Council of the European Union
General Secretariat

PUBLIC

Brussels, 19 May 2025

WK 6632/2025 INIT

LIMITE

COMPET
DRS
JAI

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Company Law
Subject:	Commission presentation at the Company Law Working party of 16 May 2025

Delegations may find attached the presentation made by the Commission at the Company Law Working Party of 16 May 2025.



Proposal for a Directive on European cross-border Associations

DG GROW

CWP Company Law 16 May 2025

European Commission

Questions from Member States

PUBLIC

(1) What constitutes “public funding” under article 13? What subsidies would ECBAs have access to?

(2) If the law in one Member State permits the acquisition of public benefit status, is it necessary to provide this option for an ECBA established in another Member State?

(3) Barriers that associations encounter when they engage or want to engage in cross-border activities. Number of associations concerned.

Questions from Member States

PUBLIC

(4) Which legislative option would take away the barriers encountered by non-profit associations?

(5) Risks of huge practical impact on administrative and supervisory authorities, in particular of the need of a new register and of certification.

(6) Clarification of the position and role of the competent authorities and the possibility for Member States to assign new tasks to different existing bodies.

Questions from Member States

PUBLIC

(7) (Indirect) implications for existing national association law.

(8) The possibility for Member States to retain safeguards laid down in national association law, such as the establishment through a civil law notary.

(9) How can Member States implement security measures if the Proposal prohibits them from dissolving an ECBA that is operating within the Member State but is registered elsewhere under article 25?

Questions from Member States

PUBLIC

(10) The risk of the reconstitution of a dissolved ECBAs in other Member States.

(11) Could third-country nationals set up an ECBA and use it for foreign influence and interference purposes?

(12) What restrictions can be imposed on persons who are known to the security services but do not yet have any conviction?

Questions from Member States

PUBLIC

(13) ECBAs could pose a risk by limiting the information at the disposal of Member States due to the absence of the obligation to register (if the ECBA is already registered elsewhere).

(14) If an educational facility uses the ECBA status, it will become impossible for a Member State other than the one in which the ECBA is registered to carry out checks and close schools.

(15) The threat level from non-profit associations for anti-money laundering and terrorist financing can be very high in some Member States.

PUBLIC

Thank you



© European Union 2025

Unless otherwise noted the reuse of this presentation is authorised under the CC BY 4.0 license. For any use or reproduction of elements that are not owned by the EU, permission may need to be sought directly from the respective right holders.