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ANNEX

ANNEX

to the

COMMISSION IMPLEMENTING REGULATION (EU) .../...

laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2020/2244

DRAFT

Due to reasons of legal technique, the draft Implementing Regulation replicates unchanged the text of the Commission Implementing Regulation (EU) 2020/2244 and adds the new elements required by Directive (EU) 2019/2121. Upon adoption of the new Implementing Regulation, the existing BRIS Implementing Regulation will be repealed.

To facilitate the analysis of the draft, in the Annex to the draft Implementing Regulation, the original text of the Annex of the BRIS Implementing Regulation is in italics, new elements are in bold. Feedback is invited to focus on those new elements.

ANNEX

Technical specifications and procedures

Where reference is made in this Annex to ‘registers’, it is to be understood as ‘central, commercial and companies registers’.

The system of interconnection of registers is in this Annex referred to as the ‘Business Registers Interconnection System (BRIS)’.

1. Methods of communication

BRIS shall use service-based methods of electronic communication, such as Web-services, for the purpose of interconnection of registers.

The communication between the portal and the platform, and between a register and the platform, shall be one-to-one communication. The communication from the platform to the registers may be one-to-one or one-to-many.

2. Communication protocols

Secure internet protocols, such as Hypertext Transfer Protocol Secure (HTTPS), shall be used for the communication between the portal, the platform, the registers and the optional access points.

Standard communication protocols, such as Simple Object Access Protocol (SOAP), shall be used for the transmission of structured data and metadata.

3. Security standards

For the communication and distribution of information via BRIS, the technical measures for ensuring minimum information technology security standards shall include:

- (a) measures to ensure confidentiality of information, including by using secure channels (HTTPS);*
- (b) measures to ensure the integrity of data while being exchanged;*
- (c) measures to ensure the non-repudiation of origin of the sender of information within BRIS and the non-repudiation of receipt of information;*
- (d) measures to ensure logging of security events in line with recognized international recommendations for information technology security standards;*

(e) measures to ensure the authentication and authorisation of any registered users and measures to verify the identity of systems connected to the portal, the platform or the registers within BRIS.

4. Methods of exchange of information between the register of the company and the register of the branch

4.1 Branch disclosure notification

The following method shall be used for the exchange of information between the register of the company and the register of the branch in accordance with Articles 20 and 34 of Directive (EU) 2017/1132:

- (a) The register of the company shall make available, without delay, to the platform the information on the opening and termination of any winding-up or insolvency proceedings and on the striking-off of the company ('disclosed information');
- (b) To ensure receipt without delay of the disclosed information, the register of the branch shall request that information from the platform. That request may consist of indicating to the platform the companies on which the register of the branch is interested to receive disclosed information;
- (c) Upon that request, the platform shall ensure that the register of the branch has access to the disclosed information without delay.

4.2 Branch registration notification

The following method shall be used for the exchange of information between the register of the branch and the register of the company in accordance with Article 28a of Directive (EU) 2017/1132:

- a) The register of the branch shall send a message, without delay, through BRIS to the register of the company ('branch registration notification');
- b) Upon receipt of the notification, the register of the company shall, without delay, send a message acknowledging the receipt of the notification ('acknowledgement of receipt of branch registration notification').

4.3 Branch closure notification

The following method shall be used for the exchange of information between the register of the branch and the register of the company in accordance with Article 28c of Directive (EU) 2017/1132:

- a) The register of the branch shall send a message, without delay, through BRIS to the register of the company ('branch closure notification');
- b) Upon receipt of the notification, the register of the company shall, without delay, send a message acknowledging the receipt of the notification ('acknowledgement of receipt of branch closure notification').

4.4. Notification on changes to documents and information about the company

The following method shall be used for the exchange of information between the register of the company and the register of the branch in accordance with Article 30a of Directive (EU) 2017/1132:

- a) The register of the company shall make available, without delay, to the platform the information on changes to documents and information about the company ('disclosed information'). The message format shall make it possible to include attachments;

b) To ensure receipt without delay of the disclosed information, the register of the branch shall request that information from the platform. That request may consist of indicating to the platform the companies on which the register of the branch is interested to receive disclosed information:

(c) Upon that request, the platform shall ensure that the register of the branch has access to the disclosed information without delay.

(d) Upon receipt of the disclosed information, the register of the branch shall, without delay, send a message acknowledging the receipt of the notification ('acknowledgement of receipt on the notification on changes to documents and information of the company').

4.5. Communication errors

Appropriate technical measures and procedures shall be in place to handle any communication error between the register and the platform.

5. List of data to be exchanged between registers

5.1. Branch disclosure notification

For the purposes of this Annex, the exchange of information between registers set out in Articles 20 and 34 of Directive (EU) 2017/1132 shall be referred to as 'branch disclosure notification'. The proceeding triggering that notification shall be referred to as 'branch disclosure event'.

For each branch disclosure notification referred to in point 4.1, Member States shall exchange the following data:

Data type	Description	Cardinality(1)	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Proceeding-related data		1	Group of Elements
Effective Date	Date when the proceeding affecting the company has	1	Date

	come into effect		
<i>Proceeding Type</i>	Type of proceeding leading to a branch disclosure event as referred to in Article 20 of Directive 2017/1132/EC	1	Code (Winding-up Opening Winding-up Termination Winding-up Opening and Termination Winding-up Revocation Insolvency Opening Insolvency Termination Insolvency Opening and Termination Insolvency Revocation Striking-off)
<i>Company data</i>		1	Group of Elements
<i>EUID</i>	Unique identifier of the company making subject of this notification	1	Identifier See section 9 of this Annex for structure of the EUID
<i>Alternate ID</i>	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier
<i>Legal form</i>	Type of legal form	1	Code As referred to in Annex II to Directive (EU) 2017/1132
<i>Name</i>	Name of the company making subject	1	Text

	of this notification		
Registered Office	Registered office of the company	1	Text
Register Name	Name of the register where the company is registered	1	Text

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.2 Branch registration notification

For each branch registration notification referred to in point 4.2, Member States shall exchange the following data:

Data type	Description	Cardinality (1)	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Recipient Organisation	Name/Identifier of the register where the company is registered	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Branch data		1	Group of Elements
Date of registration	Date when the branch was registered.	1	Date

<i>Effective date</i>	<i>Date when the opening of the branch becomes effective, if available</i>	<i>0</i>	<i>Date</i>
<i>Name of the branch if it is different from the company name</i>	<i>Name of the branch subject of the notification. If it is the same as the company this field should be left empty</i>	<i>0</i>	<i>Text</i> <i>As referred to in Article 30(1)(d) of Directive (EU) 2017/1132</i>
<i>Additional names of the branch</i>	<i>If the branch has more than one name, the additional names can be included.</i>	<i>0...n</i>	<i>Text</i>
<i>EUID</i>	<i>Unique identifier of the branch subject of this notification</i>	<i>1</i>	<i>Identifier</i>
<i>Address of the branch</i>	<i>Address of the branch subject of the notification</i>	<i>1</i>	<i>Full address</i>
<i>Company data</i>		<i>1</i>	<i>Group of Elements</i>
<i>EUID</i>	<i>Unique identifier of the company to which the branch belongs</i>	<i>1</i>	<i>Identifier</i>
<i>Alternate ID</i>	<i>Other identifiers of the company (e.g. Legal Entity Identifier)</i>	<i>0...n</i>	<i>Identifier</i>
<i>Legal form</i>	<i>Type of legal form</i>	<i>0</i>	<i>Code</i> <i>As referred to in Annex II to Directive (EU) 2017/1132</i>
<i>Name</i>	<i>Name of the company subject of</i>	<i>0</i>	<i>Text</i>

	<i>this notification</i>		
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The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.3 Branch closure notification

For each branch closure notification referred to in point 4.3, Member States shall exchange the following data:

<i>Data type</i>	<i>Description</i>	<i>Cardinality(1)</i>	<i>Additional description</i>
<i>Issuance Date and Time</i>	<i>Date and time when the notification was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this notification</i>	<i>1</i>	<i>Party data structure</i>
<i>Recipient Organisation</i>	<i>Name/Identifier of the register where the company is registered</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>Branch data</i>		<i>1</i>	<i>Group of Elements</i>
<i>Date of striking off of the branch from the register</i>	<i>Date when the branch was stricken off from the register</i>	<i>1</i>	<i>Date</i>
<i>Effective date</i>	<i>Date when the closure of the branch becomes effective, if available</i>	<i>0</i>	<i>Date</i>
<i>Name of the branch if it is different from</i>	<i>Name of the branch subject of the</i>	<i>0</i>	<i>Text</i> <i>As referred to in Article</i>

<i>the company name</i>	<i>notification. If it is the same as the company this field should be left empty</i>		<i>30(1)(d) of Directive (EU) 2017/1132</i>
<i>Additional names of the branch</i>	<i>If the branch has more than one name, the additional names can be included.</i>	<i>0...n</i>	<i>Text</i>
<i>EUID</i>	<i>Unique identifier of the branch subject of this notification</i>	<i>1</i>	<i>Identifier</i>
<i>Company data</i>		<i>1</i>	<i>Group of Elements</i>
<i>EUID</i>	<i>Unique identifier of the company to which the branch belongs to</i>	<i>1</i>	<i>Identifier</i>
<i>Alternate ID</i>	<i>Other identifiers of the company (e.g. Legal Entity Identifier)</i>	<i>0...n</i>	<i>Identifier</i>
<i>Legal form</i>	<i>Type of legal form</i>	<i>0</i>	<i>Code</i> <i>As referred to in Annex II to Directive (EU) 2017/1132</i>
<i>Name</i>	<i>Name of the company subject of this notification</i>	<i>0</i>	<i>Text</i>

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.4 Notification on changes to documents and information of the company

For each notification on changes to documents and information of the company referred to in point 4.4, Member States shall exchange the following data:

<i>Data type</i>	<i>Description</i>	<i>Cardinality(1)</i>	<i>Additional description</i>
<i>Issuance Date and Time</i>	<i>Date and time when the notification was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this notification</i>	<i>1</i>	<i>Party data structure</i>
<i>Recipient Organisation</i>	<i>Name/Identifier of the register where the branch is registered</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>Proceedings-related data</i>		<i>1</i>	<i>Group of Elements</i>
<i>Proceedings Type</i>	<i>Type of proceeding leading to a notification on changes to documents and information of the company</i>	<i>1</i>	<i>(a) change in the company's name;</i> <i>(b) change in the company's registered office;</i> <i>(c) change in the company's registration number in the register;</i> <i>(d) change in the company's legal form;</i> <i>(e) change in the documents and information referred to in point (d) of Article 14;</i> <i>(f) change in the documents and information referred to in point (f) of Article 14</i>
<i>Date of registration</i>	<i>Date when the change to documents and</i>	<i>1</i>	<i>Date</i>

	<i>information of the company was registered</i>		
<i>Effective date</i>	<i>Date when the change to documents and information of the company takes effect, if available</i>	<i>0</i>	<i>Date</i>
<i>Relevant data to be updated, depending on the Proceeding Type</i>	<i>Change in the company data</i>	<i>1</i>	<p><i>One of the following:</i></p> <p><i>(a) company's new name and the previous name</i></p> <p><i>(b) company's new registered office and the previous registered office;</i></p> <p><i>(c) company's new registration number in the register and the previous registration number;</i></p> <p><i>(d) company's new legal form and the previous legal form;</i></p> <p><i>(e) New documents and information referred to in point (d) of Article 14 (attachments possible), which shall include the following data:</i></p> <ul style="list-style-type: none"> <i>- whether it is a natural person or legal person.</i> <i>- In case of a natural person</i> <ul style="list-style-type: none"> <i>-- Name, surname,</i> <i>-- date of birth if available, otherwise the national identification number,</i> <i>- In case of a legal person:</i> <ul style="list-style-type: none"> <i>-- name of the company</i>

		<p>-- EUID of the company or, if available, other registration number if not a company listed in Annex II to Directive (EU) 2017/1132,</p> <p>-- legal form</p> <p>- Notwithstanding whether it is a natural person or legal person:</p> <p>-- Address (if available in the register).</p> <p>-- whether it is an appointment or a termination, or an update to an existing appointment</p> <p>-- whether the person falls under Article 14(d) (i) or 14(d) (ii),</p> <p>-- in case of persons falling under 14(d) (i), whether alone or joint representation with the option to provide additional information, if needed, in a document or text, or, in other cases, a description provided in a document or a text</p> <p>-- title</p> <p>-- option to provide a document or a text describing possible restrictions to the power of representation (e.g. value and type of business).</p> <p>--option to provide only documents for the persons falling under Art 14(d)(ii)</p> <p>(f) new documents and information referred to in point (f) of Article 14 (attachments possible), which shall include the</p>
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			<i>following metadata: financial year.</i>
<i>Additional data to be, provided optionally regarding point (d) of Article 14</i>	<i>Change in the company data</i>	<i>0...n</i>	<i>Optional data: - National personal identification number - Number of identification document (ID card, passport) - Nationality/ies - Place of birth</i>
<i>Company data</i>		<i>1</i>	<i>Group of Elements</i>
<i>EUID</i>	<i>Unique identifier of the company to which the branch belongs</i>	<i>1</i>	<i>Identifier</i>
<i>Alternate ID</i>	<i>Other identifiers of the company (e.g. Legal Entity Identifier)</i>	<i>0...n</i>	<i>Identifier</i>

The new documents and information referred to in point (f) of Article 14 of Directive (EU) 2017/1132 shall not be sent to the register of the branch if the Member State in question applies the option referred to in the second paragraph of Article 31 of that Directive.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6. Cross-border operations

6.1. Cross-border conversion

6.1.1. Disclosure

a) For the purposes of disclosure referred to in Article 86g(1) of Directive (EU) 2017/1132, the register of the departure Member State shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Draft terms	Draft terms in the meaning of Article 86d of Directive (EU) 2017/1132	1	Document
Other language version	Other language version of draft terms, if available	0...n	Document
Declaration of the current financial status	Declaration to be provided if required under national law in accordance with Article 86j(2) of Directive (EU) 2017/1132	1	Document
Notice	Notice under Article 86g(1)(b) of Directive (EU) 2017/1132	1	Document and metadata with the following information: - Name of the company that carries out the cross-border conversion -Deadline for comments
Independent expert report	Independent expert report if required under national law in accordance with the second subparagraph of Article 86g(1)	1	Document

- b) For the purposes of disclosure referred to in Article 86g(3) of Directive (EU) 2017/1132, the register of the departure Member State shall transmit and make accessible to the public through BRIS the following additional company data:

Data type		Description	Cardinality	Additional description
Data and documents to be made publicly available through BRIS			1	Group of Elements
	Company data	Company (means the company that carries out the cross-border conversion) as defined in Article 86b(1) of Directive (EU) 2017/1132	1	Group of Elements
	Legal form	Type of legal form of the company that carries out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132
	Name	Name of the company that carries out the cross-border conversion	1	Text
	Registered office	Registered office of the company that carries out the cross-border conversion	1	Text
	Registration number	Registration number of the company that carries out the cross-border conversion in the register	1	Identifier
	Register	Register in which the documents referred to in Article 14 are filed in respect of the company that carries out the cross-border conversion	1	Text
	Proposed data for the converted	Converted company as defined in Article 86b(5) of Directive (EU) 2017/1132	1	Group of Elements

company			
Proposed legal form	Proposed type of legal form for the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for converted company	1	Text
Proposed registered office	Proposed registered office for the converted company	1	Text
Further data and documents		1	Group of Elements
Indication of the arrangements	Indication of the arrangements made for the exercise of the rights of creditors, employees and members, as referred to in Article 86g(3)(c) of Directive (EU) 2017/1132	1	Document
Details of the website	Details of the website as referred to in Article 86g (3)(d) of Directive (EU) 2017/1132	1	Text

6.1.2. Transmission of the pre-conversion certificate

- a) For each transmission of the pre-conversion certificate referred to in the first subparagraph of Article 86n(1) of Directive (EU) 2017/1132, the register of the departure Member State shall, following the issuance of the certificate according to Article 86m(7), (10) and (11) of that Directive, send to the register of the destination Member State the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the transmission was made	1	Date and Time

Issuing organisation	Name/identifier of the organisation that carries out the transmission (Departure Business Register)	1	Party data structure
Recipient organisation	Name/identifier of the organisation the transmission is addressed to (Destination Business Register)	1	Party data structure
Company data	Company (means the company that carries out the cross-border conversion) as defined in Article 86b(1) of Directive (EU) 2017/1132	1	Group Elements of
EUID	Unique identifier of the company that carries out the cross-border conversion	1	Identifier
Alternate ID	Other identifiers of the company that carries out the cross-border conversion (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company that carries out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company that carries out the cross-border conversion	1	Text
Registered office	Registered office of the company that carries out the cross-border conversion	1	Text
Registration number	Registration number of the company that carries out the cross-border conversion in the register	1	Identifier
The proposed data of the converted company	Converted company as defined in Article 86b (5) of Directive (EU) 2017/1132	1	Group Elements of
Proposed legal form	Proposed type of legal form for the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the converted company	1	Text
Proposed registered office	Proposed registered office for the converted company	1	Text
Data and documents		1	Group of

to be transmitted			Elements
Pre-conversion certificate	Pre-conversion certificate in the meaning of Article 86m of Directive (EU) 2017/1132	1	Document
Competent authority	The authority that issued the certificate according to Article 86m of Directive (EU) 2017/1132	1	Text
Date of issuance of the certificate	The date on which the certificate was issued	1	Date

b) For the purposes of making the pre-conversion certificate available through BRIS, according to the second subparagraph of Article 86n(1) of Directive (EU) 2017/1132 the register of the departure Member State shall transmit the following data:

Data type	Description	Cardinality	Additional description
The proposed data of the converted company	Converted company as defined in Article 86b(5) of Directive (EU) 2017/1132	1	Group of Elements
Proposed legal form	Proposed type of legal form for the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the converted company	1	Text
Proposed registered office	Proposed registered office for the converted company	1	Text
Data and documents to be made publicly available through BRIS		1	Group of Elements
Pre-conversion certificate	Pre-conversion certificate in the meaning of Article 86m of Directive (EU) 2017/1132	1	Document and metadata with the following information: - competent authority - date of issuance of the certificate

6.1.3. Registration

6.1.3.1. Cross-border conversion registration

The registers of the departure and the destination Member States shall make the following information publicly available and accessible through BRIS, according to article 86p(2) of Directive (EU) 2017/1132:

a) Data to be provided by the register of the destination Member State

Data type	Description	Cardinality	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the company that carried out the cross-border conversion	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Registration as a result of a cross-border conversion	That the registration of the converted company is the result of a cross-border conversion	1	Text
Date of registration	Date of registration of the converted company	1	Date
Registration number	Registration number of the company that carried out the cross-border conversion	1	Identifier
Company name	Name of the company that carried out the cross-border conversion	1	Text
Legal form	Type of legal form of the company that carried out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132

b) Data to be provided by the register of the departure Member State

The register of the departure Member State shall provide the relevant data upon receipt of the notification under 6.1.3.2

Data type	Description	Cardinality	Additional description
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Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the converted company	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Striking off or removal as a result of a cross-border conversion	That the striking off or removal from the register of the company that carried out the cross-border conversion is the result of a cross-border conversion	1	Text
Date	Date of striking off or removal of the company that carried out the cross-border conversion from the register	1	Date
Registration number	Registration number of the converted company	1	Identifier
Company name	Name of the converted company	1	Text
Legal form	Type of legal form of the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132

6.1.3.2. Cross-border conversion notification

For each cross-border conversion notification referred to in Article 86p(3) of Directive (EU) 2017/1132, the register of the destination Member State shall send to the register of the departure Member State the following data:

Data type	Description	Cardinality	Additional description
Issuance Date	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Destination Business Register)	1	Party data structure
Recipient	Name/identifier of the organisation	1	Party data

Organisation	this notification is addressed to (Departure Business Register)		structure
Conversion related data		1	Group of Elements
Effective date of the conversion	Date on which the cross-border conversion has taken effect	1	Date
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Converted company data	Converted company as defined in Article 86b(5)	1	Group of Elements
EUID	Unique identifier of the converted company	1	Identifier
Alternate ID	Other identifiers of the converted company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the converted company	1	Text
Registered office	Registered office of the converted company	1	Text
Register Name	Name of the register where the converted company is registered	1	Text
Registration number	Registration number of the converted company in the register	1	Identifier
Company data	Company that carried out the cross-border conversion as defined in Article 86b (1)	1	Group of Elements
EUID	Unique identifier of the company that carried out the cross-border conversion	1	Identifier
Alternate ID	Other identifiers of the company that carried out the cross-border conversion (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company that carried out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132

Name	Name of the company that carried out the cross-border conversion	1	Text
Registered Office	Registered office of the company that carried out the cross-border conversion	1	Text
Register Name	Name of the register where the company that carried out the cross-border conversion was registered	1	Text
Registration number	Registration number of the company that carried out the conversion in the register	1	Identifier

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6.2. Cross-border merger

6.2.1. Disclosure

- a) For the purposes of disclosure referred to in Article 123(1) of Directive (EU) 2017/1132, the register of the Member State of each of the merging companies shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Common Draft terms	Common Draft terms in the meaning of Article 122 of Directive (EU) 2017/1132	1	Document
Other language version of common draft terms	Other language version of common draft terms, if available	0...n	Document
Declaration of the current financial status	Declaration to be provided if required under national law in accordance with Article 126b(2) of	1	Document

	Directive (EU) 2017/1132		
Notice	Notice under Article 123(1)(b) of Directive (EU) 2017/1132	1	Document and metadata with the following information: - Name of the merging company -Deadline for comments
Independent expert report	Independent expert report if required under national law in accordance with the second subparagraph of Article 123(1)	1	Document

b) For the purposes of disclosure referred to in Article 123(3) of Directive (EU) 2017/1132, the register of the Member State of each of the merging companies shall transmit and make accessible to the public through BRIS the following additional company data:

Data type		Description	Cardinality	Additional description
Data and documents to be made publicly available through BRIS			1	Group of Elements
	Company data	Company data for each of the merging companies	1...n	Group of Elements
	Legal form	Type of legal form of the merging company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
	Name	Name of the merging company	1	Text

Registered office	Registered office of the merging company	1	Text
Registration number	Registration number of the merging company in the register	1	Identifier
Register	Register in which the documents referred to in Article 14 are filed in respect of the merging company	1	Text
Proposed data for the newly created company	Newly created company	1	Group of Elements
Proposed legal form	Proposed type of legal form for the newly created company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the newly created company	1	Text
Proposed registered office	Proposed registered office for the newly created company	1	Text
Further data and documents		1	Group of Elements
Indication of the arrangements	Indication of the arrangements of the merging company made for the exercise of the rights of creditors, employees and members, as described in point (c) of Article 123(3) of Directive (EU) 2017/1132	1	Document
Details of the website	Details of the website, as referred to in point (d) Article 123(3) of Directive (EU) 2017/1132	1	Text

6.2.2. Transmission of the pre-merger certificate

a) For each transmission of the pre-merger certificate referred to in the first subparagraph of Article 127a(1) of Directive (EU) 2017/1132, the register of the Member State of the merging company shall, following the issuance of the certificate according to Article 127(7), (10) and (11) of that Directive, send to the register of the Member State of the company resulting from the merger the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the transmission was made	1	Date and Time
Issuing organisation	Name/identifier of the organisation that carries out the transmission (Merging company Business Register)	1	Party data structure
Recipient organisation	Name/identifier of the organisation the transmission is addressed to (Business Register of the company resulting from the merger)	1	Party data structure
Company data	Company (means the merging company)	1...n	Group of Elements
EUID	Unique identifier of the merging company	1	Identifier
Alternate ID	Other identifiers of the merging company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the merging company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the merging company	1	Text
Registered office	Registered office of the merging company	1	Text
Registration number	Registration number of the merging company in the register	1	Identifier
The data of the company resulting from the merger	Data or proposed data of the company resulting from the merger	1	Group of Elements
Legal form	Type or proposed type of legal form for the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132

Name	Name or proposed name for the company resulting from the merger	1	Text
Registered office	Registered office or proposed registered office for the company resulting from the merger	1	Text
EUID of acquiring company	Unique identifier of the acquiring company in case of merger by acquisition	1	Identifier
Alternate ID	Other identifiers of the acquiring company in case of merger by acquisition (e.g. Legal Entity Identifier)	0...n	Identifier
Data and documents to be transmitted		1	Group of Elements
Pre-merger certificate	Pre-merger certificate in the meaning of Article 127 of Directive (EU) 2017/1132	1	Document
Competent authority	The authority that issued the certificate according to Article 127 of Directive (EU) 2017/1132	1	Text
Date of issuance of the certificate	Date on which the certificate was issued	1	Date

b) For the purposes of making the pre-merger certificate available through BRIS, according to the second subparagraph of Article 127a(1) of Directive (EU) 2017/1132, the register of the Member State of the merging company shall transmit the following data:

Data type	Description	Cardinality	Additional description
The data of the company	Company resulting from the merger (already existing or newly created)	1	Group of Elements
Legal form	Type or proposed type of legal form for the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name or proposed name for the company resulting from the merger	1	Text
Registered office	Registered office or proposed registered office for the company resulting from the merger	1	Text
EUID of acquiring company	Unique identifier of the acquiring company	1	Identifier

company	company in case of merger by acquisition		
Alternate ID	Other identifiers of the acquiring company in case of merger by acquisition (e.g. Legal Entity Identifier)	0...n	Identifier
Data and documents to be made publicly available through BRIS		1	Group of Elements
Pre-merger certificate	Pre-merger certificate in the meaning of Article 127 of Directive (EU) 2017/1132	1	Document and metadata with the following information: - competent authority -- date of issuance of the certificate

6.2.3. Registration

6.2.3.1. Cross-border merger registration

The registers of the Member States of the merging companies and of the company resulting from the merger shall make the following information publicly available and accessible through BRIS, according to article 130(2) of Directive (EU) 2017/1132:

a) Data to be provided by the register of the company resulting from the merger

Data type	Description	Cardinality	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of each of the merging companies	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Registration as a result of a cross-border merger	That the registration of the company resulting from the merger is the result of a	1	Text

	cross-border merger		
Date of registration	Date of registration of the company resulting from the merger	1	Date
Data on each of the merging companies		1...n	Group of Elements
Registration number	Registration number of the merging companies	1	Identifier
Company name	Name of the merging companies	1	Text
Legal form	Type of legal form of the merging companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

b) Data to be provided by the register of the Member State of each of the merging companies

The register of the Member State of each of the merging companies shall provide the relevant data upon receipt of the notification under 6.2.3.2

Data type	Description	Cardinality	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the company resulting from the merger	1	Identifier
EUID	EUID of each of the merging companies	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Striking off or removal as a result of a cross-border merger	That the striking off or removal from the register of the merging company is the result of a cross-border merger	1	text
Date	Date of striking off or removal of the merging company from the register	1	date
Registration number	Registration number of the company resulting from the merger	1	Identifier

Company name	Name of the company resulting from the merger	1	Text
Legal form	Type of legal form of the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Data on each of the merging companies		1...n	Group of Elements
Registration number	Registration number of the merging companies	1	Identifier
Company name	Name of the merging companies	1	Text
Legal form	Type of legal form of the merging companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

6.2.3.2. Cross-border merger notification

For each cross-border merger notification referred to in Article 130(3) of Directive (EU) 2017/1132, the register of the Member State of the company resulting from the cross-border merger shall send to the register of the Member State of each of the merging companies the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Business Register of the company resulting from the cross-border merger)	1	Party data structure
Recipient Organisation	Name/identifier of the organisation this notification is addressed to (Business Register of each of the merging companies)	1	Party data structure
Merger related data		1	Group of Elements
Effective date of the merger	Date on which the cross-border merger has taken effect	1	Date
Merger Type	Type of merger as defined by Article	1	Code

	119(2) of Directive (EU) 2017/1132		(Cross-border merger by acquisition under point (a) of Article 119(2) of Directive (EU) 2017/1132 Cross-border merger by formation of new company under point (b) Article 119(2) of Directive (EU) 2017/1132 Cross-border merger of wholly owned company under point (c) Article 119 (2) of Directive (EU) 2017/1132 Cross-border mergers by acquisition under point (d) of Article 119(2) of Directive (EU) 2017/1132
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Data of the company resulting from the merger	Company resulting from the merger	1	Group of Elements
EUID	Unique identifier of the company resulting from the merger	1	Identifier
Alternate ID	Other identifiers of the company resulting from the merger (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company resulting from the merger in the relevant Member	1	Text

	State		
Registered office	Registered office of the company resulting from the merger	1	Text
Register Name	Name of the register where the company resulting from the merger is registered	1	Text
Registration number	Registration number of the company resulting from the merger in the register	1	Identifier
Company data	Data on each of the merging companies	1...n	Group of Elements
EUID	Unique identifier of the merging company	1	Identifier
Alternate ID	Other identifiers of the merging company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the merging company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the merging company	1	Text
Registered Office	Registered office of the merging company	1	Text
Register Name	Name of the register where the merging company was registered	1	Text
Registration number	Registration number of the merging company	1	Identifier

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6.3. Cross-border division

6.3.1. Disclosure

- a) For the purposes of disclosure referred to in Article 160g(1) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Draft terms	Draft terms in the meaning of Article 160d of Directive (EU) 2017/1132	1	Document
Other language version of draft terms	Other language version of draft terms, if available	0...n	Document
Declaration of the current financial status	Declaration to be provided if required under national law in accordance with Article 160j(3) of Directive (EU) 2017/1132	1	Document
Notice	Notice under point (b) of Article 160g(1) of Directive (EU) 2017/1132	1	Document and metadata with the following information: - Name of the company being divided -Deadline for comments
Independent expert report	Independent expert report if required under national law in accordance with the second subparagraph of Article 160g(1)	1	Document

b) For the purposes of disclosure referred to in Article 160g(3) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality	Additional
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			description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Company data	Company (means the company being divided) as defined in Article 160b(2) of Directive (EU) 2017/1132	1	Group of Elements
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered office	Registered office of the company being divided	1	Text
Registration number	Registration number of the company being divided in the register	1	Identifier
Register	Register in which the documents referred to in Article 14 are filed in respect of the company being divided	1	Text
Proposed data for the recipient company (or each of the recipient companies)	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1...n	Group of Elements
Proposed legal form	Proposed type of legal form for the recipient company	1	Code As referred to in Annex II to Directive (EU)

				2017/1132
Proposed name	Proposed name for the recipient company	1	Text	
Proposed alternative names	Proposed alternative names for the recipient company	0...n	Text	
Proposed registered office	Proposed registered office for the recipient company	1	Text	
Further data and documents		1	Group of Elements	
Indication of the arrangements	Indication of the arrangements made for the exercise of the rights of creditors, employees and members, as described in point (c) of Article 160g(3) of Directive (EU) 2017/1132	1	Document	
Details of the website	Details of the website e, as referred to in point (d) of Article 160g(3) of Directive (EU) 2017/1132	1	Text	

6.3.2. Transmission of the pre-division certificate

a) For each transmission of the pre-division certificate referred to in the first subparagraph of Article 160nof Directive (EU) 2017/1132, the register of the Member State of the company being divided shall, following the issuance of the certificate according to Article 160m(7), (10) and (11) of that Directive, send to the register of each recipient company the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the transmission was made	1	Date and Time
Issuing organisation	Name/identifier of the organisation that carries out the transmission (Business Register of the company being divided)	1	Party data structure
Recipient organisation	Name/identifier of the organisation the transmission is addressed to (Business Register of the recipient company)	1	Party data structure

Company data	Company (means the company being divided) as defined in Article 160b(2) of Directive (EU) 2017/1132	1	Group Elements of
EUID	Unique identifier of the company being divided	1	Identifier
Alternate ID	Other identifiers of the company being divided (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered office	Registered office of the company being divided	1	Text
Registration number	Registration number of the company being divided	1	Identifier
The proposed data of the recipient company or each of the recipient companies	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1...n	Group Elements of
Proposed legal form	Proposed type of legal form for the recipient company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the recipient company	1	Text
Proposed registered office	Proposed registered office for the recipient company	1	Text
Data and documents to be transmitted		1	Group Elements of
Pre-division certificate	Pre-division certificate in the meaning of Article 160m of Directive (EU) 2017/1132	1	Document
Competent authority	The authority that issued the certificate according to Article 160m of Directive (EU) 2017/1132	1	Text
Date of issuance of the certificate	Date on which the certificate was issued	1	Date
Legislation Reference	Reference to relevant national or	0...n	Text

	Union legislation		
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b) For the purposes of making the pre-division certificate available through BRIS according to the second subparagraph of Article 160n(1) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall transmit the following data:

Data type	Description	Cardinality	Additional description
The proposed data of the recipient company or companies	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1...n	Group of Elements
Proposed legal form	Proposed type of legal form for the recipient company	1	Code As referred to in Annex II to
Proposed name	Proposed name for the recipient company	1	Text
Proposed registered office	Proposed registered office for the recipient company	1	Text
Data and documents to be made publicly available through BRIS		1	Group of Elements
Pre-division certificate	Pre-division certificate in the meaning of Article 160m of Directive (EU) 2017/1132	1	Document and metadata with the following information: - competent authority - date of issuance of the certificate

6.3.3. Registration

6.3.3.1. Cross-border division registration

The registers of the Member State of the company being divided and the registers of the recipient companies shall make the following information publicly available and accessible through BRIS, according to article 160p(2) of Directive (EU) 2017/1132:

a) Data to be provided by the register of each of the recipient companies

The register of each of the recipient companies shall provide the relevant data upon receipt of the notification under 6.3.3.3

Data type	Description	Cardinality	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the company being divided	1	Identifier
EUID	EUID of each of the recipient companies	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Registration as a result of a cross-border division	That the registration of the recipient companies is the result of a cross-border division	1	text
Date of registration	Date of registration of each of the recipient companies	1	date
Registration number	Registration number of the company being divided	1	Identifier
Company name	Name of the company being divided	1	Text
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Data of the other recipient companies	Data of each of the other recipient companies	1...n	
Registration number	Registration number of the recipient companies	1	Identifier
Company name	Name of the recipient companies	1	Text
Legal form	Type of legal form of the recipient companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

b) Data to be provided by the register of Member State of the company being divided

Data type	Description	Cardinality	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of each of the recipient companies	0	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Striking off or removal as a result of a cross-border division (in the event of a full division)	That the striking off or removal from the register of the company being divided is the result of a cross-border division	1	Text
Date (in the event of a full division)	Date of striking off or removal of the company being divided from the register	1	Date
Data of the recipient companies	Data of each of the recipient companies	1...n	
Registration number	Registration number of the recipient companies	1	Identifier
Company name	Name of the recipient companies	1	Text
Legal form	Type of legal form of the recipient companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

6.3.3.2. Cross-border division notification according to Article 160p(3) of Directive (EU) 2017/1132

For each cross-border division notification referred to in Article 160p(3) of Directive (EU) 2017/1132, the registers of the recipient companies shall send to the register of the company being divided the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Business	1	Party data structure

	Register of each of the recipient companies)		
Recipient Organisation	Name/identifier of the organisation this notification is addressed to (Business Register of the company being divided)	1	Party data structure
Division related data		1	Group of Elements
Date of registration	Date of registration of the recipient company	1	date
Recipient company data	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1	Group of Elements
EUID	Unique identifier of the recipient company	1	Identifier
Alternate ID	Other identifiers of the recipient company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the recipient company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the recipient company in the Member State of the recipient company	1	Text
Registered office	Registered office of the recipient company	1	Text
Register Name	Name of the register where the recipient company is registered	1	Text
Registration number	Registration number of the recipient company	1	Identifier
Company data	Company being divided as defined in Article 160b (3)	1	Group of Elements
EUID	Unique identifier of the company being divided	1	Identifier
Alternate ID	Other identifiers of the company being divided (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company being divided	1	Code As referred to in

			Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered Office	Registered office of the company being divided	1	Text
Register Name	Name of the register where the company being divided is registered	1	Text

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6.3.3.3. Cross-border division notification according to Article 160p(4) of Directive (EU) 2017/1132

For each cross-border division notification referred to in Article 160p(4) of Directive (EU) 2017/1132, the register in the Member State of the company being divided shall send to the register of each of the recipient companies the following data:

Data type	Description	Cardinality	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Business Register of the company being divided)	1	Party data structure
Recipient Organisation	Name/identifier of the organisations this notification is addressed to (Business Registers of the recipient companies)	1	Party data structure
Division related data		1	Group of Elements
Effective date of the division	Date on which the cross-border division has taken effect	1	Date
Division Type	Type of division as defined by Article 160b(4) of Directive (EU) 2017/1132	1	Code (Cross-border full division under point (a) of Article 160b(4) of Directive (EU) 2017/1132

			<p>Cross-border partial division under point (b) of Article 160b(4) of Directive (EU) 2017/1132</p> <p>Cross-border division by separation under point (c) of Article 160b(4) of Directive (EU) 2017/1132</p>
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Recipient companies data	Recipient company as defined in Article 160b(3)	1...n	Group of Elements
EUID	Unique identifier of each recipient company	1	Identifier
Alternate ID	Other identifiers of each recipient company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of each recipient company	1	<p>Code</p> <p>As referred to in Annex II to Directive (EU) 2017/1132</p>
Name	Name of each recipient company in the Member State of the recipient company	1	Text
Registered office	Registered office of each recipient company	1	Text
Register Name	Name of the register where each recipient company is registered	1	Text
Registration number	Registration number of each recipient company	1	Identifier
Company data	Company being divided as defined in Article 160b (3)	1	Group of Elements
EUID	Unique identifier of the company being divided	1	Identifier
Alternate ID	Other identifiers of the company being divided (e.g. Legal Entity Identifier)	0...n	Identifier

Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered Office	Registered office of the company being divided	1	Text
Register Name	Name of the register where the company being divided is registered	1	Text
Registration number	Registration number of the company being divided	1	Identifier

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

7. Structure of the standard message format

The exchange of information between the registers, the platform and the portal shall be based on standard data-structuring methods and shall be expressed in a standard message format such as XML.

8. Data for the platform

The following type of data shall be provided for the platform to perform its functions:

- (a) Data allowing for the identification of systems that are connected to the platform. Those data could consist of URLs or any other number or code uniquely identifying each system within BRIS;*
- (b) An index of the particulars listed in Article 19(2) of Directive (EU) 2017/1132. This data shall be used to ensure consistent and quick results of the search service. Where the data is not made available to the platform for indexation, Member States shall make the same particulars available for the purpose of the search service in a way that guarantees the same level of service as provided by the platform;*
- (c) Unique identifiers of companies referred to in Article 16(1) of Directive (EU) 2017/1132 and unique identifiers of branches referred to in Article 29(4) of Directive (EU) 2017/1132. These identifiers shall be used to ensure the interoperability of registers via the platform;*
- (d) Any other operational data that is necessary for the platform to ensure the proper and efficient functioning of the search service and the interoperability of registers. Those data may include code lists, reference data, glossaries and related translations of those metadata, as well as logging and reporting data.*

The data and metadata handled by the platform shall be processed and stored in line with the security standards outlined in section 3 of this Annex.

9. Structure and use of the unique identifier

The unique identifier for the purpose of communication between registers shall be referred to as the EUID (European Unique Identifier).

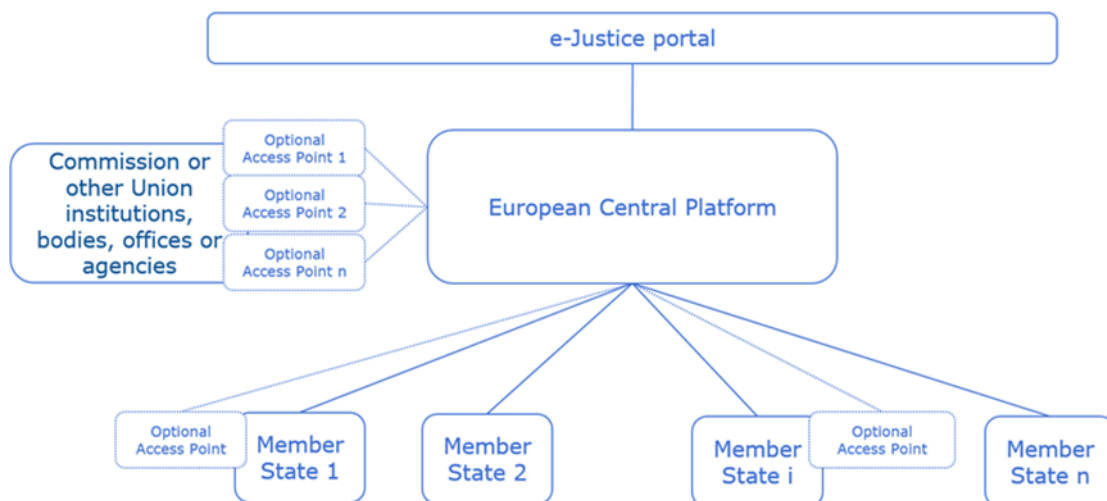
The structure of the EUID shall be compliant with ISO 6523 and shall contain the following elements:

<i>EUID element</i>	<i>Description</i>	<i>Additional description</i>
<i>Country code</i>	<i>Elements making it possible to identify the Member State of the register</i>	<i>Mandatory</i>
<i>Register Identifier</i>	<i>Elements making it possible to identify the domestic register of origin of the company and of the branch respectively</i>	<i>Mandatory</i>
<i>Registration number</i>	<i>Company/branch number refers to the registration number of the company/branch in the domestic register of origin</i>	<i>Mandatory</i>
<i>Verification digit</i>	<i>Elements making it possible to avoid identification errors</i>	<i>Optional</i>

The EUID shall be used to unequivocally identify companies and branches for the purpose of the exchange of information between registers via the platform.

10. Methods of operation of the system and information technology services provided by the platform

For the distribution and exchange of information, the system shall be based on the following technical method of operation:



For the delivery of messages in the relevant language version, the platform shall provide reference data artefacts, such as code lists, controlled vocabularies and glossaries. Where relevant, these shall be translated into the official languages of the Union. Where possible, recognised standards and standardized messages shall be used.

The Commission shall share with the Member State further details on the technical method of operation and the implementation of the information technology services provided by the platform.

11. Search criteria

At least one country shall be selected when running a search.

The portal shall provide the following harmonised criteria for the search:

- Company name.
- Registration number of the company or the branch in the domestic register.

Further search criteria may be available on the portal.

12. Payment modalities

For the documents and particulars for which Member States charge fees and which are made available on the e-Justice portal via BRIS, the system shall allow users to pay online by using widely used payment modalities such as credit and debit cards.

The system may also provide alternative online payment methods, such as bank transfers or virtual wallets (deposit).

13. Explanatory labels

In relation to the particulars and types of documents listed in Article 14 of Directive (EU) 2017/1132, Member States shall provide the following explanatory labels:

- (a) *A short title for each particular and document (for example: ‘Articles of incorporation’);*
- (b) *As appropriate, a brief description of the content of each document or particular, including, optionally, information on the legal value of the document.*

14. Availability of services

The service time frame shall be 24/7days, with an availability rate of the system of at least 98 % excluding scheduled maintenance.

Member States shall notify the Commission of maintenance activities as follows:

5 working days in advance for maintenance operations that may cause an unavailability period of up to 4 hours;

(b) 10 working days in advance for maintenance operations that may cause an unavailability period of up to 12 hours;

(c) 30 working days in advance for infrastructure computer room maintenance, which may cause up to 6 days unavailability period per year.

To the extent possible, maintenance operations shall be planned outside working hours (19:00h — 8:00h CET).

Where Member States have fixed weekly service windows, they shall inform the Commission of the time and day of the week when such fixed weekly windows are planned. Without prejudice to the obligations in points (a) to (c) of the second paragraph, if Member States systems become unavailable during such a fixed window, Member States may choose not to notify the Commission on each occasion.

In case of unexpected technical failure of the Member States systems, Member States shall inform the Commission without delay of their system unavailability, and, if known, of the projected resuming of the service.

In case of unexpected failure of the central platform or of the portal, the Commission shall inform the Member States without delay of the platform or portal unavailability, and if known, of the projected resuming of the service.

15. Optional access points

15.1. Optional access points to BRIS according to the first subparagraph of Article 22(4) of Directive (EU) 2017/1132

15.1.1 Procedure

Member States shall provide information on the planned timing of the establishment of the optional access points, the number of optional access points that will connect to the platform, and contact details of the person(s) that could be contacted for the purpose of establishing the technical connection.

The Commission shall provide the Member States with the necessary technical details and support for the testing and deployment of the connection of each optional access point to the platform.

15.1.2 Technical requirements

For the connection of optional access points to the platform, Member States shall comply with the relevant technical specifications set out in this Annex, including security requirements for transmission of data via the optional access points.

Where payment is necessary via an optional access point, Member States shall provide the payment methods of their choice and shall handle the related payment operations.

Member States shall carry out appropriate testing before the connection to the platform becomes operational and before any significant changes are made to an existing connection.

After successful connection of the optional access point to the platform, Member States shall inform the Commission of any upcoming significant change of the access point that may affect the functioning of the platform, in particular the closing of the access point. Member States shall provide sufficient technical details in relation to the change, in order to allow for proper integration of any related changes.

Member States shall indicate on each optional access point that the search service is provided via BRIS.

15.2. Optional access points to BRIS according to the second subparagraph of Article 22(4) of Directive (EU) 2017/1132

15.2.1 Procedure

The Commission shall assess any request received for the establishment of an optional access point in accordance with the second subparagraph of Article 22(4) of Directive (EU) 2017/1132.

The requester shall provide all the information needed for the proper assessment of the request.

The Commission shall provide the requester with the necessary technical details and support for the testing and deployment of the establishment of each optional access point to the platform.

15.2.2 Technical requirements

For the establishment of optional access points to the platform, the requester shall comply with the relevant technical specifications set out in this Annex, including security requirements for transmission of data via the optional access points.

Where payment is necessary via an optional access point, the requester shall provide the payment methods of their choice and shall handle the related payment operations.

The requester shall carry out appropriate testing before the establishment to the platform becomes operational and before any significant changes are made to an existing connection.

After successful establishment of the optional access point to the platform, the requester shall inform the Commission of any upcoming significant change of the access point that may affect the functioning of the platform, in particular the closing of the access point. The requester shall provide sufficient technical details in relation to the change, in order to allow for proper integration of any related changes.

The requester shall indicate on each optional access point that the search service is provided via BRIS.

15.3. Requirements applicable to optional access points according to Article 22(4), first and second subparagraph

The Commission shall inform the Member States about a request received.

The technical requirements shall also include measures to ensure that optional access points do not affect the correct functioning of BRIS nor compliance with the safety, security and data

protection requirements, with due regard to the respective responsibility of each party within the part of the system under its technical control.

16. Exchange of information on disqualified directors

16.1 Introduction

The exchange of information referred to in Article 13i(4) of Directive (EU) 2017/1132 shall cover cases where a person is disqualified from becoming a director of a company of one of the types listed in Annex II to that Directive further to a decision of a court or another competent authority of a Member State based on its national law.

The exchange of information shall not cover cases where, under national law, a person is generally incapable of contracting or restricted in his or her general legal capacity or further to a decision of a court or another competent authority of a Member State based on its national law and therefore unable to become a director of a company of the type referred to in the first paragraph.

The exchange of information shall not cover cases based on specific rules under Union law, such as the rules on fitness and propriety provided under Article 91(1) of Directive 2013/36/EU.

Where, in accordance with national law in a Member State, legal persons are allowed to be directors of companies of the type referred to in the first paragraph, such legal persons shall fall under the scope of the exchange of information. Each Member State shall inform the other Member States and the Commission whether this possibility exists in its national law.

16.2. Methods of exchange of information between Member States

The following method shall be used for the exchange of information between the registers in accordance with Article 13i of Directive (EU) 2017/1132.

The queries and the answers under this section shall be transferred through BRIS using end-to-end encryption.

Member States shall exchange the information needed to correlate queries and the answers under this section concerning the same request.

16.2.1 First level of exchange of information

16.2.1.1 First level query on disqualification

Member States' competent authorities may request, through BRIS, information from one or more Member States on whether a person who applies to become a director of a company of one of the types listed in Annex II to Directive (EU) 2017/1132 is disqualified or is recorded in any of their registers that contain information relevant for disqualification of directors.

The requesting Member State shall decide to which Member State or Member States the query shall be sent. The queries shall be sent with a view to ensure effective, efficient and prompt exchange of information.

Each query shall cover one single person and shall provide the data for identification of the person. The requesting Member State shall process such data in compliance with Regulation (EU) 2016/679. The Member States shall ensure that only necessary data and only data concerning the applicant in question is exchanged.

16.2.1.2 First level answer on disqualification

Upon receipt of the query, the competent authorities of the requested Member State shall, without delay, provide an answer through BRIS.

The answer shall indicate whether the person identified in the query is disqualified or is recorded in any of the registers of the requested Member State that contain information relevant for disqualification of directors.

In case the answer is that the person is disqualified or is recorded in any of the registers that contain information relevant for disqualification of directors, the requested Member State may indicate in its answer, which specific data provided by the requesting Member State matches the data available in the requested Member State and which specific data included in the query cannot be confirmed by the requested Member State as it is not recorded in its registers.

If it is necessary, the requested Member State may ask the requesting Member State to provide further data to ensure unequivocal identification of the person. Such data shall be processed in compliance with Regulation (EU) 2016/679.

16.2.2. Second level of exchange of information

The exchange for additional information may take place through other appropriate means than BRIS. If the second level of exchange of information is carried out through BRIS, the rules set out in points 16.2.2.1, 16.2.2.2, 16.3.3 and 16.3.4 shall apply.

16.2.2.1. Second level query on disqualification

In case a requested Member State indicates in the first level answer that a given person is disqualified or is recorded in any of its registers that contain information relevant for disqualification of directors, the requesting Member States may request further information from the requested Member State concerning the person identified in the first level query.

The second level query shall cover the same person as the first level query and first level answer.

16.2.2.2 Second level answer on disqualification

The requested Member State may decide, under its national law, which additional information to provide. In case that Member State's national law does not allow further exchange of information, it shall inform accordingly the requesting Member State.

16.3. Detailed list of data

For the exchange of information on disqualified directors, Member States shall include the following data.

16.3.1. First level query on disqualification

<i>Data type</i>	<i>Description</i>	<i>Cardinality (1)</i>	<i>Additional description</i>
<i>Issuance Date and Time</i>	<i>Date and time when this query was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this</i>	<i>1</i>	<i>Party data structure</i>

	<i>query</i>		
<i>Recipient Organisation</i>	<i>Name/Identifier of the register of the requested Member State</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>First level query on disqualification</i> <i>If the person who applies to be a director is a natural person</i>			
<i>First name</i>	<i>First name of the person who applies to be a director</i>	<i>1</i>	<i>Text</i>
<i>Surname</i>	<i>Surname of the person who applies to be a director</i>	<i>1</i>	<i>Text</i>
<i>Date of birth</i>	<i>Date of birth of the person who applies to be a director</i>	<i>1</i>	<i>Date</i>
<i>Further identification data</i>	<i>Further data processed according to the requesting Member State's national law and in compliance with Regulation (EU) 2016/679</i>	<i>0...n</i>	<i>Text/date/identifier</i>
<i>First level query on disqualification</i> <i>If the person who applies to be a director is a legal person</i>			

<i>Name of the legal entity</i>	<i>Name of the legal entity which applies to be a director</i>	<i>1</i>	<i>Text</i>
<i>Legal form</i>	<i>Legal form of the legal entity which applies to be a director</i>	<i>1</i>	<i>Code</i> <i>As referred to in Annex II to Directive (EU) 2017/1132 of the company therein or other legal form if the legal entity falls outside of the scope Directive (EU) 2017/1132</i>
<i>EUID</i>	<i>EUID if it is a company listed in Annex II to Directive (EU) 2017/1132.</i>	<i>1</i>	<i>Identifier</i>
<i>Other registration number</i>	<i>Other registration number if not a company listed in Annex II to Directive (EU) 2017/1132.</i>	<i>0</i>	<i>Identifier</i>
<i>Alternate ID</i>	<i>Other identifiers of the company (e.g. Legal Entity Identifier)</i>	<i>0...n</i>	<i>Identifier</i>

Member States shall provide information on the means of identification needed for an efficient exchange of information on disqualified directors. That information may consist in providing the data that is necessary to identify the persons covered by a request.

Member States may also use e-identification means for the identification of persons in the exchange of information.

Queries covering a legal person shall be sent only to those Member States which allow legal persons to be directors and which allow disqualification of such legal persons.

16.3.2. First level answer on disqualification

<i>Data type</i>	<i>Description</i>	<i>Cardinality (1)</i>	<i>Additional description</i>
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<i>Issuance Date and Time</i>	<i>Date and time when this answer was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this answer</i>	<i>1</i>	<i>Party data structure</i>
<i>Recipient Organisation</i>	<i>Name/Identifier of the register of the requesting Member State</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>Yes/no/no sufficient data for identification</i>	<i>'Yes' if the person is disqualified or is recorded in any of its registers that contain information relevant for disqualification of directors</i> <i>'No' if the person is not disqualified or is not recorded in any of its registers that contain information relevant for disqualification of directors</i> <i>'No sufficient data for identification' if the data provided does not make it possible to unequivocally identify the person and more information is needed.</i>	<i>1</i>	<i>Select an option</i>

<i>Further identification data required</i>	<i>Indicate what data is needed for unequivocal identification</i>	<i>1...n (only if no sufficient data for identification)</i>	<i>Text/date/identifier</i>
<i>No second level answer will be provided through BRIS</i>	<i>If “yes”, option to indicate that no answer will be provided for second level query through BRIS</i>	<i>0</i>	<i>Select the option</i>

16.3.2.1 Provision of further identification data

In case the requested Member State requires further identification data to ensure unequivocal identification, the requesting Member State shall provide the data using the following message format:

<i>Data type</i>	<i>Description</i>	<i>Cardinality (1)</i>	<i>Additional description</i>
<i>Issuance Date and Time</i>	<i>Date and time when this query was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this query</i>	<i>1</i>	<i>Party data structure</i>
<i>Recipient Organisation</i>	<i>Name/Identifier of the register of the requested Member State</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>Further identification data</i>	<i>Further data required by the requested Member State to ensure unequivocal identification processed according to the requesting Member</i>	<i>1...n</i>	<i>Text/date/identifier</i>

	<i>State's national law and in compliance with Regulation (EU) 2016/679</i>		
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16.3.3. Second level query on disqualification

<i>Data type</i>	<i>Description</i>	<i>Cardinality (1)</i>	<i>Additional description</i>
<i>Issuance Date and Time</i>	<i>Date and time when this query was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this query</i>	<i>1</i>	<i>Party data structure</i>
<i>Recipient Organisation</i>	<i>Name/Identifier of the register of the requested Member State</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>Request further information</i>	<i>Request for further information</i>	<i>1...n</i>	<i>Request further information at least on one of the following:</i> <ul style="list-style-type: none"> <i>- grounds for disqualification under national law,</i> <i>- date of decision,</i> <i>- period or validity of the disqualification,</i> <i>- file number, issuer of the decision.</i> <i>- Information on any limitation to such disqualification (e.g. sector specific disqualifications)</i>

16.3.4. Second level answer on disqualification

<i>Data type</i>	<i>Description</i>	<i>Cardinality (1)</i>	<i>Additional description</i>
<i>Issuance Date and Time</i>	<i>Date and time when this answer was sent</i>	<i>1</i>	<i>Date and Time</i>
<i>Issuing Organisation</i>	<i>Name/Identifier of the organisation that issues this answer</i>	<i>1</i>	<i>Party data structure</i>
<i>Recipient Organisation</i>	<i>Name/Identifier of the register of the requesting Member State</i>	<i>1</i>	<i>Party data structure</i>
<i>Legislation Reference</i>	<i>Reference to relevant national or Union legislation</i>	<i>0...n</i>	<i>Text</i>
<i>Further information</i>	<i>Request for further information</i>	<i>1...n</i>	<p><i>Further information at least on one of the following:</i></p> <ul style="list-style-type: none"> <i>- grounds for disqualification under national law,</i> <i>- date of decision,</i> <i>- period or validity of the disqualification,</i> <i>- file number, issuer of the decision.</i> <i>- Information on any limitation to such disqualification (e.g. sector specific disqualifications)</i> <i>- No further information provided in case the Member State's national law does not allow further exchange of information - list data on which further</i>

			<p><i>information is not provided.</i></p> <p><i>(attachment of documents possible)</i></p>
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16.4. Operation of the exchange of information

Member States shall indicate if they face difficulties due to high numbers of queries received. In such a case, the Commission and the Member States shall assess the issue with a view of ensuring smooth operation of the exchange of information and further development of the system.

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.