

Recent developments in the EU and relevant areas for the legal work of the ECRF
by Dörthe Koerner

1) Recent developments in the EU

a) European Company Statute

- i) Presentation
- ii) Current status
 - (1) Council Regulation (EC) 2157/2001 on company rules
 - (2) Council Directive 2001/86 EC on worker involvement
- iii) Implications for commerce registers
 - (1) Regulatory background
 - (a) Council Regulation (EC) 2157/2001 Article 13 and 14
 - (b) Council Regulation (EC) 2157/2001 Art 8
 - (2) Practical consequences

b) Amendments to the first company directive on disclosure and publication

- i) Current status
Commission draft proposal
- ii) Possible amendments
 - (1) Electronic registers
 - (2) Electronic filing by companies
 - (3) Conversion of existing documents of the past
 - (4) Obtaining company information
 - (5) Publication
 - (6) Language
 - (7) Mandatory information by the companies
- iii) Implications for commerce registers

c) Modernising company law

- i) Current status
Consultative document of the Group of High Level Company Law Experts and online consultation. Deadline for comments: 21st June 2002.
Document available at:
http://europa.eu.int/comm/internal_market/en/company/company/modern/index.htm
- ii) Items under discussion
 - (1) General Themes
 - (a) Facilitating efficient and competitive business in Europe
 - (b) Modern company law making
 - (c) Disclosure of information as a regulatory tool
 - (d) Distinguishing types of companies
 - (e) Increased flexibility vs. tightening of rules
 - (f) Modern technology
 - (2) Specific Topics
 - (3) Implications for commerce registers

2) Relevant areas for the legal work of the ECRF

- a) Information
- b) Influencing lawmaking