

Legal Alert

11/2015

Register of legal entities

On 22 September 2015 the National Council of the Slovak Republic adopted governmental proposal number 1579 on the register of legal entities, entrepreneurs and governmental bodies. The Act was published in the Collection of Laws of the Slovak Republic on 23 October 2015 as Act no. 272/2015 Coll., on the Register of Legal Entities, Entrepreneurs and Governmental Bodies (the "Act"). The Act became effective on 1 November 2015.

The main changes related to the introduction of the register of legal entities (the "Register") are as follows.

Purpose of the Act

The Act introduces the Register as a public administration information system. The Statistical Office of the Slovak Republic will be the register's administrator. The Register started its operation on 1 November 2015. The Register contains information on legal entities, entrepreneurs, foreign corporations, governmental bodies and branches of an enterprise. The Register should serve as the integrated and consistent source of information about all legal entities and entrepreneurs that have come into contact with public administration. The Register should remove inconsistencies in electronic documents related to legal entities from various source registers. Individual legal entities will be identifiable by means of a unique number generated by the Statistical Office of the Slovak Republic. The data will serve as fundamental information for the needs of governmental bodies. According to the transitional provisions of the Act, a two year transition period applies to obliged persons. During this period the data will be integrated into the Register. However, the data from the Commercial Register, Trade Licence Register and from other registers maintained by the Ministry of Interior of the Slovak Republic, Ministry of Justice of the Slovak Republic and district authorities that provide data on related acts will become part of the Register no later than on 1 February 2016.

Data contained in the Register

The data contained in the Register is considered complete and authentic unless proved otherwise. Such facts are also relevant procedurally because it is not possible to object to the incompleteness or incorrectness of the data towards a third person acting in good faith. Pursuant to Section 48 (2) of the Civil Procedure Code (Act no. 99/1963 Coll.) if the court cannot deliver legal documents to the company's seat registered in the Commercial Register or any other register where the company is incorporated, the mail is considered delivered three days after the returned undelivered mail is received. In light of this, we highly recommend all firms and entrepreneurs to harmonize the information incorporated in the Commercial Register or Trade License Register with the company's actual data.

Providing information to the Register

The data on legal entities that are not public authorities is provided by the respective registry court. In case of legal entities established on the basis of law, such data is provided by the public authority maintaining the records on such legal entities. In case of natural persons – entrepreneurs, the data is provided by the respective Trade Licence Authority.

Obtaining information from the Register

The data from the Register will be provided by the Statistical Office free of charge in electronic form for the purpose of fulfilling tasks under special laws to state authorities, courts, municipalities and to natural or legal persons entrusted with tasks under special laws. Other persons may ask for an extract. For the average user, the Register will be accessible via the Statistical Office's website.

Identification number

Each legal entity registered in the Register of legal entities, entrepreneurs and governmental bodies must have a unique identification number. The number will be generated by the Statistical Office.

Contacts:

In case of any questions, please do not hesitate to contact your contact person in our office, or approach Marek Olekšák (marek.oleksak@bapol.sk) or Marek Orosz (marek.orosz@bapol.sk).

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