Transparency and data: how do we strike the balance?

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Government transparency: information on government activities

Business: information on companies (disclosure)

Tax transparency

All actions aiming at combatting corruption and inequalities in different sectors

In some areas transparency seems to be more important than in others (public authorities; listed companies; financial transactions)
Transparency

Ideal world

- Transparency
- Openness
- Reliability
- Cooperation
- Good legislation
- Law compliance

Reality

- Transparency often questioned
- Access to data sometimes restricted
- Outdated information
- Insufficient/inappropriate legislation?
- Risk of corruption and law infringement
Transparency

Accountability

Trust

Legal certainty

Access to information

Safe business environment

Potential for lack of confidence (in government/business partners)

Less certain business environment

Risk of crime/financial crime

Missed opportunities
Data on companies

Users

- Consumers
- Investors
- Creditors
- Competent authorities

Business registers

- Storage
- Access to data
- Reliability
- Maintenance

Companies

- Disclosure obligations
- Quality
- Reliability

Internal Market and Services
EU legislation

Examples:

- **First company law directive**: list of company documents to be filed with the business registers
- **Accounting directives**
- **Third anti-money laundering directive (now under revision)**: information on beneficial owner
- **Revised Transparency Directive**: more disclosure requirements for listed companies and improved access to regulated information at EU level
Directive on interconnection of business registers

- Will ensure multilingual *access at EU level* to information on companies stored by EU business registers
- Will facilitate electronic communication between registers to ensure that *data on companies and their foreign branches is up-to-date*
Striking the balance

- **Data protection**
  - Need to make data available while respecting the rights to protect personal data

- **Public data?**
  - Should all data be public or should it only be accessible by relevant authorities/ "need to know" basis?

- **Burden on companies**
  - Need to require enough data while limiting the administrative burden on companies

- **Easy access everywhere**
  - Need to handle language barriers or other obstacles to ensure cross-border access to information
To ensure transparency

- Do we need access to more data?
- Do we need more access to data?
- Do we need more legislation?
- What about enforcement?
Questions and Answers

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