



COMMENTS AND SUGGESTIONS OF THE “ASOCIACION MULTISECTORIAL DE LA INFORMACION” ON THE PROPOSALS OF THE DOCUMENTS "GREEN PAPER, THE INTERCONNECTION OF BUSINESS REGISTERS. {SEC (2009) 1492} and "PROGRESS REPORT {COM (2009) 614 END} PROVIDED BY THE COMMISSION OF THE EUROPEAN COMMUNITIES.

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INTRODUCTION

The purpose of this document is to analyze, assess and inform about the contributions carried out by the members of it ASEDIE, to the proposals outlined in the documents Green Paper and Progress Report, presented by the European Commission on the Connection of the Mercantile Registrations of the countries, members of the UE.

VALUATIONS

In general lines, we consider that the interconnection of the different Registrations of Societies of the countries of the Union, is beneficial from the perspective of financial transparency, efficiency in the mergers / acquisitions processes and agility in the resolution of international legal processes

For it, it is indispensable the cooperation among the different mercantile registrations of the European Union so that it is available a platform that allows the obtaining of a registration common to European level.

Anyway, we informed from our sectorial perspective, that this initiative could create a conflict of interests with our activity and therefore, it should be kept in mind the possibility of generating a negative impact that could have in our sector the fact that the information for the creation of an unique Registration could be facilitated to the final addressees, enters in competition with the products of mercantile information of the companies of our sector.

However and despite of the potential conflicts that could arise for the privileged position that the Public Administration has about the information contained in the Registrations, we consider that there are more advantages than inconveniences and this initiative contributes to facilitate the access to the mercantile and financial information of all the states members.

After all above said, we outline the following suggestions after the analysis carried out on the suitable documents:

- “On the current systems, and although the initiative IMI (Internal Market Information System) it has been adopted by all the states members, or the big results obtained with EBR (European Business Register) that allows the automatic transmission of data, the option of progress it is through BRITE (Business Register Interoperability Throughout Europe) since it seems more adapted to the objective that is pursued. For that reason, we believe it necessary that BRITE, as an investigation project, make progress to become a functional, homogeneous reality and of total participation, once the results of their period of test are valued. Anyway, we believe that it would be valid to advance on any of the systems whenever the ideas, suggestions and restlessness that we mentioned, are contemplated. Also, as mentioned in the Half Term project, we should also obtain an incorporation with the portal e-Justice. This way, we find very positive that under a unique European badge of a society, we could obtain the data of Registration, Financial statements and Data of judicial files.
- “Anyway, the final system that would be decided to develop, we believe that it is necessary to adopt a unique badge, similar to REID, Unique Company Identification, resultant of the project BRITE, so that the identification of the societies would be univocal.
- “On the other hand, it would be convenient that this project would link with the community project of standardization of the financial statement’s formats so that the information, through the idea of a unique Registration, would be easily comparable among different countries. This way, we will obtain a European registration with the same data regardless of the country, with the cost saving that would mean for the companies in our sector.
- “We find very necessary, as explained in the Green Paper, the establishment of a juridical frame, for the cooperation regarding the foreign branches.
- “From the point of view of our sector, it would be important to get an output of the information requested in an easily reusable format. Also, this output should be concise in its format, structure and information for the final user, so that it can check the added value that the companies of our sector offer to the market.
- “We propose that the access system could be managed through the unique Registration, assuring that the technical conditions are the same for any interested that access, regardless of the country from which access, and that the mentioned access would allow to obtain in real time, the most up-to-date information.

- “It would be desirable that the final solution would make possible that the information could be available to download and process by the companies of the sector in an automated way, so that allows the integration of the information in a sure, truthful and quick way.
- “Regarding the technical maintenance of the information, we find convenient the existence of a unique centralized server in order to accede to the information.
- “We find necessary to create an organism of resolution of conflicts, that would be governed by an established procedure, capable enough to solve and to execute the decisions.
- To end up, for the rating aspects for the access to the information, we suggest to keep in mind the existent initiatives on the PSI it re-uses (Directive 2003/98/CE) and its evolution, with the participation of the agents implied as ASEDIE (Asociación Multisectorial de la Información).