



CNUE President 2012 - Tilman Götte, Germany

"During this period of uncertainty, the notariat is an institution that inspires confidence and guarantees legal certainty. We are regularly consulted to find practical and legal solutions to the problems raised by the construction of an European area of justice, freedom and security. The Notaries of Europe are always keen to demonstrate the added value of their profession for the benefit of all, citizens and businesses."

Mr Tilman Götte, CNUE President 2012

Biography

Doctor in Law at the Faculty of Law at the University of Munich, Mr Tilman Götte has been practising as a notary in Munich since 1996.

He joined the Administrative Board of the Bavarian Notaries' Fund ('Notarkasse') in 1998 and was elected President in 2010.

From 1997 to 2011 Mr Götte sat on the Administrative Board of the Chamber of Notaries of the Land of Bavaria. He held the position of Vice-President of this Chamber from 1999 to 2011.

From 2001 to 2011, Mr Götte served as President of the Bundesnotarkammer, the Federal Council of the German Notariat. In light of his unfailing commitment to the Latin notariat in Germany and in Europe, he was elected unanimously Honorary President of the Bundesnotarkammer on 28 October 2011.

President message

Following your time as head of the Bundesnotarkammer, how do you view the presidency of an organisation such as the CNUE?

I hope to take advantage of the experiences drawn from the last ten years as president of the Bundesnotarkammer to complete the CNUE presidency successfully. However, the European dimension of my role and the responsibility for the whole of the Latin notariat in continental Europe remain, of course, something completely new, even though Europe has influenced professional policy at Member State level for a long time. For this reason, I would like to invite all the notariats to participate in the CNUE's work and to get actively involved, as they have done in the past. Each presidency depends on the participation and support of the other notariats. This is why I intend to consult my European colleagues closely concerning my priorities for 2012.

At political level, what are the broad lines of your term in office?

At European level, there are big challenges on the horizon for 2012 and we will only be able to solve them if we do so together. Accordingly, the 2012 presidency will focus on the main topics on the current agenda. Furthermore, in order to be in a position to defend the notariat's interests effectively at European level, the notaries must be sure of having support from policy makers and society in general in their countries. We must follow developments within the Member States closely and militate against any reduction in competences, even if it happens indirectly. Also at European level, we should, of course, reinforce our efforts to develop new perspectives for notarial competences,



thus further consolidating our profession.

What are the major policy areas for 2012?

Particular attention will have to be paid to the evolution of the Common European Sales Law that we intend to shape actively with our expertise as legal practitioners.

I am also looking forward to the Green Paper on Company Law announced for 2012. The Community Acquis in company law will have to be defended despite the current trend for increasing deregulation. In company law, notaries have the task of keeping an eye on the quality of registers and preventing disadvantages for minority associates, creditors, employees and the tax authorities.

During 2012, the proposals for conflict of law rules concerning the matrimonial regimes of married couples and registered partnerships will probably stand out. Here also, the European notariat will continue to be involved in the discussions in a constructive way, as it was in the context of the conference on patrimonial regimes on 17 October 2011 organised jointly with the European Commission.

In 2012 I would like to give particular priority to 'vulnerable individuals'. It is important for notaries to be perceived as interlocutors who are competent in this key area of preventive justice. It could be envisaged, for example, to take initiatives in favour of the harmonisation, currently only partial, of conflict of law rules applicable to mandates giving power of attorney and end-of-life mandates.

Following the success of the European Directory of Notaries and the Successions Europe website, what projects will be implemented this year?

The growing importance of European law is not without repercussions for our profession. The training of the legal professions is rightly one of the key priorities of the Commissioner for Justice, Ms Viviane Reding, who wishes to introduce an ambitious programme for judicial training. We will try to ensure that notaries play a pioneering role in cross-border training and to integrate, pursuant to the principle of subsidiarity, the existing bilateral and multilateral events in the European Union.

Our 'matrimonial property regimes' project seeks to provide citizens and legal practitioners with easy to understand information on the substantive law of matrimonial property regimes and the private international law of the Member States. The launch of the website is planned for autumn 2012 and will follow the same lines as the website on succession law (www.successions-europe.eu).