



The European Business Registry Association (EBRA), together with our peer organizations International Association of Commercial Administrators (IACA), Corporate Registers Forum (CRF) and ASORLAC, sought member feedback on the impact of the COVID-19 Pandemic on business registries. The response period was open from 8 March to 16 April 2021. We hereby present the received responses from our member jurisdictions.

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### COVID-19 in your country

*The first case of COVID-19 was identified in Gibraltar on 4 March 2020. To-date, Gibraltar has experienced two social lockdowns as a result of the COVID-19 pandemic. The first of these lasted a period of about two months, from 24 March to 22 May 2020. The second started on 2 January 2021 and was lifted towards the end of that same month.*

*At the time of writing, there have been over 4,273 confirmed cases of COVID-19 in Gibraltar. Sadly, 94 of these have passed away.*

*The effect of the pandemic on local business has been varied. Businesses such as supermarkets and pharmacies have thrived. Others, such as retail outlets on Gibraltar's Main Street have been forced to close during the lockdown periods.*

*Through the successful rollout of Gibraltar's vaccination programme, Gibraltar is now well on the way to a return to the new normal. HMGoG has confirmed an overall community uptake of 97% and most of the COVID-19 restrictions have now been lifted. Gibraltar is close to having 100% of its population vaccinated. Mask wearing is still required in enclosed places that are accessible by the public, and people are being asked to continue to practice good hand hygiene and to observe social distancing. Those businesses that were required to close temporarily have now re-opened, but with the existing limits on travel there is still some way to go before there is a return to pre-pandemic levels of business, particularly for the high street and tourism and hospitality trade.*

### Impact of COVID-19 on workload and operations

#### First COVID-19 wave

*On 13 March 2020, Companies House Gibraltar (CHG) announced that it would adopt precautionary measures against the spread of COVID-19 with effect from Monday, 16 March 2020. These measures were in line with the advice issued by public health professionals and HMGoG. CHG's public counter was transformed into a drop-off and collection point. Face-to-face meetings were discontinued and clients were asked not to visit CHG's offices unless absolutely necessary, and to avail themselves instead of online, email and telephone*



alternatives where possible. At this time CHG also stopped accepting payment in cash of any fees payable to the registry.

### Second wave of COVID-19 infection

Towards the end of November and into December of 2020, Gibraltar experienced a large rise in the number of cases of the virus locally. This time the increase was much greater and more concerning than it had been during the first wave which Gibraltar had experienced earlier in the year. By mid-December, restrictions in Gibraltar were once again put in place by HMGoG and people were urged not to gather with family or friends over the upcoming festive period. This eventually led to the second lockdown in Gibraltar.

The pandemic does not seem to have had much of an impact in the total yearly number of registrations, as numbers have remained relatively stable during 2020 when compared to the previous year. This said, the month immediately following the first lockdown in Gibraltar saw the lowest monthly figure in the last 20 years for company incorporations. March and April 2020 also had two of the lowest monthly totals of recent times for new business name registrations.

Considering how other services are linked to the total number of active registrations, it is not surprising to see that there has also been a decline in the number of related services, such as requests for document copies and for profiles (a profile is a report containing the latest and current information on a particular entity registered with CHG). Totals for event-driven filings have also fallen. Annual filings (i.e., annual returns and accounts), however, have actually increased during this past year. This denotes an increased rate of compliance with filing requirements from active companies.

CHG has managed to remain open for business throughout the pandemic and operating within the same time scale for processing documents and answering queries as pre-pandemic in 2019. This has been possible thanks to the caution and dedication of CHG's own staff and to the cooperation of users of the registry. No member of the registry staff has been infected with COVID-19 due to a combination of the measures introduced, the staff's careful and diligent observance of these measures and, undoubtedly, an element of luck.

### **Impact of COVID-19 on development projects and strategy**

In response to this, on 4 January 2021, CHG once again adopted measures in compliance with the new lockdown rules to ensure the protection of its staff and clients. A week later, CHG rolled out an important addition to its e-Filing platform – the new e-Filing upload module. This enabled its users to file any event-driven or annual filing which had not been available for filing on the e-Filing platform for companies until then.

The filing of documents via the document upload module enabled CHG to identify the person presenting the document with greater certainty than was possible with email filing. The user would have to provide confirmation of who signed the document being submitted. This also allowed CHG to accept documents that had been signed electronically, as the user would in essence be certifying that the document being submitted had been signed by the person named as signatory therein. This was necessary as the use of e-signatures became more widespread as a means of overcoming restrictions on gatherings and mobility and of enabling business to continue during lockdown. This new document upload system also



*performed checks on the quality of documents submitted and other additional preliminary checks to ensure the submissions met the required standards, thereby helping avoid delays and additional follow-up work caused by defective filings.*

*During the pandemic Companies House accelerated some of its projects especially those dealing with improving electronic filing and placed on hold other projects that did not deal with electronic filing and remote working for our staff.*

*On the positive side, it is worth noting that CHG's e-Registry has experienced a slow but steady increase over the past 4 to 5 years in the number of documents filed via the e-Registry platform. This peaked in December 2020 and January 2021. The figure for this period compared to the same period one year earlier shows a 67% increase in the number of documents filed electronically through CHG's online service. This rise may have been the result of the increased functionality following further development of the e-Filing service (i.e. the launch of the document upload module and of e-Filing for accounting professionals around this period). The external pressures caused by the COVID-19 situation may also have contributed to this change.*

### **COVID-19 and companies**

*The measures introduced by CHG to deal with the effects of the COVID-19 pandemic and to assist local businesses have been described in the response to question 2. These have included a 90-day extension without penalty (agreed with HMGoG) for the filing of returns and documents that were due to be filed in the quarter 1 April to 30 June 2020, the temporary suspension of the compulsory strike-off process and the improvement and expansion of CHG's e-Registry.*

*These measures were well received by local businesses, with some commenting that CHG's response to the situation had been a very reasonable one, demonstrating flexibility and willingness to assist the business community through those challenging times.*

### **The "New Normal"**

*With the experience gained during this past year, coupled with the ongoing updates to the e-Registry and to the registry's database, CHG is well prepared to be able to deal with any similar events in the future. CHG has continued delivering its services to its usual high standards without any breaks in continuity during these strange times.*

*Likewise, people locally have generally become better prepared and equipped for any future reoccurrence of the events of this past year. Many have become accustomed to accessing services online, to video conference meetings, to the use of e-signatures, and have generally moved towards more extensive use of digital technologies to meet personal and business needs. At the same time, most businesses have realised the importance of having an online presence and are now better prepared to deal with similar situations in the future, or are working towards raising their presence online.*

Additional information on how Gibraltar has been coping with the COVID-19 pandemic is available in the accompanying document Case Study COVID-19 Gibraltar.