

Message 001

Communication from the Commission - TRIS/(2026) 2508

Directive (EU) 2015/1535

Notification: 2026/0487/DE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20262508.EN

1. MSG 001 IND 2026 0487 DE EN 08-09-2026 DE NOTIF

2. Germany

3A. Bundesministerium für Wirtschaft und Energie, Referat EB3

3B. Behörde für Justiz und Verbraucherschutz, Zentralamt, Abteilung Z3 IT und Digitalisierung, Programm E-Justice

4. 2026/0487/DE - SERV10 - Electronic signature

5. Regulation amending the Hamburg Insolvency Table Regulation [Insolvenztabellenverordnung] and the Regulation on Electronic Legal Transactions [Verordnung über den elektronischen Rechtsverkehr] in Hamburg

6. Electronic submission of documents to the land registry offices and the insolvency court in Hamburg, as well as the electronic maintenance of insolvency tables

7.

8. This amending regulation clarifies and reorganises the permitted method of electronic transmission and the technical requirements for such transmission:

- Special provisions relating to the tables under the Insolvency Code (permitted file formats and the requirement that submissions must be made directly to the electronic mailbox of the insolvency court) are to be removed from the Regulation on Electronic Legal Transactions in Hamburg (ERVV HA 2025) and incorporated into the Hamburg Insolvency Table Regulation (HmbInsTabVO)
- Submission of a TAB format is no longer allowed
- The electronic submission of insolvency tables has become mandatory
- Notaries may also submit certain documents as structured machine-readable records in XML format or with an accompanying XML record. At present, only PDF or TIFF format submissions are permitted.

9. - The transfer of the provisions relating to insolvency tables is being carried out for reasons of systematic coherence.

- The TAB format is outdated and no longer maintained. Therefore, submission is no longer to be permitted.
- Pursuant to the Act on the Digitalisation of the Execution of Real Estate Transactions [Gesetz zur Digitalisierung des Vollzugs von Immobilienverträgen], the Judicial Approvals of Notarial Legal Acts [gerichtlichen Genehmigungen von notariellen Rechtsgeschäften] and the Tax Notifications of Notaries of 22 June 2026 (eNoVA Act) [steuerlichen Anzeigen der Notare vom 22. Juni 2026], public authorities are, from 1 January 2027, as a result of amendments to the Federal Building Code and the Federal Electronic Legal Transactions Regulation, obliged to transmit certain documents to notaries exclusively in XML format. The amendment to the ERVV HA 2025 is intended to enable notaries to submit these documents to the land registry offices in their original format. The amendments introduced by the eNoVA Act also mean that certain court documents under the FamFG will in future have to be transmitted to the notaries with an accompanying XML record.

9a. The proposed amendments are appropriate for achieving the objectives of secure and seamless electronic communication with the courts and public prosecutors' offices within the Hamburg judiciary. The regulations relating to the insolvency tables are transferred for reasons of systematic coherence. Since the previous TAB format is outdated and is no longer maintained, the exclusion of this format ensures the use of current electronic formats.

As a result of the adjustments made under the eNoVA Act, media discontinuities, additional conversions and associated transmission and error sources are avoided.

The measure pursues the public interest in a secure, efficient and uniform electronic legal transaction in a consistent and systematic manner. In particular, it implements the legal requirements of the eNoVA Act and contributes to the standardization and sustainability of electronic communications.

9b. The amending regulation is necessary to ensure secure, uniform and sustainable electronic legal transactions. It relates exclusively to the technical formats for the electronic transmission and submission of documents and does not constitute a restriction on the movement of goods or the cross-border provision of services. The impact on the internal market is therefore minor at most.

The amendments are necessary to adapt existing rules to the new technical requirements of the eNoVA Act, to enable the legally secure submission of electronic documents in XML or original format, and to exclude the future use of outdated formats such as the TAB format.

In particular, the following less restrictive alternatives were examined: retaining the outdated TAB format, or continuing to allow its parallel use, and converting the documents that will in future be transmitted in XML format. These alternatives were rejected as the TAB format is no longer maintained and conversion of the XML documents would create additional media discontinuities and technical sources of error.

The amending regulation is therefore limited to what is technically necessary and represents the least restrictive appropriate solution.

9c. The amending regulation is proportionate to the public interest objectives pursued. The regulations relating to the insolvency tables are transferred for reasons of systematic coherence. Replacement of the outdated and no longer maintained TAB format is intended to ensure that electronic legal communications remain functional and up to date in the long term.

The effects associated with the replacement of the TAB format are also foreseeable and reasonable for the target group affected (insolvency practitioners). In recent years, the current ITR format was already available alongside the TAB format. In addition, the forthcoming exclusion of the TAB format has been mentioned in the internet notice for approximately one year. Discontinuation of the TAB format is therefore unsurprising for the users concerned and enables them to adapt their workflows in a timely manner.

The amendment to the ERVV HA 2025 is intended to implement the XML-based transmission of certain documents, as stipulated by the eNoVA Act, with effect from 1 January 2027. The proposed amendments enable further processing of the documents without media discontinuity.

The burdens associated with the proposed amendments are minor compared with the benefits they bring in terms of the effectiveness and legal certainty of electronic legal transactions. This also applies to the discontinuation of the TAB format, as an alternative format has been available to the users affected for some time now and the forthcoming change was announced well in advance. No significant adverse effect on the internal market is expected. The amending regulation does not pursue any traderestrictive objectives but serves the purposes of technical standardisation and the implementation of statutory obligations.

10. Reference to the basic texts: Basic texts have been forwarded under a previous notification:  
2024/0593/DE

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

Contact point Directive (EU) 2015/1535

email: [grow-dir2015-1535-central@ec.europa.eu](mailto:grow-dir2015-1535-central@ec.europa.eu)