

# Entry in the Commercial Register as a European Company (Societas Europaea, abbreviated to SE)

The formation of a European Company (Societas Europaea, abbreviated: SE) becomes effective by registration in the Commercial Register. In addition, the registration is published in the Official Journal of the European Union for information purposes.

## Competent Department

- [Registergericht](#)

## Basic information

The formation of a European Company (Societas Europaea, abbreviated: SE) becomes effective by registration in the Commercial Register. In addition, the entry is published in the Official Journal of the European Union for information purposes. The Commercial Register is a public register kept by the local courts. It serves to ensure legal certainty in commercial transactions by providing complete and reliable evidence of the factual and legal circumstances, the disclosure of which is of particular interest to the general public. Two sections are maintained:

- Department A: For sole traders and partnerships (e.K., OHG, KG).
- Department B: For corporations (GmbH, AG)

The commercial register enjoys public faith. This means that bona fide legal transactions are protected to a limited extent in their trust in the correctness of the entries and announcements.

The content of the entry is published ex officio in the electronic Federal Gazette. In principle, all entries are published in their full wording.

The entry in the commercial register must be filed in electronic form with the locally competent district court. The signature of the person or body authorized to represent the company must be certified by a notary public. Depending on the form of the company, different information must be provided and attachments must be included.

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# Procedure

## Application

To make an application, contact a notary public.

The notary will advise you on the formulation of the application.

The application is made exclusively by electronic means, for this purpose a publicly certified document is created.

The declaration is provided with an electronic signature (within the meaning of § 39a Beurkundungsgesetz/BeurkG) and sent to the electronic court and administrative mailbox of the registry court.

After successful application for entry in the commercial register, you will receive a notice of entry. The registration will additionally be published in the Official Journal of the European Union for information purposes.

## Changes

Significant information about your company, such as the registered office, legal form or authorized representatives, has changed? If so, please have the entry in the Commercial Register corrected without delay.

The entry is made in the same way exclusively by a notary public.

## Legal bases

- [§ 12 Handelsgesetzbuch \(HGB\)](#)
- [Gerichts und Notarkostengesetz \(GNotKG\)](#)
- [Verordnung über Gebühren in Handels-, Partnerschafts- und Genossenschaftsregistersachen \(HRegGebV\)](#)
- [Verordnung \(EG\) Nr. 2157/2001 des Rates über das Statut der Europäischen Gesellschaft \(SE\)](#)

## More information

All facts requiring notification must be entered in the Commercial Register in the event of a change (e.g. changes in the authorized representatives or their powers, etc.).

## How long does it take to process

The registration court must decide on the registration immediately after receipt of the application. If all documents are available and no objections by the court are necessary, registrations are usually made within a few working days.

## **What are the costs?**

The amount of the fee for the registration is determined by the Court and Notary Fees Act in conjunction with the Ordinance on Fees in Commercial, Partnership and Cooperative Register Matters. In addition, expenses are incurred for the public announcement of the registration.