

ANNUAL REPORT

2018

A YEAR IN REVIEW
LEGAL AND POLITICAL DOSSIERS
MEMBERS' CORNER
EXTERNAL RELATIONS
COMMUNICATIONS
MANAGEMENT
AT THE SERVICE OF CITIZENS AND THE STATES



Notaries of Europe

Providing legal certainty



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MARIUS KOHLER

PRESIDENT'S FOREWORD

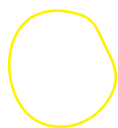
The European legislator is currently seeking to adapt the legal framework for cross-border commercial activities to today's increasingly digital world. For example, on 25 April the European Commission presented a legislative package on company law, aimed at facilitating the use of digital tools for company registration and online information management, as well as cross-border company mobility. These same concerns were also reflected in the negotiations on the Single Digital Gateway, for which a regulation was adopted in September 2018.

Throughout our exchanges with our European contact points, we endeavoured to highlight the notary's central and preventive role in many Member States in the field of company law. This essential function has been entrusted to us by the State, in the public interest: that of ensuring the reliability of business registers and combating money laundering.

We also took this conviction to international bodies such as the United Nations and the OECD. Increasingly, new soft law instruments are emerging through the work of these bodies and these can have an impact at national level. In this respect, I welcome the coordinated action taken with the International Union of Notaries to make our voice heard.

2018 was also the year of the CNUE's 25th anniversary. Twenty-five years during which we have worked with the European institutions to build a European legal and judicial area. There was, of course, the regulation on international successions, applicable since August 2015. There will now be the regulations on matrimonial property regimes and the property consequences of registered partnerships, applicable since 29 January 2019.

The European notariat has been active in this perspective: the training programme for notaries with the European Union's support, the organisation of a conference for practitioners in October with the Commission, the development of the European Notarial Network platform to provide practical assistance to notaries, the updating of the "Couples in Europe" website (www.couples-europe.eu). As I like to repeat, let us always keep in mind that Europe is not only what we are given by the European institutions, but what we do with it ourselves!



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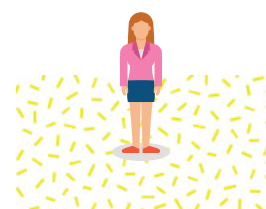
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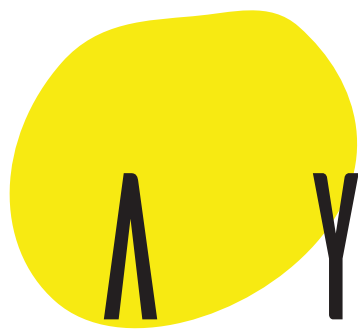
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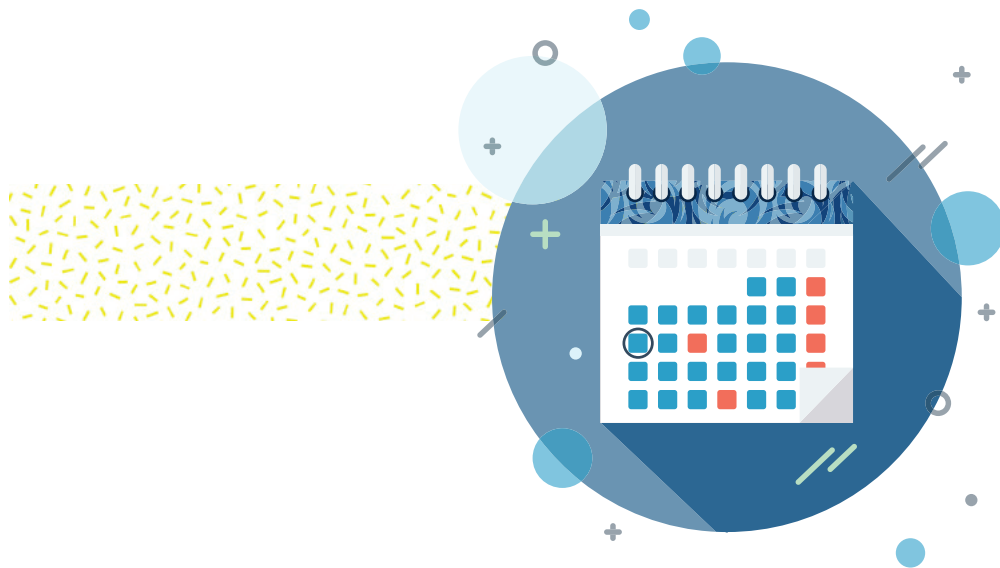
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A YEAR

IN REVIEW





CNUE – Transfer of Powers – Berlin, 19 January 2018

Hosted by the Representation of the Land of Hamburg in Berlin, the CNUE's 2017 and 2018 Boards met for a handover ceremony. On this occasion, Mr José Manuel García Collantes handed over to his successor as President of the CNUE, Mr Marius Kohler. Welcomed by the President of the German notariat, Mr Jens Bormann, the participants were honoured by the presence of the Federal Minister of Justice, Mr Heiko Maas. Mr Maas emphasised the role played by notaries in the organisation of justice in Europe and, more particularly, in Germany.



Heiko Maas, German Federal Minister of Justice

Data Protection Workshop – Berlin, 5 February 2018

On 25 May 2018, Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data became applicable. In view of this deadline and at the invitation of the German notariat, the CNUE held a workshop on data protection in Berlin on 5 February. Participants from 13 notariats took part in this initiative and shared the

progress of their reflections with a view to complying with the new instrument. It was also the opportunity to exchange good practices already in place or in the process of being implemented at the level of the notarial chambers and in notary practices.



30th Conference of European Civil-Law Notaries – Salzburg, 19-20 April 2018

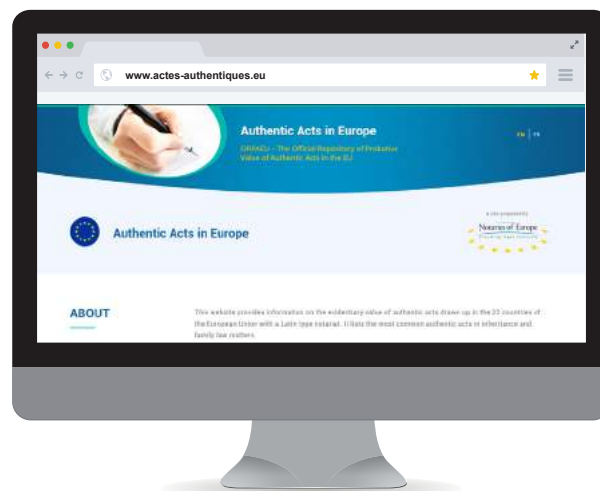
On 19 and 20 April 2018, the Austrian notariat held its 30th Conference of European Civil-Law Notaries in Salzburg on “The Notary and Consumer Protection in a Digital World”. Prestigious speakers were invited: Franz Fischler, former European Commissioner, writer and essayist Robert Menasse, and Rainer Münz, special adviser at the European Political Strategy Centre. During their exchanges, they listed current and future challenges for the old continent: Brexit and the decline in citizens’ support for building Europe, global warming, asylum policy, the digitalisation of economic activities, etc. These are all changes for which the responses can no longer be national. But it is on the question of the digitalisation of economic activities that the notariat wishes to reflect today with a view to a major digital single market as desired by the European institutions. Recent legislative proposals, the “new deal” in consumer law and the company law package published on 25 April were discussed.



Launch of the Authentic Acts in Europe website – 17 May 2018



The CNUE opened a new information website for the general public: “Authentic Acts in Europe” - www.authentic-acts.eu. Produced with support from the European Commission and the European Notarial Network, this website provides information on the evidentiary value of authentic acts drawn up in the 22 countries of the European Union familiar with notarial practice in matters of succession and family law. This information is available in English, French and the language of the country concerned.



European Commission presents a series of proposals on company law – 25 April 2018

On 25 April, the European Commission presented a legislative package on company law. The package includes a proposal for a Directive to facilitate the use of digital tools for company registration and online information management, as well as a Directive laying down harmonised procedures for cross-border divisions and transfers and a targeted review for mergers.



Meeting of the European Notarial Network – Vilnius, 17-18 May 2018

The European Notarial Network (ENN) held its first annual meeting in Vilnius on 17 and 18 May 2018. On this occasion, the national interlocutors who make up the Network took note of the renewal for four years of the partnership with the European Commission. They reviewed the results obtained and the priorities for the coming months: consolidation of the network and improvement of the resources and tools available for European notaries on the online ENN platform. The interlocutors' meeting was followed by a cross-border seminar on the practical aspects of the transposition into national law of European requirements relating to the fight against money laundering, the prevention of terrorist financing and the protection of personal data.



The European Notarial Network held its first annual meeting in Vilnius on 17 and 18 May 2018



Credit Martynas Ambrazas



CNUE Plenary General Assembly – Berlin, 15-16 June 2018

The CNUE Plenary General Assembly was held in Berlin on 15 and 16 June 2018, bringing together the 22 member notariats, the 4 observer members (the notariats of Northern Macedonia, Montenegro, Serbia and Turkey) and the Presidency of the International Union of Notaries (UINL). On the agenda were exchanges on the European Commission's recent company law package, the setting up of a new training programme on family law and the fight against money laundering in partnership with the Commission, a CNUE contribution to the drafting of the e-Justice Action Plan 2019-2023 and the compliance of notariats with the new European regulations on data protection.

*EU notariats
meeting in Berlin*



Conference on the Company Law Package – Brussels, 25 September 2018

At the invitation of the CNUE, several representatives of the European Commission, Parliament and the Council of the EU met on 25 September to take stock of the ongoing negotiations on the company law legislative package. Moderated by Corrado Malberti, Italian notary and Chair of the CNUE's Company Law working group, the discussions brought together Renate Nikolay, Head of Cabinet of Commissioner Věra Jourová, MEP Jytte Guteland (S&D, Sweden), and Matthias Potyka, representative of the Austrian EU Council Presidency. The speakers highlighted the fruitful discussions within the institutions to move the negotiations forward.



**Publication of a guide on
cross-border notarial mediation –
9 October 2018**

On 9 October the CNUE published a Practical Guide to Cross-border Notarial Mediation, presented in Brussels during a conference bringing together notaries from across Europe, representatives of the European institutions and other professional organisations. This guide is the result of the work carried out as part of the Mediation for Notaries – Notaries for Mediation project, coordinated by the CNUE and co-funded by the European Commission. It reflects the willingness of European notaries to develop a common framework for the practice of cross-border notarial mediation.



*On 9 October the CNUE
published a Practical Guide to
Cross-border Notarial Mediation*



Consult the guide:
[http://www.notaries-of-europe.eu/files/training/
guide-médiation-en-min.pdf](http://www.notaries-of-europe.eu/files/training/guide-médiation-en-min.pdf)





Conference on European Family Law – 23 October 2018 – Brussels

The CNUE and the European Commission held a joint conference on 23 October in Brussels on the two new European regulations relating to matrimonial property regimes and the property consequences of registered partnerships. The conference provided an opportunity for more than 200 practitioners to learn about and exchange views on their content, with a view to them becoming applicable on 29 January 2019. Marius Kohler, President of the CNUE, stressed the importance of the work carried out on these two regulations, which will provide legal certainty for property relations. From now on, practitioners must familiarise themselves with these new instruments. The CNUE has already embarked on this path with a new training programme. Salla Saastamoinen, Director of Civil and Commercial Justice at the European Commission, insisted on the need to develop concrete solutions for the 16 million international couples living in the EU. While 18 Member States have decided to join the enhanced cooperation procedure, she recalled that it remains open and encouraged other Member States to take part in it.



On 23 October, the CNUE and the European Commission held a conference on the two new regulations on matrimonial property regimes and registered partnerships

Photos and the speakers' presentations are available online:
www.notariesofeurope-conference.eu



Launch of the new 2018-2020 Training Programme – 15 November 2018

The 2018-2020 training programme “Europe for Notaries – Notaries for Europe III” was officially launched on 15 November 2018 with a first seminar on family law in Ljubljana (Slovenia). This opening seminar was a great success with more than 100 participants including notaries, judges, lawyers and representatives of the Ministry of Justice of Slovenia and also notaries from Croatia, Italy, the Republic of Northern Macedonia and Serbia. During the various sessions, participants had the opportunity to familiarise themselves with the Directives on matrimonial property regimes (EU 2016/1103) and the property consequences of registered partnerships (EU 2016/1104) through short presentations and practical exercises.



Meeting of the European Notarial Network – Vienna, 22-23 November 2018

The Austrian Chamber of Civil Law Notaries organised a seminar on 22 November addressing challenges and experiences relating to the application of the EU Regulation on Successions. Around 90 notaries and legal practitioners from different EU countries, as well as participants from the European Commission, attended the seminar.

The public seminar was followed on 23 November by the working group meeting of the European Notarial Network. The assembly had the significant participation of Christian Rauscher from the Austrian Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice. Mr Rauscher presented the experience of the Austrian contact point of the European Judicial Network and remarked the importance of cooperation with the notaries via the ENN which was set up taking inspiration from the model of the EJN.

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ANNÉES

au service
des citoyens
européens



Ceremonial session at the European Parliament for the CNUE's 25th anniversary

25th Anniversary of the CNUE – Brussels, 5 December 2018

The year 2018 is marked by the 25th anniversary of the creation of the Council of the Notariats of the European Union (CNUE). To celebrate this event fittingly, a formal session was held at the European Parliament on 5 December, under the patronage of Romanian MEP and notary Daniel BUDA. Institutional and political representatives were invited for the occasion and addressed the 150 representatives of European notariats present on the theme “The Council of the Notariats of the European Union - 25 years at the service of an area of Justice, Freedom and Security”.



Consult the video retracing the history of the CNUE:
<https://www.youtube.com/watch?v=N2OSBrhfpZA>

CNUE General Assembly – 6 December 2018, Brussels

On Thursday 6 December, the CNUE held its last General Assembly of the year. Ongoing legislative issues were at the centre of the discussions: the company law package, the revision of the Brussels IIa Regulation, the revision of the Regulation on the service of judicial and extrajudicial documents in civil and commercial matters and the Regulation on the taking of evidence in civil and commercial matters, the European e-Justice Action Plan 2019-2023, etc.



The Presidents of the 22 member notariats also voted to elect the President of the CNUE who will be in office in 2019. Mr Pierre-Luc Vogel, a French notary from Saint-Malo, was unanimously elected. Mr Georgios Rouskas, a Greek notary in Athens and President of the Greek notariat, was elected incoming Vice-President.



LEGAL AND POLITICAL DOSSIERS



AUTHENTIC INSTRUMENTS

On 31 May 2018, the European Commission published a proposal for revision of the Regulation on the service of judicial and extrajudicial documents in civil or commercial matters with a view to bringing the applicable rules into the digital age. The proposal enshrines the principle of transmission of documents by a decentralised IT system. The CNUE studied the potential impact of this proposal concerning in particular the introduction of enforceable electronic copies of documents (authentic instruments and court decisions) and the notariat's role in supplying data for and managing the proposed decentralised system.

On the same date, the European Commission published a draft revision of the proposal on the taking of evidence in civil and commercial matters. In some Member States, notaries are competent to obtain evidence in certain proceedings in the same way as courts. That is why the CNUE is working to ensure that the final text includes notaries with this competence.

Finally, the CNUE is preparing for the application on 16 February 2019 of the Regulation on the movement of public documents in collaboration with the various national ministries responsible.

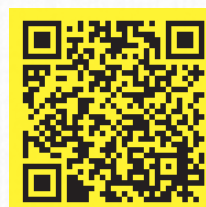


CEPEJ

The CNUE maintains close relations with the Council of Europe and, more specifically, with the European Commission for the Efficiency of Justice (CEPEJ). Every two years the CEPEJ publishes a report on the evaluation of the judicial systems. The CNUE contributes to this by participating in the EVAL working group and by drafting a complementary report on the efficiency of the notarial profession. The report explains how it works in the various European countries, illustrated with examples of national best practice. The CNUE also participates in a working group dedicated to mediation.

CEPEJ website:

https://www.coe.int/t/dghl/cooperation/cepej/default_en.asp



CONTRACT LAW

The CNUE is following the ongoing interinstitutional negotiations on the two proposals for Directives on certain aspects of online sales contracts and any other distance sales of goods and on certain aspects of contracts for the supply of digital content.

FAMILY LAW

Following the publication in 2016 of the proposal for the revision of Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, known as the “Brussels IIa Regulation”, interinstitutional negotiations continued throughout the year. The discussions are closely followed by the CNUE and notariats which have competence in matters of divorce and parental responsibility and which issue acts compatible with the Regulation currently in force.

The CNUE spoke in December at the conference organised by the European Commission and the Hague Conference on Private International Law on the cross-border protection of vulnerable adults. This conference was a consultation exercise to assess the need for and scope of further legislative action at European or global level.

Finally, with a view to the entry into force at the beginning of 2019 of the two European regulations on matrimonial property regimes and the property consequences of registered partnerships, the CNUE was involved in various actions to raise awareness among notaries (conferences, training, practical tools) and European citizens.



COMPANY LAW

On 25 April, the European Commission presented a legislative package on company law. The package includes a proposal for a Directive to facilitate the use of digital tools for company registration and online information management, as well as a Directive laying down harmonised procedures for cross-border divisions and transfers and a targeted review for mergers.

The CNUE supports the European Commission's approach to further digitalisation of the company lifecycle, while allowing Member States to rely on existing and well-established preventive control systems. This is why, throughout the year, the CNUE contributed to the political debates, in particular by participating in a hearing held at the European Parliament on 21 June 2018 and by organising a conference in September at its offices bringing together the stakeholders involved in the negotiations.



CNUE press release of 30 April 2018:

<http://www.notaries-of-europe.eu/index.php?pageID=16221>

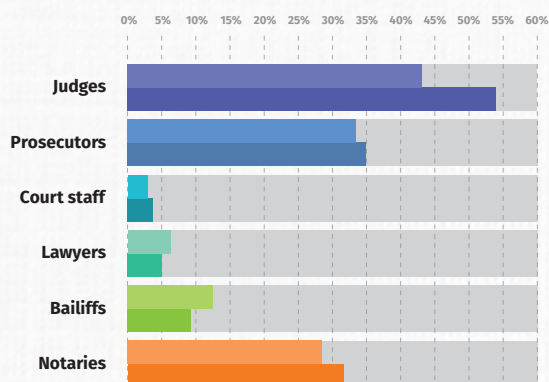
In cooperation with the International Union of Notaries, the CNUE follows the work of the UNCITRAL Commission, which is part of the United Nations: a legislative guide on the key principles of a business registry, adopted in June 2018, and a draft legislative guide on an UNCITRAL limited liability organization.

TRAINING



Since October 2018 and with the European Commission's financial support, the CNUE has started a new training programme. The "Europe for Notaries – Notaries for Europe" programme will run for two years, from 2018 to 2020. It involves the organisation of 21 seminars in 14 Member States, in partnership with national notarial authorities. The training provided will focus on family law and the fight against money laundering.

In December 2018, the European Commission published its report on European judicial training, which presents figures on the training of legal practitioners in EU law and in the law of other Member States in 2017.



Percentage of EU legal practitioners participating in continuous training activities on EU law in 2016 (light colour) and 2017 (dark colour)

Report on European judicial training:
https://e-justice.europa.eu/content_the_european_judicial_training_policy-121--maximize-en.do



As part of the process of evaluating its strategy for the training of justice professionals in EU law, the Commission has involved the CNUE in all the consultations carried out.

For example, the CNUE spoke at a conference bringing together the various stakeholders on 18 and 19 June 2018 and participates in the meetings of the European Commission's Expert Group on Judicial Training. This evaluation should make it possible to adopt a new strategy for the period 2019-2025.

FUTUROLOGY

Established at the initiative of the Hungarian notariat, the CNUE's "Futurology Forum" met in Valencia in January 2018 and in Budapest in September 2018. This forum is a platform to discuss the latest technological developments that may have an impact on the legal professions. Among the topics discussed with the help of external speakers: the digitalisation of registers, the creation of electronic databases, the use of big data and its limits, the use of artificial intelligence, the development of blockchain technology, the tools available within the framework of e-CODEX, etc.

FIGHT AGAINST MONEY LAUNDERING

Following the revision of the Fourth Directive and the adoption of the Fifth Anti-Money Laundering Directive, the CNUE supports its members in their efforts to transpose it at national level. The CNUE also participates in the European Commission meetings on risk assessment. A new evaluation is expected in June 2019.

The Financial Action Task Force (FATF) embarked on a project to develop a guide for intermediaries (lawyers, accountants and trustees and business service providers) on the risk-based approach. The CNUE was invited to participate in the work that began in March.



SINGLE DIGITAL GATEWAY

On 2 May 2017, the European Commission published a proposal for a regulation on the establishment of a single digital gateway. This portal aims to provide individuals and businesses with access, through a single digital entry point, to information, administrative procedures and online help services. The Regulation was adopted by the Council and Parliament in September 2018. As a partner of governments, the notariat actively contributes to more efficient administration, in particular through the implementation of fully dematerialised procedures. The CNUE therefore followed with great interest the negotiations on the adoption of the proposal for a regulation.

SINGLE MARKET

In January 2017, the Commission presented a package of measures to encourage the free provision of services in the EU. It issued a communication entitled "Reform recommendations for regulation in professional services", with sectoral recommendations on national regulations for the professions. This communication was accompanied by a proposal for a Directive on the proportionality test before the adoption of new professional regulations by a Member State. The Commission also proposed a Directive on the application of Directive 2006/123/EC on services in the internal market, establishing a procedure for the notification of authorisation schemes and service requirements.

The CNUE followed with interest the political negotiations on these proposals; the notariat is excluded from their scope. The proposal for a Directive on the proportionality test was adopted and entered into force on 29 July 2018.

DATA PROTECTION

On 25 May 2018, Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data became applicable. In this context, the CNUE is becoming a platform for exchange between its members with regard to compliance at the level of notarial chambers and notaries' offices.



MEDIATION

In 2018, the CNUE worked to establish a common framework for notarial mediation in Europe. With the European Commission's support, the "Mediation for Notaries – Notaries for Mediation" programme was implemented throughout the year. The programme enabled five workshops to be held in five different countries, followed by a closing conference in Brussels. These workshops were at the origin of the creation of a practical guide to cross-border notarial mediation at European level and the networking of notary-mediators.



EUROPEAN NOTARIAL NETWORK

A new work plan was adopted with the European Commission for the period 2018-2022. The work plan provides for the consolidation of the network and the improvement of the resources and tools made available to European notaries on the ENN's online platform. Thus, every year, cross-border seminars will be organised to study the impact of recent European legislation. Legal work was undertaken to provide practical tools for notaries for the effective implementation of the European regulations on matrimonial property regimes and registered partnerships. A space dedicated to notary-mediators was created to promote their networking. Finally, the ENN updated the information available on the CNUE's information websites for the general public, in particular the Couples in Europe website.

MEMBERS'

CORNER



AUSTRIA

New Adult Protection Law

The Second Adult Protection Act [2. Erwachsenenschutzgesetz] entered into force on 1 July 2018. The existing legal provisions were revised over a two-year period with the close involvement of notaries. The new law is centred on autonomy, self-determination and decision-making guidance of those concerned. There will be four main pillars for representing adults requiring assistance: lasting power of attorney, elective representation, statutory representation and court-appointed representation. Every choice of one of the four pillars must be recorded in a centralised national register of which notaries are in charge. As a new rule, lawyers and notaries will in future be able to act as representatives for a maximum of 15 individuals.

Online registration of companies

The Austrian Chamber of Civil Law Notaries has developed a system to provide digital tools which allow limited liability companies to register fully online with the involvement of a notary. Nevertheless, the indispensable legal certainty is guaranteed to avoid abuses. An important aspect of company registration with digital tools is the implementation of video conferences. In these video conferences, the notary can give legal advice to entrepreneurs with the aim of finding the best solution for their companies. The entire online registration system is expected to be established in the second quarter of 2019.



BELGIUM

Biddit.be:
buy and sell a property online
simply and securely

The Belgian notariat has taken the step towards the digitalisation of real estate transactions. It is now possible to buy and sell a property online via the website www.biddit.be, with the help and supervision of a notary. Biddit.be officially started on 1 September 2018. In a few months, more than 80 properties were sold via this system. People wishing to buy a property can make an offer via their computer with their electronic identity card or via their mobile phone with the Itsme application. Bids can be made manually or automatically up to a predetermined maximum amount and with the sole knowledge of the buyer. Each offer is binding and visible to all those who visit Biddit.be. When the 8-day auction period is over, the notary contacts the highest bidder to finalise the sale. The system is much faster than a traditional sale, with the notary carrying out all the controls in advance.



FRANCE


French notaries are working on the Europe of tomorrow

The French notariat took part in the citizens' consultations on the Future of Europe launched by the President of the French Republic in spring 2018.



<https://www.quelleestvotreeurope.fr/je-participe.html>

In addition to active participation in the consultations organised in particular by the ENM (National School of the Judiciary) and by the DACS (Directorate of Civil Affairs and the Seal) in the presence of the French and German Ministers of Justice, the notaries of France also held their own citizen consultation meeting. Thus, on 3 October 2018, notaries, honorary notaries, future notaries and their staff were able to reflect on European issues during a half-day workshop organised jointly in Marseille by the *Conseil supérieur du notariat* and the *Chambre des notaires des Bouches du Rhône*. They responded directly to the major survey proposed by the European Commission to all European citizens.

https://ec.europa.eu/commission/consultation-future-europe_en



The participants then shared their experiences in handling cross-border cases and discussed solutions to improve their international practice around four main themes: family, company law, taxation and training. In particular, they noted the good cooperation with other European notaries, particularly with regard to the exchange of powers of attorney. Finally, all participants expressed the urgent need for tax harmonisation. The result of the Marseille consultation was forwarded to the Secretariat General during the citizens' consultations. It contributed to the synthesis of all the workshops held in France.



NETHERLANDS

The Royal Dutch Association of Civil-Law Notaries celebrates 175th anniversary

In 2018 the Royal Dutch Association of Civil-Law Notaries (KNB) celebrated its 175th anniversary. Under the motto 'Civil-law notary: truly the greatest profession!', the KNB organised gatherings and activities throughout the year. The highlight was the celebratory annual congress held at the Van Nelle Factory in Rotterdam on 5 October. King Willem-Alexander received the first copy of the anniversary book, presented by President Nick van Buitenen. The congress also featured speeches and workshops on the past, present and future of the civil-law notary profession.

<https://www.knb.nl/nieuwsberichten/koning-willem-alexander-ontvangt-eerste-exemplaar-jubileumboek-knb>

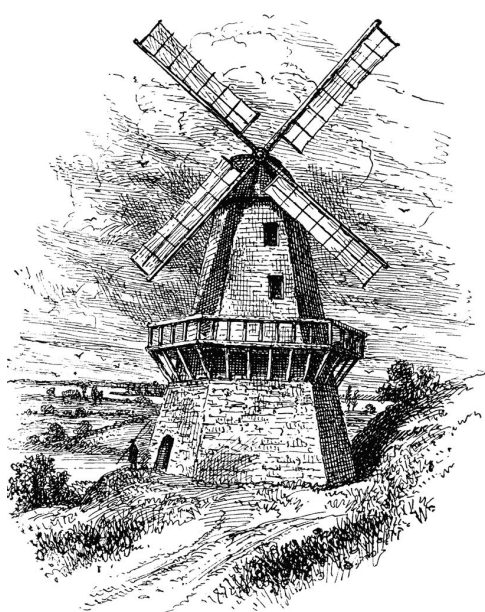
The KNB's anniversary was in the spotlight at the 50plusBeurs as well. Around 96,000 guests came to the Jaarbeurs exhibition and convention centre in Utrecht, and many of them visited the KNB's stand to ask civil-law notaries questions and receive useful information.

There was also a student challenge in which students came up with a recommendation on 'Belehrung op afstand' (remote information provision), including a communication plan to convince the professional group.

Watch the video

<https://www.175jaarknb.nl/fotoalbum/events/studenten-challenge>

A national public visitors day was held on Saturday 3 November as part of the European Day of Justice. Nearly 100 civil-law notary firms organised local events at places reflecting their usual Saturday activities, including on the sports pitch, at the library, or at the care home of a relative. The KNB developed a toolkit with flyers and posters, which also included pictures for children to colour in.



SPAIN

Spanish notariat: financial crime prevention and protection of vulnerable people

In 2018 the Spanish notariat held two events with a broad public impact. Because of its social and economic significance, the first mention is for the international forum “Crimes of a financial nature: Collaboration of the Notariat in Prevention and Prosecution”, organised in collaboration with the International Union of Notaries (UINL). The event drew experts from major international organisms and institutions such as the United Nations, the European Commission, the European Anti-Fraud Office and Europol.

The forum looked at the effort Spanish notaries have made in money laundering prevention. “Spanish notaries are the role model for money laundering prevention and the CGN’s Centralised Prevention Body is famous for its work on identifying beneficial owners,” said Marconi Costa, Executive Secretary of the GAFILAT Financial Action Task Force of South America. Javier Martínez Sanchiz, Legal Officer at the United Nations Security Council, argued that the money laundering prevention system put in place by Spanish notaries “should be imitated by other notariats and sectors”.

The forum conclusions will help the UINL to present concrete proposals to the FATF, in order for it to consider proposing a specific regulatory framework for global collaboration in preventing these crimes for more than 300,000 notaries across 88 countries.



The second event was part of the commemoration of the Spanish Constitution, which celebrated its 40th anniversary in December, entitled The Protection and Equality of Individuals in the Constitution. The event was structured into four round tables addressing the protection and equality of four vulnerable groups (people with disabilities, the elderly, women and children), their areas of action, achievements and pending issues. The main conclusion reached by the participants is that the Spanish Constitution must be reinforced to meet the needs of the most vulnerable groups.



EXTERNAL RELATIONS



EUROPEAN NOTARIAL ASSOCIATIONS

The CNUE is proud to give administrative and logistical support to the various notarial organisations set up under its impetus, such as EUFides and the ENRWA. The CNUE organises and hosts these associations' General Assemblies and Board meetings.



ENRWA

The European Network of Registers of Wills Association is an international non-profit association under Belgian law, created in 2005 by the Belgian, French and Slovenian notariats. The ENRWA works on the interconnection of registers of wills and European Certificates of Succession (ECS) in Europe. Fifteen registers of wills and three ECS registers are now interconnected thanks to the ENRWA. Each year the network registers more than 2500 queries and finds more than 350 wills in a foreign register. In 2018, the association has 21 member notariats.



EUFIDES

EUFides is a secure collaboration platform that facilitates cooperation between European notaries dealing with cross-border cases. EUFides was set up as an AISBL under Belgian law in January 2014 with the Belgian, French, Italian, Luxembourg and Spanish notariats as founding members. In 2016, EUFides welcomed the membership of two new members, the Dutch and German notariats. Originally designed to deal with cross-border real estate transactions, EUFides has expanded into other areas of notarial competence. It is now possible to handle succession and company law files.



Notaries of Europe Open Days



The Notaries of Europe Open Days are a CNUE initiative which takes place every year around 25 October, the date of the European Day of Justice, in partnership with the European Commission and the Council of Europe.

Information sessions, conferences and free consultations are organised by the notaries of Europe with the participation of several thousand citizens and students.



European Day of Justice - 2018
**LES JOURNÉES
"PORTES OUVERTES"**
Notaires d'Europe
Travailler ensemble pour la sécurité juridique

#NotariesOpenDays

The list of events is available on the website: <http://notariesofeurope-opendays.eu>



These websites are multilingual and provide an overview of the national law of the Member States. In short, these are valuable tools to consult before going to see your notary!

Information Websites

The CNUE provides the general public with thematic information sites:

- Successions in Europe: www.successions-europe.eu
- Couples in Europe: www.couples-europe.eu
- Buying property in Europe: www.buyingmyhome.eu
- The Vulnerable in Europe: www.the-vulnerable.eu
- Authentic Acts in Europe: www.authentic-acts.eu

European Notarial Network



The online platform of the European Notarial Network (ENN) is accessible to the 40,000 notaries in Europe. In addition to the possibility of calling on their national interlocutors electronically to help them with cross-border cases, notaries now have at their disposal, free of charge, many practical tools and resources: explanatory handbooks on regulations, legal databases, bilingual forms, a videoconferencing system, etc.

Registration is very simple and can be done via the website www.enn-rne.eu.

www.enn-rne.eu

European Directory of Notaries

The CNUE has set up a directory of notaries in Europe:

www.notaries-directory.eu. The directory lists the 40,000 notaries in the European Union. It provides information on contact details and also indicates the languages used by the notary. This service is available in all 23 languages of the European Union.

www.notaries-directory.eu



Social Media



Twitter

Follow the CNUE on Twitter @EUNotaries to find out the latest news, events, publications and press releases. The CNUE now has more than 1700 followers!

Discover the CNUE's account: www.twitter.com/EUNotaries



LinkedIn

Join the Notaries of Europe community at:

www.linkedin.com/company/council-of-the-notariats-of-the-european-union



YouTube

The CNUE has its own YouTube channel. The latest videos are available at:

www.youtube.com/user/EUNotaries

MANAGEMENT

The CNUE in Brief

The Council of the Notariats of the European Union (CNUE) is the official body representing the notarial profession in dealings with the European institutions.



Speaking for the profession, it has negotiating and decision-making powers on behalf of all the notariats of the European Union, so some 40,000 European notaries and their 200,000 staff.

The CNUE represents the notariats of the EU Member States familiar with this institution: Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland Portugal, Romania, Slovakia, Slovenia and Spain. The notariats from the Former Yugoslav Republic of Macedonia (FYROM), Montenegro, Serbia and Turkey have observer member status.



Video presenting the CNUE:

<https://www.youtube.com/watch?v=2oDCZOzb-GU&t=172s>

FULL MEMBERS



1) Austria
Österreichische Notariatskammer
Number of notaries: 515



2) Belgium
Conseil International du Notariat Belge
Number of notaries: 1 559



3) Bulgaria
Chambre des Notaires de Bulgarie
Number of notaries: 675



4) Croatia
Hrvatska javnobilježnička komora
Number of notaries: 324



5) Czech Republic
Notarska komora Ceske republiky
Number of notaries: 444



6) Estonia
Eesti Vabriigi Notarite Koda
Number of notaries: 91



7) France
Conseil Supérieur du Notariat Français
Number of notaries: 11 630



8) Germany
Bundesnotarkammer
Number of notaries: 7 088



9) Greece
Conseil National du Notariat Grec
Number of notaries: 2 872



10) Hungary
Magyar Országos Közjegyzői Kamara
Number of notaries: 316



11) Italy
Consiglio Nazionale del Notariato
Number of notaries: 4 970



LATVIJAS
NOTĀRS

12) Latvia
Latvijas Zvērinātu notāru padome
Number of notaries: 106



LIETUVOS NOTARŲ RŪMAI

13) Lithuania
Lietuvos Notarų Rūmai
Number of notaries: 260



14) Luxembourg
Chambre des Notaires du Grand-Duché de Luxembourg
Number of notaries: 36



15) Malta
Kunsill Notarili ta' Malta
Number of notaries: 359



Koninklijke Notariële
Beroepsorganisatie

16) The Netherlands
Koninklijke Notariële Beroepsorganisatie
Number of notaries: 1 256



17) Poland
Krajowa Rada Notarialna
Number of notaries: 3 446



18) Portugal
Ordem dos Notários Portugal
Number of notaries: 417



19) Romania
Uniunea Națională a Notarilor Publici din România
Number of notaries: 2 375



20) Slovakia
Notárska komora Slovenskej republiky
Number of notaries: 346



21) Slovenia
Notarska Zbornica Slovenije
Number of notaries: 93



22) Spain
Consejo General del Notariado
Number of notaries: 2 806

OBSERVER MEMBERS



23) Former Yugoslav Republic of Macedonia
Нотарска комора на Република Македонија
Number of notaries: 198



24) Montenegro
Notary Chamber of Montenegro
Number of notaries: 53



25) Serbia
Serbian Chamber of Notaries
Number of notaries: 163



26) Turkey
Türkiye noterler Birliği
Number of notaries: 1 575

2018 CNUE Board



2018 CNUE President
Marius Kohler
Germany



2018 CNUE Incoming Vice-President
Pierre-Luc Vogel
France

Directors



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Austria



Marc Bombeeck
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Trainee



Susanne Viggria-Krämer
Legal Adviser



AT THE SERVICE OF CITIZENS AND THE STATES

THE NOTARY'S MISSION: ESTABLISHING AUTHENTIC INSTRUMENTS



The notaries' mission, which they carry out as delegates of the State that nominates them and accords them the status of public office holder, is to confer authenticity on the legal instruments they establish for their clients. Authenticating an instrument involves gathering together and expressing the wishes of those involved impartially and in full respect of the law. By appending the State's seal next to the signature of the parties on the instruments they draw up, notaries are responsible for the content and the form.

An authentic instrument has similar value to a judgement and cannot be contested, except by judicial means. Authentic instruments have probative value, which applies to both justice and the administration in addition to all third parties. They are also enforceable, enabling the contracting parties to obtain direct enforcement of their reciprocal obligations before the courts.

The authentication of acts and contracts is a public service, generally subject to the rules of territorial distribution and to price control.

Notaries must guarantee the publicity of the authentic instrument to third parties and the State, primarily by registering it on the public registers that exist for this purpose. They are also responsible for its perpetuity as they must keep the original in their archives and issue authentic copies.

NOTARIES, ADVISERS FOR FAMILIES



Notaries are legal advisers for families, providing answers to their questions with respect to their estate: home buying, marriage contracts, registered partnerships, donations, wills, succession settlements, etc. Notaries do not only retrospectively settle the property consequences of family events such as divorce, death or an accident leading to a disability. They are also advisers who can be consulted by families at any time, to prepare the transfer of assets or modify the structure of an estate, according to current or future needs. Notaries also have a role, as a trusted third party, in the use of alternative conflict resolution methods such as mediation, conciliation, and in some cases arbitration.

NOTARIES AT THE SERVICE OF REAL ESTATE



Many players are involved in real estate, such as estate agents, experts, bankers and the State itself. Notaries, at the heart of the process, facilitate and organise their involvement. They gather together the necessary preliminary information and expertise, where required, draw up a loan document and in most cases conduct the subsequent formalities. These include registration in the public registers, collection and payment of taxes and the final issue of the ownership deed to the purchaser. In many countries, they act as a one-stop-shop.

NOTARIES ADVISING BUSINESS PEOPLE



In many countries, legislators have endeavoured to make business life as secure as possible, by entrusting notaries with exclusive competence to draw up legal instruments incorporating and modifying companies, in addition to many legal instruments certifying their activity. Notaries help business projects to succeed and thus better protect the company's shareholders and creditors from the outset. The legal form of the company, the division of powers at its heart and the social and tax status of its directors all affect their family lives and personal estate. The marriage, divorce, fatherhood or motherhood of its directors, not to mention their retirement or death, also has repercussions for the company. Notaries carry out an overall analysis; they are able to find complete congruence between the needs of the company, its durability and the aspirations of its management and workforce.

NOTARIES IN THE FIGHT AGAINST MONEY LAUNDERING



Notaries play a central and effective role in the fight against money laundering. They implement recommendations from the Financial Action Task Force (FATF) and the resulting European legislation. In particular, notaries must inform the public authorities if they have suspicions about a financial operation or transaction. In such cases, notaries must maintain a balance between observing professional secrecy and supporting the work of the public authorities.



PIERRE-LUC VOGEL
2019 CNUE President

*A Europe that protects
is a Europe that needs
its notaries*

Not surprisingly, 2019 will be a year of European transition, with institutions renewed by the vote. A new Parliament, a new college of Commissioners will write a new page in the history of our Europe.

A Europe that protects is a Europe that needs its notaries. This is why we, public office-holders, delegates of public authority, present in 22 of the 28 countries of the European Union, in constant contact with our fellow citizens and their concerns, are legitimate to formulate proposals to the newly elected European representatives.

We, the notaries and member notariats of the CNUE, will put forward ideas and suggestions for economic development, social justice, individual peace and the development of our system of continental law. Thus, with our proposals, we will commit to contributing to the reflection of the future European legislator, through a pragmatic and realistic approach. Our European bodies must support continental law and defend our specificity and the notarial model. This notarial model is the tool of a modern State, a State that is always present but never burdensome. Serving the State and its citizens is at the heart of our profession as notaries, as an essential intermediary between the law and those to whom it applies.

The year 2019 will also mark the entry into force of the two European regulations on matrimonial property regimes and registered partnerships. The notariat as a whole must rise to this challenge. Our European colleagues will have to be trained in order to be able to apply these new regulations perfectly, in the same way as for the regulation on successions, which has been a success since 2015. The CNUE's Training III programme is part of this framework.

Finally, 2019 will be marked by two events for the CNUE: publication of property prices in several major European cities and an exhibition at the European Parliament. The latter will take place in November 2019 and will enable the profession to demonstrate that, from the past to the present and even more so in the future, Europe needs its notaries. Through presentations of historical authentic instruments from the archives of each of our notariats, but also demonstrations aimed at highlighting the digital advances of the profession, this exhibition will enable us to make ourselves better known to the newly elected European representatives.

I want a European notariat, which develops around common values and objectives, a notariat that is united, successful, constructive and communicative. A notariat that fully takes its place in the construction of Europe.