

Message 001

Communication from the Commission - TRIS/(2026) 0183

Directive (EU) 2015/1535

Notification: 2026/0017/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 - Nezahtuje 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 - Atidējimai 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: 20260183.EN

1. MSG 001 IND 2026 0017 DE EN 19-01-2026 DE NOTIF

2. Germany

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4. 2026/0017/DE - SERV60 - Internet services

5. Law to expand online notarial procedures in company and registry law, on the digitalisation of the certificate of good conduct and on the extension of the application period for applications for military rehabilitation and compensation

6. Notarial procedures for online certifications and online notarisations

7.

8. The Law expands the provisions of the Act implementing the Digitalisation Directive of 5 July 2021 (Federal Law Gazette [BGBl.] I p. 3338), which came into force on 1 August 2022 and transposes the provisions of 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), as well as the provisions of the Act supplementing the provisions implementing the Digitalisation Directive and amending other provisions of 15 July 2022 (BGBl. I p. 1146), which came into force for the most part on 1 August 2023.

The draft law to expand online notarial procedures in company and registry law, the digitalisation of certificates of good conduct and the extension of the application deadline for applications for rehabilitation and compensation under military law provides for the scope of application of the notarial procedure for online certification to be extended to the formation of public limited liability companies and limited partnerships, resolutions on the reasons for appointing the first supervisory board and the registered auditor for the first full and short fiscal year, powers of attorney for registration in the commercial, company and partnership registers, powers of attorney for voting at shareholders' meetings of limited liability companies and powers of attorney for submitting declarations to acquire a share in a limited liability company, as well as online certification of applications for entry in the foundation registry.

9. It seems appropriate to provide equal treatment for public limited liability companies and limited liability companies, the latter of which are already covered by online notarial procedures. This is due to the fact that the situation regarding the formation of public limited liability companies is generally as straightforward as that for limited liability companies in terms of structure and the number of founders. The inclusion of various powers of attorney appears necessary, as it facilitates the implementation of corporate law measures, in particular registry entries, by means of online notarial procedures. As part of this expansion, it is also necessary to include applications for the future register of foundations in the online certification procedure.

The expansion of online notarial procedures is being carried out in strict compliance with the high standards introduced by the Act Implementing the Digitalisation Directive of 5 July 2021. Notarisation is carried out by means of video communication exclusively via the video communication system of the German Federal Chamber of Notaries, which operates this system in fulfilment of its duties as a public-law corporation by way of indirect state administration.

10. Reference to the basic texts: Basic texts have been forwarded under a previous notification:
2022/0193/EN

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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