directive shall enter into force	This Directive shall enter into force	This Directive shall enter into force	This Directive shall enter into force

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	on the twentieth day following that of its publication in the Official Journal of the European Union.	on the twentieth day following that of its publication in the Official Journal of the European Union.	on the twentieth day following that of its publication in the Official Journal of the European Union.	on the twentieth day following that of its publication in the Official Journal of the European Union. Text Origin: Commission Proposal
Article 6				
376	Article 6 Addressees	Article 6 Addressees	Article 6 Addressees	Article 6 Addressees Text Origin: Commission Proposal
Article 6, first paragraph				
377	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States. Text Origin: Commission Proposal
Formula				
378	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels, Text Origin: Commission Proposal
Formula				
379	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Formula			
380	The President	The President	The President	The President Text Origin: Commission Proposal
	Formula			
381	For the Council	For the Council	For the Council	For the Council Text Origin: Commission Proposal
	Formula			
382	The President	The President	The President	The President Text Origin: Commission Proposal
	Annex			
383	Annex	Annex	Annex	Annex Text Origin: Commission Proposal
	Annex, amending provision, first subparagraph			
384	‘ ANNEX IIB	‘ ANNEX IIB	‘ ANNEX IIB	‘ ANNEX IIB Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Annex, amending provision, second subparagraph				
385	TYPES OF COMPANIES REFERRED TO IN ARTICLES 7, 10, 13, 13f, 13g, 13j, 14a, 15, 16, 16b, 16c, 18, 19a, 26 and 28a	TYPES OF COMPANIES REFERRED TO IN ARTICLES 7, 10, 13, 13f, 13g, 13j, 14a, 15, 16, 16b, 16c, 18, 19a, 26 and 28a	TYPES OF COMPANIES REFERRED TO IN ARTICLES 7, 10, 13, 13f, 13g, 13j, 13k , 14a, 15, 16, 16b, 16c, 18, 19a, 26 and 28a	TYPES OF COMPANIES REFERRED TO IN ARTICLES 7, 10, 13, 13f, 13g, 13j, 13k , 14a, 15, 16, 16b, 16c, 18, 19a, 26 and 28a Text Origin: Council Mandate
Annex, amending provision, Table 1, Column 1, Row 1				
386	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 2				
387	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 3				
388	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 4				
389				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 5				
G 390	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 6				
G 391	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 7				
G 392	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 8				
G 393	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 9				
G 394				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 10				
G 395	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 11				
G 396	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 12				
G 397	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 13				
G 398	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 14				
G 399				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 15				
G 400	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 16				
G 401	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 17				
G 402	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 18				
G 403	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 19				
G 404				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 20				
G 405	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 21				
G 406	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 22				
G 407	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 23				
G 408	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 24				
G 409				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 25				
G 410	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 26				
G 411	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 1, Row 27				
G 412	—	—	—	— Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 2, Row 2				
G 413	Bulgaria: събирателно дружество, командитно дружество;	Bulgaria: събирателно дружество, командитно дружество;	Bulgaria: събирателно дружество, командитно дружество;	Bulgaria: събирателно дружество, командитно дружество; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex, amending provision, Table 1, Column 2, Row 3				
G 414	Czechia: veřejná obchodní společnost, komanditní společnost;	Czechia: veřejná obchodní společnost, komanditní společnost;	Czechia: veřejná obchodní společnost, komanditní společnost;	Czechia: veřejná obchodní společnost, komanditní společnost; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 2, Row 13				
G 415	Cyprus: ομόρρυθμος ευνεταιρισμός, ετερόρρυθμος ευνεταιρισμός;	Cyprus: ομόρρυθμος ευνεταιρισμός, ετερόρρυθμος ευνεταιρισμός;	Cyprus: ομόρρυθμος ευνεταιρισμός, ετερόρρυθμος ευνεταιρισμός;	Cyprus: ομόρρυθμος ευνεταιρισμός, ετερόρρυθμος ευνεταιρισμός; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 1				
G 416	Belgium: société en nom collectif/ vennootschap onder firma, société en commandite/ commanditaire vennootschap;	Belgium: société en nom collectif/ vennootschap onder firma, société en commandite/ commanditaire vennootschap;	Belgium: société en nom collectif/ vennootschap onder firma, société en commandite/ commanditaire vennootschap;	Belgium: société en nom collectif/ vennootschap onder firma, société en commandite/ commanditaire vennootschap; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 4				
G 417				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Denmark: interessentskab, kommanditselskab;	Denmark: interessentskab, kommanditselskab;	Denmark: interessentskab, kommanditselskab;	Denmark: interessentskab, kommanditselskab; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 5				
418	Germany: offene Handelsgesellschaft, kommanditgesellschaft;	Germany: offene Handelsgesellschaft, kommanditgesellschaft;	Germany: offene Handelsgesellschaft, Kommanditgesellschaft;	Germany: offene Handelsgesellschaft, Kommanditgesellschaft; Text Origin: Council Mandate
Annex, amending provision, Table 1, Column 3, Row 6				
419	Estonia: täisühing, usaldusühing;	Estonia: täisühing, usaldusühing;	Estonia: täisühing, usaldusühing;	Estonia: täisühing, usaldusühing; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 7				
420	Ireland: comhpháirtíochtaí teoranta;	Ireland: comhpháirtíochtaí teoranta;	Ireland: comhpháirtíochtaí teoranta;	Ireland: comhpháirtíochtaí teoranta; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 8				
421				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Greece: ομόρρυθμη εταιρεία, ετερόρρυθμη εταιρεία;	Greece: ομόρρυθμη εταιρεία, ετερόρρυθμη εταιρεία;	Greece: ομόρρυθμη εταιρεία, ετερόρρυθμη εταιρεία;	Greece: ομόρρυθμη εταιρεία, ετερόρρυθμη εταιρεία; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 9				
422	Spain: sociedad colectiva, sociedad comanditaria simple;	Spain: sociedad colectiva, sociedad comanditaria simple;	Spain: sociedad colectiva, sociedad comanditaria simple;	Spain: sociedad colectiva, sociedad comanditaria simple; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 10				
423	France: société en nom collectif, société en commandite simple;	France: société en nom collectif, société en commandite simple;	France: société en nom collectif, société en commandite simple;	France: société en nom collectif, société en commandite simple; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 11				
424	Croatia: javno trgovačko društvo, komanditno društvo;	Croatia: javno trgovačko društvo, komanditno društvo;	Croatia: javno trgovačko društvo, komanditno društvo;	Croatia: javno trgovačko društvo, komanditno društvo; Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Annex, amending provision, Table 1, Column 3, Row 12				
425	Italy: società in nome collettivo, società in accomandita semplice;	Italy: società in nome collettivo, società in accomandita semplice;	Italy: società in nome collettivo, società in accomandita semplice;	Italy: società in nome collettivo, società in accomandita semplice; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 14				
426	Latvia: pilnsabiedrība, komanditsabiedrība;	Latvia: pilnsabiedrība, komanditsabiedrība;	Latvia: pilnsabiedrība, komanditsabiedrība;	Latvia: pilnsabiedrība, komanditsabiedrība; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 15				
427	Lithuania: tikroji ūkinė bendrija, komanditinė ūkinė bendrija;	Lithuania: tikroji ūkinė bendrija, komanditinė ūkinė bendrija;	Lithuania: tikroji ūkinė bendrija, komanditinė ūkinė bendrija;	Lithuania: tikroji ūkinė bendrija, komanditinė ūkinė bendrija; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 16				
428	Luxembourg:	Luxembourg:	Luxembourg:	Luxembourg:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	société en nom collectif, société en commandite simple;	société en nom collectif, société en commandite simple;	société en nom collectif, société en commandite simple;	société en nom collectif, société en commandite simple; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 17				
429	Hungary: közkereseti társaság, betéti társaság;	Hungary: közkereseti társaság, betéti társaság;	Hungary: közkereseti társaság, betéti társaság;	Hungary: közkereseti társaság, betéti társaság; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 18				
430	Malta: soċjetà f'isem kollettiv/partnership en nom collectif, soċjetà in akkomandita/partnership en commandite;	Malta: soċjetà f'isem kollettiv/partnership en nom collectif, soċjetà in akkomandita/partnership en commandite;	Malta: soċjetà f'isem kollettiv/partnership en nom collectif, soċjetà in akkomandita/partnership en commandite;	Malta: soċjetà f'isem kollettiv/partnership en nom collectif, soċjetà in akkomandita/partnership en commandite; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 19				
431	Netherlands: vennootschap onder firma, commanditaire vennootschap ;	Netherlands: vennootschap onder firma, commanditaire vennootschap ;	Netherlands: vennootschap onder firma, commanditaire vennootschap ;	Netherlands: vennootschap onder firma, commanditaire vennootschap ; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Annex, amending provision, Table 1, Column 3, Row 20			
G	432 Austria: offene gesellschaft, kommanditgesellschaft;	Austria: offene gesellschaft, kommanditgesellschaft;	Austria: offene Gesellschaft, Kommanditgesellschaft;	Austria: offene Gesellschaft, Kommanditgesellschaft; Text Origin: Council Mandate
	Annex, amending provision, Table 1, Column 3, Row 21			
G	433 Poland: spółka jawna, spółka komandytowa;	Poland: spółka jawna, spółka komandytowa;	Poland: spółka jawna, spółka komandytowa;	Poland: spółka jawna, spółka komandytowa; Text Origin: Commission Proposal
	Annex, amending provision, Table 1, Column 3, Row 22			
G	434 Portugal: sociedade em nome coletivo, sociedade em comandita simples;	Portugal: sociedade em nome coletivo, sociedade em comandita simples;	Portugal: sociedade em nome coletivo, sociedade em comandita simples;	Portugal: sociedade em nome coletivo, sociedade em comandita simples; Text Origin: Commission Proposal
	Annex, amending provision, Table 1, Column 3, Row 23			
G	435 Romania: societatea in nume colectiv,	Romania: societatea in nume colectiv,	Romania: societatea in nume colectiv,	Romania: societatea in nume colectiv,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	societatea in comandita simpla;	societatea in comandita simpla;	societatea in comandita simpla;	societatea in comandita simpla; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 24				
436	Slovenia: družba z neomejeno odgovornostjo, komanditna družba;	Slovenia: družba z neomejeno odgovornostjo, komanditna družba;	Slovenia: družba z neomejeno odgovornostjo, komanditna družba;	Slovenia: družba z neomejeno odgovornostjo, komanditna družba; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 25				
437	Slovakia: verejná obchodná spoločnosť, komanditná spoločnosť;	Slovakia: verejná obchodná spoločnosť, komanditná spoločnosť;	Slovakia: verejná obchodná spoločnosť, komanditná spoločnosť;	Slovakia: verejná obchodná spoločnosť, komanditná spoločnosť; Text Origin: Commission Proposal
Annex, amending provision, Table 1, Column 3, Row 26				
438	Finland: avoinyhtiö, kommandiittiyhtiö;	Finland: avoinyhtiö, kommandiittiyhtiö;	Finland: avoinyhtiö avoin yhtiö , kommandiittiyhtiö;	Finland: avoinyhtiö avoin yhtiö , kommandiittiyhtiö; Text Origin: Council Mandate
Annex, amending provision, Table 1, Column 3, Row 27				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 439	Sweden: handelsbolag, enkelt bolag.	Sweden: handelsbolag, enkelt bolag.	Sweden: handelsbolag, enkelt bolagkommanditbolag.	Sweden: handelsbolag, enkelt bolag kommanditbolag. Text Origin: Council Mandate
Annex, amending provision, third subparagraph				
G 440	“ ”	“ ”	“ ”	“ ” Text Origin: Commission Proposal