



Digitalisation in Company Law

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ICLEG and Report

- Informal Company Law Expert Group
- Report on digitalisation in company law
- Available at SSRN:
<https://ssrn.com/abstract=2893701>



State of Play

- Shareholders Rights Directive
- Transparency Directive
- Directive 2009/101 (replaced First Company Law Directive)
- Proposed directive on single-member private limited liability companies (SUP)
- European Model Company Act (EMCA)



General Principles

- Digitalisation should **respect and dovetail** with existing corporate governance regimes
- The law should at all times remain **technology neutral** and abstain from mandating or favouring any specific technology
- The **principle of mutual recognition** should be applied to the greatest extent possible



Companies and State

- Online formation of all national companies
 - Safeguards
 - Standard forms (templates)
 - Language
- Single point delivery



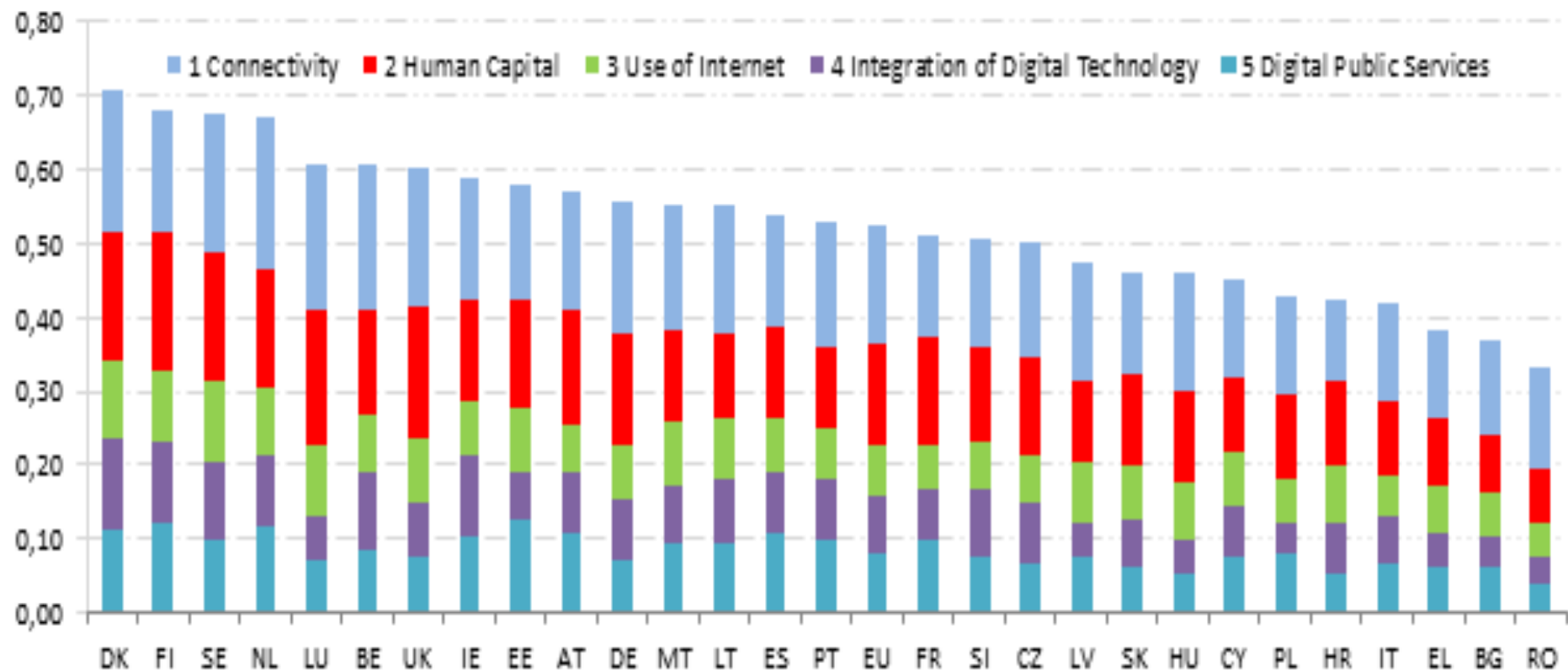
Companies and Shareholders

- Company's designated homepage and an email address
- Electronic communication
 - individual opt-in
 - individual opt-out
 - for all shareholders from formation
 - for all shareholders in existing companies
- General meeting – two way communication



DESI and Conclusion

Digital Economy and Society Index (DESI) 2017 ranking





Thank you

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