

ANNUAL REPORT NOTARIES OF EUROPE

20
23





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*Dr. Peter
Stelmaszczyk
President of the
CNUE 2023*



FOREWORD BY THE PRESIDENT

In the run-up to the European elections in 2024, the past year has been of vital importance for the European notariat. Numerous political initiatives were due to be finalised before the end of the legislature, and quite naturally formed the main focus of my programme.

My first political priority has been dedicated to the fight against money laundering and terrorist financing and the legislative package currently being adopted. We have demonstrated that we are indispensable partners of the Member State in preventing illegal activities. Human intervention through legal professionals remains crucial for assessing money laundering risks – despite the general call for more automation and standardisation!

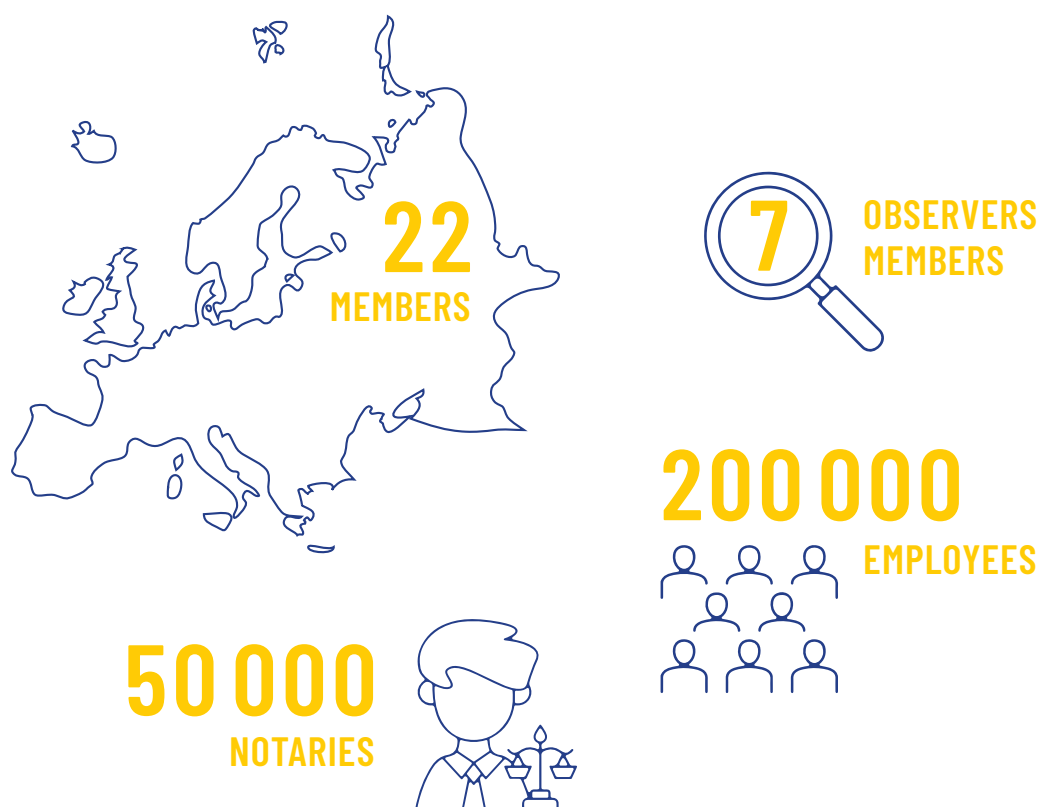
My second priority has been the digitalisation of our profession, bringing both opportunities and challenges. Addressing the challenges of the digital transformation is crucial and the EU has made it a key focus of action: digitalisation of the justice systems of the Member States, creation of a European Digital Identity Wallet, Artificial Intelligence Act, upgrading of digital company law, etc. On this topic, we worked closely with the European institutions and made our voices heard. It is crucial, despite the digital transformation, to maintain legal certainty.

My third priority has been the European Commission's new initiative on the cross-border protection of adults. While sound and far-sighted legislation plays a key role in safeguarding the rights of persons with disabilities, it is the responsibility of society as a whole to ensure the protection of those most in need. And notaries are the guardians of the interests of our citizens.

Finally, support for the Ukrainian notariat has been another priority on the agenda. I had numerous meetings with representatives of the European institutions, recalling the absolute need to support the preventive administration of justice in times of war and to work towards its post-war reconstruction. In 2024, it will be time to gather support. I am convinced that we can succeed.

THE CNUE TODAY

The **CNUE (Council of the Notariats of the European Union)** now represents the notariats of 22 Member States of the European Union, as well as 7 notariats with observer status, to the European institutions. The CNUE's mission is to promote the notariat and its active contribution to any decision-making processes of the European Union that affect the legal aspects of citizenship and running a business, access to justice and consumer protection.



More info on:



www.notariesofeurope.eu



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of-the-european-union

REVIEW OF THE YEAR





2023 Priorities:

- *Fight against money laundering*
- *Company law*
- *Protection of adults*
- *Ukraine*

PETER STELMASZCZYK BECOMES THE NEW PRESIDENT OF THE NOTARIES OF EUROPE

20 January 2023

On the occasion of the handover ceremony in Berlin on 20 January 2023, **German notary Dr. Peter Stelmaszczyk became the new President of the Council of the Notariats of the European Union (CNUE) for 2023**, succeeding Italian notary Giampaolo Marcoz.

In the presence of high-level figures such as the German Minister of Justice Marco Buschmann and the Latvian Minister of Justice Inese Lībiņa-Egnere, President Peter Stelmaszczyk outlined the priorities of his work programme for the coming months. Close cooperation with the European institutions will be at the very heart of his agenda. The EU anti-money laundering package, the Commission's proposal on the digitalisation of company law and the protection of vulnerable adults will be key topics. In addition, Dr Peter Stelmaszczyk promised to provide additional support to the Ukrainian notariat, whose President Volodymyr Marchenko travelled to Berlin specifically for this occasion.



CNUE
press release



Speech by German
Minister of Justice
Dr. Marco Buschmann
(in German)

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+2,500
NOTARIES
USING THE ENN



15TH ANNIVERSARY OF THE EUROPEAN NOTARIAL NETWORK

9 March 2023

On 9 March 2023, the CNUE member notariats and the interlocutors of the European Notarial Network ([ENN](http://enn-rne.eu) – www.enn-rne.eu) met in Brussels to celebrate the 15th anniversary of the ENN. A conference was held to **take stock of progress over the years, assess common achievements and, above all, look at future challenges**. Two discussion panels were organised: one dedicated to the CNUE working groups on “Digitalisation in EU civil and commercial legislation” and the other specifically on the ENN with the participation of national interlocutors and Ms Marie Vautravers, Secretary of the European Judicial Network in Civil and Commercial Matters.

Dr Peter Stelmaszczyk, President of the CNUE, and ENN Coordinator Giovanni Liotta, opened the work of the conference. They outlined the history of the ENN and stressed the importance of the European Commission’s ever-renewed support. The ENN now has a modern online platform open to all notaries of Europe. More than 2 500 notaries in 22 countries use the ENN on a daily basis and benefit from the many practical tools available to them.

However, the strength of the ENN is also its ability to react and adapt, stressed Dr Peter Stelmaszczyk. This was demonstrated by the year 2022 and the war in Ukraine. Over the past year, the ENN has created an entire section dedicated to practical and useful legal information and tools to answer questions concerning Ukrainian law and Ukrainian refugees in Europe. This section includes, inter alia, a multilingual form allowing parents to express their wishes regarding the travel of their child leaving Ukraine and the exercise of parental responsibility.

Finally, Mr Dirk Staudenmayer, Acting Director of the Civil and Commercial Justice Unit of the European Commission, closed the proceedings by thanking the CNUE for the support given to Ukrainian citizens and notaries. He also expressed his gratitude for the preparatory work for the publication on 29 March of a legislative proposal on digital company law and, at the end of May, on the protection of vulnerable adults.



Commemorative brochure of the
15th anniversary of the ENN





MEETING WITH EUROPEAN COMMISSIONER FOR JUSTICE DIDIER REYNDERS

13 March 2023

On 13 March 2023, the European Commissioner for Justice, Didier Reynders, met the President of the CNUE, Peter Stelmaszczyk, to discuss issues of common interest. In particular, two upcoming legislative proposals were at the center of this exchange: the first one on digital company law, scheduled for 29 March, and the other on the protection of vulnerable adults, scheduled for 31 May. On this occasion, Peter Stelmaszczyk informed Commissioner Didier Reynders of the full availability of the European notariat to support the Commission's important work on clear rules and efficient procedures for the benefit of citizens and businesses. With regard to the "Upgrading Digital Company Law" initiative, Peter Stelmaszczyk put particular emphasis on the importance of reliable business registers for conducting commercial activities in the EU.

Among the areas of cooperation to be considered, Peter Stelmaszczyk suggested establishing close cooperation with the Commission in order to set up a training programme for European notaries and other public actors on the new anti-money laundering regulation, which will be applicable in the near future and strongly supported by the Notaries of Europe. Commissioner Reynders listened to these proposals very carefully.

Finally, the Ukrainian crisis was addressed. The President of the CNUE indicated that the European notariat was ready to become more involved in the Commission's Freeze & Seize Task Force, in order to support the enforcement of sanctions, to address the practical concerns of legal practitioners and to deal with the new reporting obligations. He also underlined the current situation of Ukrainian notaries and the importance of the preventive administration of justice in Ukraine. The idea of using the funds of a possible Marshall Plan to support the Ukrainian notariat was presented and the CNUE expressed its readiness to become involved in this project with the – potential – support of the European Commission. Commissioner Reynders was mindful of the concerns of the notariat and indicated that, in a first step, the Commission is trying to assess the damages caused by the war and that it would then start a consultation process with Ukraine on its wishes and funding needs.



Peter Stelmaszczyk informed Commissioner Didier Reynders of the full availability of the European notariat to support the Commission's important work on clear rules and efficient procedures for the benefit of citizens and businesses.



★ *More than 2,100 notaries have contributed to the MAPE Successions project.*



Conference videos

SETTLEMENT OF INTERNATIONAL SUCCESSIONS: THE CNUE PUBLISHES ITS RECOMMENDATIONS

23 March 2023

On 23 March, the CNUE published the results of the 'MAPE Succession' project, the aim of which was to evaluate the application of Regulation (EU) No 650/2012 on international successions by notaries. During this two-year project, more than 2 100 notaries contributed and shared their experiences on a wide range of topics covered by the Regulation: rules on jurisdiction, choice of applicable law, acceptance of authentic instruments, European Certificate of Succession, etc. All these data were analysed and discussed by a team of academics and notaries, who presented their [recommendations](#) and [summary](#) reports at a conference held on the same day in Brussels and via streaming.

Marianne Sevindik, Chair of the CNUE Succession Law Working Group and coordinator of the 'MAPE Succession' project, took the floor on this occasion: *"The study confirms that the Succession Regulation has been very well received by notaries, although it has introduced important changes in their practice. Notaries see it as a useful tool for anticipating and dealing with cross-border successions. As with any European legislative instrument, it is always possible to improve it, and the recommendations of the study already suggest some useful changes. The study also proposed some suggestions for improving the application of the Regulation even without amending it. In any event, and irrespective of the Commission's conclusion on the possible need for a revision of the Succession Regulation in the coming years, the CNUE wishes to participate in future discussions and work".*

Andreas Stein, Head of Unit for Civil Justice of the European Commission, congratulated the CNUE for the work done and the numerous feedback obtained from notaries as a particularly valuable database. He indicated that the results of the study would be analysed with interest in the light of the evaluation to be carried out by the Commission with a view to a possible revision of the Regulation.





NEW PROPOSAL FOR A DIRECTIVE ON THE DIGITALISATION OF COMPANY LAW

29 March 2023

On 29 March 2023, the European Commission presented its [proposal for a directive](#) to extend and improve the use of digital tools and processes in EU company law. The proposed rules include:

- **The application of the “once only” principle**, so that companies do not have to re-submit information when setting up a branch or a company in another Member State. Relevant information can be exchanged through the [Business Registers Interconnection System](#) (BRIS).
- **An EU Company Certificate**, containing a basic set of business information, which will be available free of charge once a year if retrieved electronically in all EU languages.
- **A standard multilingual model of European digital power of attorney** that shall be accepted as evidence of a person to represent the company in another Member State.
- **The removal of formalities**, such as the need for an apostille or certified translations for company documents.

In addition, the Commission intends to focus on improving the transparency of cross-border activities. In this sense, the text foresees to connect BRIS to the national beneficial ownership and insolvency registers in order to facilitate the search for company information. Important information on undertakings, such as information on partnerships or groups of undertakings, should also be publicly available through BRIS. Finally, the text should ensure that business data contained in business registers is “accurate, reliable and up to date”, in particular by introducing checks on company information prior to their registration in business registers in all Member States.



This new proposal aims to facilitate the use of digital tools and processes in the field of company law.



Proposal for a Directive



BRIS



33TH EUROPEAN NOTARIES DAYS

20-21 April 2023

Under the theme "Notaries go digital – Current practices and future visions for Europe", **more than 150 participants met in Salzburg on 20 and 21 April for the 33th European Notaries Days organised by the Austrian Chamber of Notaries.** Speakers – academics, notaries and representatives of the EU and Austrian institutions – discussed the current changes and the challenges that digitalisation entails.

The European Commission's recent legislative proposal to upgrading the digitalisation of company law was high on the agenda. A panel discussion on this topic was organised with Ralf Sauer, Deputy Head of the Company Law Unit of the European Commission.

Alongside prominent figures such as Alma Zadić, Austrian Federal Minister for Justice, and Michael Umfahrer, President of the Austrian Chamber of Notaries, Peter Stelmaszczyk, President of the CNUE, spoke at the opening of the conference. In particular, he addressed the subject of company law.

He underlined the positive aspects of the legislative proposal: more digitalisation, less formalities through the "once only" principle, better interconnection of registers and facilitation of cross-border transactions and procedures, better contribution to the fight against illegal activities and money laundering through the introduction of mandatory ex-ante control in company law.

He recalled that the European Commission places notarial control on an equal footing with supervision by administrative authorities and courts. In this context, he underlined the role of notaries in company law through their essential contributions to legal certainty and the reliability of public registers. Having an efficient European company law with reliable public registers is an eminently important location factor and a significant economic advantage over common law systems. In this context, Peter Stelmaszczyk warned that when business registers have not yet reached a functionally equivalent level of reliability, safeguards should be discussed in the context of the proposed mutual recognition obligation for register data.

+150
PARTICIPANTS



Speakers discussed the current changes and the challenges that digitalisation entails.



One of the CNUE's major priorities is to support the rule of law in Ukraine and its post-war reconstruction.

MEETING WITH THE EUROPEAN COMMISSION TO DISCUSS SUPPORT TO UKRAINE

25 April 2023

On 25 April 2023, **CNUE President Peter Stelmaszczyk met Jaana Temmler, Acting Head of Unit for Fundamental Values, Rule of Law, Anti-Fraud and Financial Management at the European Commission's DG NEAR**, to discuss possible areas of cooperation to support the preventive administration of justice in Ukraine and the Ukrainian notariat. DG NEAR created a directorate that coordinates all Ukrainian matters. After Ukraine was granted candidate status for EU accession, the Directorate General was tasked with monitoring the country's accession process, including the verification of steps towards the implementation of the rule of law in Ukraine.

At the meeting, Peter Stelmaszczyk gave an overview of the many activities carried out by the CNUE for Ukraine and Ukrainian notaries. Supporting the preventive administration of justice in times of war and the post-war reconstruction of Ukraine is one of the CNUE's priorities. A Marshall Plan would be welcome, where the CNUE and its members could provide expertise to implement key initiatives to help Ukraine. According to the Notaries of Europe, this could be a fund for the reconstruction of offices and the supply of equipment. It would also be important to contribute to the development and launch of many IT projects for notarial services which are particularly important in times of war: secure and reliable electronic archives and online authentication systems. Jaana Temmler took note of the proposals and support actions presented and considered that fruitful cooperation could be established.



★ *The platform is accessible via the website of the European Notarial Network and offers a set of educational resources tailored to the needs of notaries.*



LAUNCH OF THE CNUE E-LEARNING PLATFORM

26 April 2023

On 26 April 2023, the CNUE participated in the [online conference](#) organised by the European Commission on "Judicial training: the right skills to adapt to the digitalisation of justice". On this occasion, the CNUE announced the official launch of its e-learning platform for notaries. **The platform is accessible via the website of the [European Notarial Network](#), and offers a set of educational resources tailored to the needs of notaries. For the time being, it includes interactive webinars and learning modules in three priority areas of European law: (1) family law; (2) company law and (3) data protection law.**

For Marc Wilmus, Chair of the CNUE Training Steering Committee, such a tool makes it possible to propose new training methodologies and better meet the expectations of notaries in their daily work. It will also reach out to a wider audience, which will directly contribute to the achievement of the objectives set by the Commission, namely to offer training in EU law or the law of another Member State to 30% of European notaries by 2024.

CNUE President Peter Stelmaszczyk stressed that this e-learning platform is the perfect example of how to respond to the increasing digitalisation of notarial activities. In this context, he outlined the future areas in which the CNUE should focus its training efforts: the use of e-CODEX by notaries, the European tool to establish an interoperable, secure and decentralised communication network between national IT systems in cross-border civil and criminal proceedings, the use of digital tools in the area of company law, and awareness of the future EU Single Anti-Money Laundering Regulation.



Conference website



ENN website





NEW PROPOSALS ON CROSS-BORDER PROTECTION OF ADULTS

31 May 2023

On 31 May 2023, the European Commission published a legislative package on the protection of adults.

The package contains a [proposal for a Council Decision](#) authorising 14 Member States that are not Contracting Parties to the Hague Convention of 13 January 2000 on the Protection of Adults to become Contracting Parties, as well as a [proposal for a Regulation](#) on jurisdiction, applicable law, recognition and enforcement of measures and cooperation for the protection of adults which seeks to simplify and improve cooperation within the EU.

The proposed Regulation aims to facilitate both the determination of the competent courts in the Member States and the applicable law and the recognition and enforcement of protection measures taken in another Member State. The initiative aims to further digitalise procedures, in particular through the creation of national registers and their interconnection, which the CNUE has been advocating for many years. Finally, the introduction of a European Certificate will make it easier for representatives to prove their powers and enforce their rights in another EU Member State.

★ *The proposed Regulation aims to facilitate both the determination of the competent courts in the Member States and the applicable law and the recognition and enforcement of protection measures taken in another Member State.*



Proposal for a Decision



Proposal for a Regulation



CNUE press release



High-level experts were invited to speak on topics such as the issue of parallel proceedings, access to the land register or the creation of ECS registers and their interconnection.



Videos of the conference

MEETING OF THE EUROPEAN NOTARIAL NETWORK

1 and 2 June 2023

The European Notarial Network (ENN) met in Vienna in early June. **On this occasion, a high-level specialised seminar on the practicability of the European Certificate of Succession (ECS) was organised.** The seminar was streamed live in two languages, allowing many professionals from across Europe, but also from the European Commission, to follow the event.

Under the scientific leadership of Professor Gregor Christandl (University of Graz) and the Austrian notary Alice Perscha, high-level experts were invited to speak on topics such as the issue of parallel proceedings, access to the land register or the creation of ECS registers and their interconnection.

The day before the conference, the first annual meeting of the ENN national interlocutors was held in the presence of representatives of the Serbian and Ukrainian notariats. The representative of Ukraine reported on the current situation of the notariat in her country, in particular the need for electronic archiving, as many archives have been damaged by the war.





EUROPEAN DAY OF MEDIATOR-NOTARIES

12 June 2023

On 12 June 2023, the CNUE Mediation Working Group, chaired by Belgian notary Danielle Duhen, met in Paris on the premises of the *Conseil supérieur du notariat*. **The meeting allowed for enriching exchanges on the topic of mediation.** In particular, they enabled foreign guests from the German, Austrian, Belgian, Greek, Italian, Polish and Dutch notariats to gain a better understanding of the practice of mediation by notaries in France.

Discussions focused on recent developments, with the National Mediation Council (CNM) being set up in France on the same day by the Minister of Justice, Éric Dupond-Moretti. The task of the CNM as an advisory administrative committee will be to deliver opinions, proposals and recommendations in all areas of mediation.

The afternoon was devoted to an exchange on communication about mediation in the notariats of the European Union. The exchange of "best practices" has the same objective: increasing awareness of notarial mediation among citizens, especially in a cross-border context.



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The exchange of "best practices" has the same objective: increasing the awareness of notarial mediation among citizens, especially in a cross-border context.



**+80 PARTICIPANTS
FROM THE 22 MEMBER
NOTARIATS**

CNUE PLENARY GENERAL ASSEMBLY

30 June 2023

The CNUE Plenary General Assembly was held in Riga on 30 June 2023, bringing together more than 80 participants from the 22 member notariats. The plenary session started with an official ceremony at which high-ranking guests addressed the participants: Latvian Minister of Justice Inese Lībiņa-Egnere, President of the Latvian Constitutional Court Aldis Laviņš, Vice-President of the European Parliament Katarina Barley (via video message) and Director of the Directorate-General for Justice and Consumers of the European Commission Richard Sonnenschein (remote) as well as the President of the Latvian Chamber of Notaries Jānis Skrastiņš and the President of the *Bundesnotarkammer* Jens Bormann.

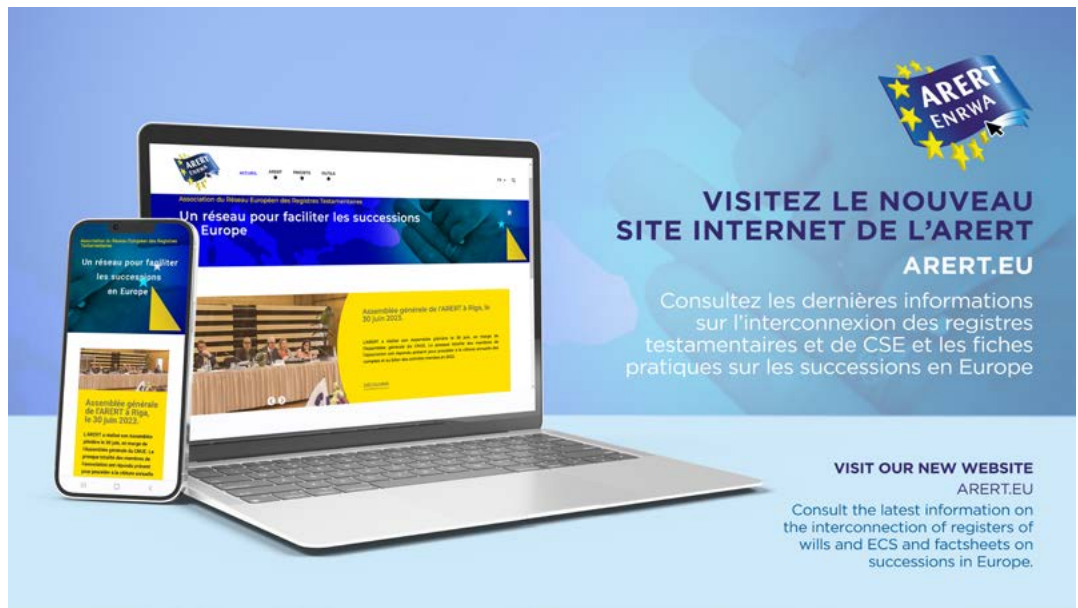
Support to Ukraine, digitalisation of justice systems and training of legal practitioners were at the heart of the discussions. The benefits of preventive administration of justice by notaries were also a central topic.

In his opening speech, the President of the CNUE, Peter Stelmaszczyk, gave a mid-term review of his presidency and provided an outlook on an overview of the next six months: many items are on the agenda and, ahead of next year's European elections, the European institutions are stepping up their efforts to take the work forward.

President Stelmaszczyk also informed about the efforts made towards notariats in non-EU European countries. In coordination with the International Union of Notaries (UINL), whose President Lionel Galliez also spoke at the General Assembly, a proposal for a partnership agreement with the Georgian notariat was discussed and is currently being finalised. Finally, the notariats of Albania and Moldova formally applied to become observer members of the CNUE. These admission proceedings were due to be completed by the end of the year at the December General Assembly.



© Jana Leite



THE ENRWA WEBSITE IS GETTING A MAKEOVER

July 2023

The European Network of Registers of Wills Association (ENRWA) redesigned its website to improve access to the Association's news: www.arert.eu.

This space provides comprehensive information on the Association's role and evolution since its creation in 2005. A section is dedicated in particular to collaboration with the European institutions in calls for projects financed by the European Commission's Directorate-General for Justice. The website also provides data on cross-border successions in the form of factsheets for notaries, legal professionals and European citizens. These sheets have been translated into 20 languages.

**13 NATIONAL REGISTERS
ARE INTERCONNECTED
VIA THE ENRWA**



ENRWA website

The ENRWA is an international association governed by Belgian law, founded in 2005. It allows secure interconnection of registers of wills and ECS to facilitate the search for testamentary dispositions of a deceased person in 13 European countries.

In compliance with the Basel Convention on the establishment of a system for the registration of wills of 16 May 1972, States which have a register of provisions of last wills which are members of the ENRWA may interconnect these registers, thereby enabling any European citizen to discover testamentary dispositions left by a deceased person irrespective of the country in which this provision was registered. Since 2015, the ENRWA has also enabled the authorities issuing European Certificates of Succession (ECS), established by the European Regulation on cross-border successions, to search for the issue of an ECS in another Member State bound by the Regulation (i.e. all EU Member States, with the exception of Ireland and Denmark). As with wills, the ECS is registered in national registers. The ENRWA shall interconnect the national registers of wills and ECS in order to make it possible to search for those issued in another State, in accordance with the conditions imposed by that State. This search facilitates the processing of cross-border succession cases.



NEW INITIATIVE ON EUROPEAN CROSS-BORDER ASSOCIATIONS

5 September 2023

On 5 September, the European Commission adopted a [proposal](#) to facilitate the cross-border activities of non-profit associations in the EU. This proposal aims to improve the functioning of the internal market by removing the legal and administrative obstacles faced by non-profit organisations operating or wishing to operate in more than one Member State.

Currently, when non-profit associations operate in a different Member State from the one in which they are established, they do not receive a uniform recognition of their legal personality and capacity and often have to register a second time or even create a new legal entity in that Member State.

To address this problem, the Commission's proposal introduces an additional legal form of European cross-border association (ECBA), specifically designed for cross-border purposes, into the national legal systems of the Member States. Once established in a Member State, a cross-border European association will be recognised automatically and will be able to carry out activities in all Member States, including economic activities.

With the proposed Directive, the Commission also adopted a [Regulation](#) of technical nature amending the Internal Market Information System (IMI) and Single Digital Gateway (SDG) Regulations. This Regulation will enable cooperation and exchange of information between competent authorities through IMI and conduct digital operations through the SDG allowing access to information on ECBA available online.



Once established in a Member State, a cross-border European association will be recognised automatically and will be able to carry out activities in all Member States, including economic activities.



Proposal for a Directive



Proposal for a Regulation



30TH ANNIVERSARY OF THE LATVIAN CHAMBER OF NOTARIES

8 September 2023

On 8 September 2023, the *Latvijas Zvērinātu notāru padomes* (Latvian Council of Sworn Notaries) celebrated its 30th anniversary in Riga with a conference on Artificial Intelligence themed 'Notary 2030'. High-ranking representatives from politics and the judiciary, such as the Parliamentary Secretary of the Ministry of Justice, Ms Lauma Paegļkalna, the President of the Council of Justice, Mr Aigars Strupišs, and the Deputy Head of the Presidential Cabinet of the Republic of Latvia, Ms Dace Pelēkā, welcomed the guests. They stressed the importance of notaries in a democratic state based on the rule of law and stressed the role of the Latvian notariat as a frontrunner in digitalisation. In addition, Jānis Skrastiņš, the President of the Latvian Council of Sworn Notaries, and Dr. Peter Stelmaszczyk, the President of the CNUE, addressed the participants.

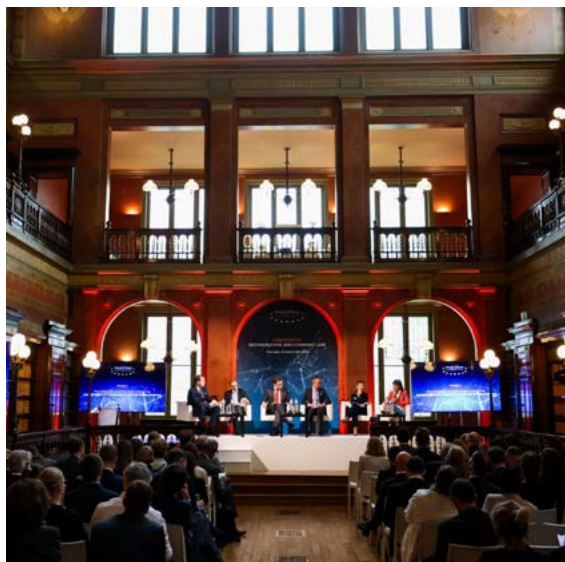
In his speech, the President of the CNUE underlined the relationship of trust between the Latvian and German notarial chambers. The German Presidency of the CNUE closely cooperated with the Latvian notariat, which had the right to nominate candidate for the CNUE Presidency.

He also addressed the impacts of digitalisation, both in terms of statutory change and of the daily work of notaries. He advocated for actively shaping the debate so that opportunities can be realised and risks countered. Ultimately, however, legal certainty and trust must always be guaranteed, as they are essential components of the work of notaries.

After the speeches, several experts shared their thoughts, first Ms Lauri Donahue, a lawyer specialising in technology and entertainment and co-founder of the *Harvard Journal of Law and Technology*, on 'Artificial intelligence and the future of law', then Dr Axel Adrian, notary, on 'Artificial intelligence in notarial work in Germany', who presented a research project on the use of artificial intelligence in the preventive administration of justice, and finally Mr Ugo Bechini, Italian notary, on 'Artificial intelligence in notarial work'. The conference ended with a spontaneous hackathon.



High-ranking representatives from politics and the judiciary, such as the Parliamentary Secretary of the Ministry of Justice, Ms Lauma Paegļkalna, the President of the Council of Justice, Mr Aigars Strupišs, and the Deputy Head of the Presidential Cabinet of the Republic of Latvia, Ms Dace Pelēkā, welcomed the guests.



+200
PARTICIPANTS



Conference videos

CONFERENCE ON DIGITALISATION AND COMPANY LAW

21 September 2023

On 21 September, the CNUE organised a conference in Brussels on "Digitalisation and Company Law". In the context of the European Commission's recent proposal for a Directive on improving digital company law, policy, business and law experts discussed the challenges and opportunities presented by digitalisation in the area of justice.

High-level speakers and more than 200 participants attended the event in person or via streaming. For the first panel on the proposal for a Directive, Maria-Manuel Leitão-Marques, MEP and shadow rapporteur for the new directive, and Ralf Sauer, Deputy Head of the Company Law Unit at the European Commission, took part in the discussions. In the second panel, MEP Andreas Schwab, rapporteur for the Digital Market Act, Simona Constantin, Deputy Head of Cabinet of European Commission Vice-President Věra Jourová, and Jens Bormann, President of the German Federal Chamber of Notaries, discussed with experts the challenges and opportunities of digitalisation in the area of justice.

Peter Stelmaszczyk welcomed the European Commission's initiative to facilitate business activities in the internal market and stressed that this proposal must ensure that the current high standards of registers are not called into question. Public preventive control by courts, authorities and notaries is an essential prerequisite for this.

The new proposal for a Directive is part of a broader set of recent actions by the European Commission to digitalise the EU economy. The second panel features a lively discussion regarding these digital initiatives, such as the Digital Market Act, the revision of the e-IDAS Regulation, the Regulation on cross-border judicial cooperation and the new Artificial Intelligence Act were the subject of the second panel, which led to a lively discussion.



Experts from the political, business and legal spheres discussed the challenges and opportunities offered by digitalisation in the justice sector.



ENN MEETINGS AND SEMINARS

19-20 October 2023

The Consejo General del Notariado hosted the autumn meeting of the European Notarial Network (ENN).

The event, organised in Valencia and co-financed by the European Commission, served as a platform for interlocutors to discuss the implementation of the current work programme and future developments of the network.

During the meeting, participants engaged in a constructive exchange of ideas, exploring avenues for cooperation between the ENN and the European Judicial Network. Marie Vautravers, Secretary of the EJN, who was invited to take part in the meeting emphasized that this spirit of collaboration promises to generate considerable benefits for legal professionals.

This collaborative spirit continued the following day, at a transnational seminar on the digitalisation of notarial practice and the protection of adults. The event was organised by the *Colegio Notarial* de Valencia and brought together prominent speakers from France, Germany, Italy, Portugal, Spain and the Netherlands. These legal experts shared their valuable knowledge on how digitalisation can improve notarial services, as well as the EU legal framework on the protection of the rights of vulnerable adults, following the publication of a legislative package by the European Commission last May.

After Vienna and Valencia, the ENN served as a platform for the organisation of two further transnational seminars in Gorizia (Italy) and Hoeven (the Netherlands).



During the meeting, participants engaged in a constructive exchange of ideas, exploring avenues for cooperation between the ENN and the EJN-civil. This spirit of collaboration promises to generate considerable benefits for legal professionals.





CONFERENCE ON STRENGTHENING THE PROTECTION OF ADULTS IN THE EU

25 October 2023

On 25 October 2023, on the occasion of the European Justice Day, the CNUE co-hosted a **conference with MEP Stelios Kypouropoulos on "Strengthening the Protection of Adults in the EU"** in the European Parliament.

In the context of the publication of a legislative package last May by the European Commission, the event was an opportunity to bring together representatives of the European institutions and practitioners to discuss the improvements made in recent years and the challenges ahead.

At the opening of the conference, MEP Stelios Kypouropoulos stressed that *"differences in rules and procedures often create obstacles that prevent vulnerable adults and their families from having their rights and protection measures recognised in cross-border situations"* and said that *"the Commission's proposals represent a significant step towards addressing these challenges"*.

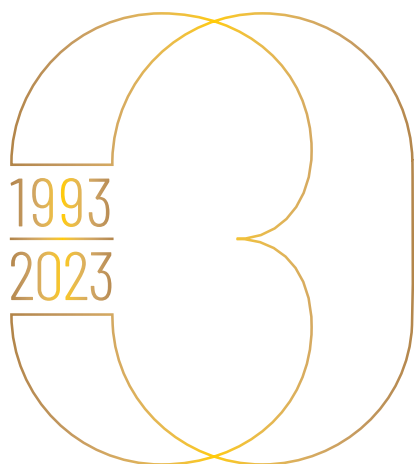


The President of the CNUE, Peter Stelmashczyk, agreed with the MEP, saying that *"the CNUE warmly welcomes the initiative of the European Commission and the objectives and values expressed therein"*. He went on to state that *"the fact that the European legislator is aware of the growing need for a harmonised legal framework and that it responds accordingly is an important step towards a more inclusive European society"*. Finally, he recalled the efforts made by the CNUE, in particular as regards the training of notaries and the establishment of the website 'The Vulnerable in Europe' (www.the-vulnerable.eu), and his wish to see contacts with organisations active in this field developed.



"Differences in rules and procedures often create obstacles that prevent vulnerable adults and their families from having their rights and protection measures recognised in cross-border situations"





CNUE 30TH ANNIVERSARY CELEBRATIONS

7 December 2023

On 7 December 2023 in Brussels, the CNUE celebrated its 30th anniversary with a gala evening, including a formal session with high-level speakers.

In his opening speech, the President of the CNUE, Dr Peter Stelmaszczyk, highlighted the fruitful and close relationship between the European notariat and the European institutions and thanked the President of the European Parliament, Roberta Metsola, and the European Commissioner for Justice, Didier Reynders, for their anniversary greetings to the CNUE. The Vice-President of the European Parliament, Pina Picierno, and the President of the International Union of Notaries (UINL), Lionel Galliez, expressed their congratulations in a welcome message.

In a first session of discussions, the Director-General for Justice and Consumers, Ana Gallego Torres, discussed the main legislative packages of the European Commission in the context of digitalisation, company law and the protection of adults. In a second interview, Michael Gahler, Member of the European Parliament and Rapporteur on the Ukraine Facility, and Jens Bormann, President of the German Federal Chamber of Notaries (*Bundesnotarkammer*), discussed Ukraine's accession to the EU and its reconstruction after the war.



Check the history of the CNUE



CNUE TIMELINE

1976

Signature of the **Paris Protocol** and creation of the **Conference of the Presidents of the Notariats of the EEC**

1981

Accession of the **Greek notariat**

1986

Accession of the **Spanish and Portuguese notariats**

1989

The Conference of Presidents becomes the **Standing Conference of the Notariats of the European Community**

2002

Publication of the book **"The Europe of Law"** –
Adoption of the **European code of notarial ethics**

1997

The **CNUE President's term of office becomes an annual one**

1995

Accession of the **Austrian notariat**

1993

Creation of the **Brussels Office**

2003

Launch of the **"Formanote"** training programme

2004

Accession of the notariats of the following countries: **Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Czech Republic, Slovakia and Slovenia**

2005

1st Congress of the Notaries of Europe in Rome –
Creation of the ENRWA

2006

The CNUE becomes the **"Council of the Notariats of the European Union"**

2011

3rd Congress of the Notaries of Europe in Brussels –
Creation of the **European Directory of Notaries**

2010

"Successions Europe" information website goes online

2008

2nd Congress of the Notaries of Europe in Warsaw

2007

Accession of the **Bulgarian and Romanian notariats** –
Creation of the ENN

2012

"Couples in Europe" website goes online

2013

Accession of the **Croatian notariat**

2014

First edition of the **"Europe for Notaries - Notaries for Europe"** training programme

2015

The **European Regulation on international successions** comes into force

2019

Organisation of the **"Europe Enacted"** exhibition at the European Parliament

2018

"Authentic acts in Europe" website goes online

2017

4th Congress of the Notaries of Europe in Santiago de Compostela

2016

1st Notaries of Europe Open Days as part of the European Day of Justice

2020-2021

The **COVID crisis** accelerates the digital transition of the European notariat

2022

The **Ukrainian notariat** joins as an observer member

2023

Publication of the results of the **"MAPE Successions" project** –
Creation of the **CNUE online training platform**



THE ALBANIAN AND MOLDOVAN NOTARIATS BECOME OBSERVER MEMBERS OF THE CNUE

8 December 2023

On 8 December 2023, the CNUE held its General Assembly in Brussels. In the report on his 2023 Presidency, the CNUE President, Dr Peter Stelmaszczyk, presented an initial review of the results of the past year. The agenda of the General Assembly also featured one of the significant institutional moments of the CNUE: the election of the President, Vice-President and Board of Directors for 2024. The President of the Lithuanian notariat, Marius Stračkaitis, was unanimously elected as new President of the CNUE, along with the President of the Luxembourgish Chamber of Notaries, Martine Schaeffer, who was elected as new Vice-President. Finally, the General Assembly also unanimously decided to grant observer status to the notariats of Albania and Moldova, and to sign a partnership agreement with the notariat of Georgia.



★ *The President of the Lithuanian notariat, Marius Stračkaitis, was unanimously elected as new President of the CNUE.*



LATEST NEWS OF OUR MEMBERS





CAMPAIGN TO PROMOTE THE EMPLOYER'S 'BRAND' OF THE AUSTRIAN CHAMBER OF NOTARIES

2022-2023

How can notarial offices position themselves as attractive and valuable employers in a current highly competitive labour market? To support notarial offices in this endeavour, the Austrian Chamber of Notaries launched the Employer Branding project in 2022. It aims at establishing an employer's brand for the notariat.

The project started with a survey of notaries' employees: asking questions such as What makes the job special for them, where do they see the advantages, why would they recommend working in a notarial office, for example? The answers laid the foundations for the development of the employer's brand. It was important that the incorporated statements would apply to as many notarial offices as possible, irrespective of their size, city or country, joint or individual practice, or legal specialisations.

On the basis of the developed core brand and with the support of employees of notarial offices, job descriptions have been developed for the most common activities in notarial offices.

All this formed the basis of the Austrian notariat's career webpage. On jobs.ihr-notariat.at, the most important aspects of working in a notarial office are presented in a clear and concise manner. The content section deals with job profiles, information on the notariat in general and continuing training opportunities. However, the website is not only an information platform for interested people: notaries can also advertise vacancies and make them available online free of charge.

This content is accompanied by a media campaign that includes branded trams and buses circulating in Vienna and Austria's regional capitals. The main target group is young people over the age of 18, but potential job switchers are also targeted.

It goes without saying that an employer branding campaign is also an image campaign, since the job description and the details of the work of notaries and candidates notaries are always communicated. It is precisely the target group that is the least aware of what notaries do or about available career opportunities. This is why cooperation with schools will be continued or intensified, so that working in a notarial office becomes and remains an attractive option.



On jobs.ihr-notariat.at, the most important aspects of working in a notarial office are presented in a clear and concise manner.



BELGIAN-DUTCH TRANSNATIONAL SEMINAR

27 November 2023



On 27 November, Dutch and Belgian notaries from the border region met in the border city of Hoeselt in the Netherlands to discuss a number of issues relating to their daily practice in the framework of the transnational ENN Forum. **After the event, the presidents of the two notariats signed a cooperation agreement in the library of the former monastery where the event took place.**

After the opening words of the Chairman, Philippe de Jonghe, and an introduction by the Presidents of the Dutch and Belgian notariats, Annerie Ploumen and Katrin Roggeman, the afternoon "seminar" part started. Three topics were discussed, each at a different table chaired by notaries, so that at the end of the day, each notary had had the opportunity to talk to colleagues on these three subjects.

The first topic was private international law. Case studies on matrimonial and succession law were discussed from both the Dutch and the Belgian perspective, while drawing on the relevant European regulations.

The second theme was the customer's journey through the property buying process. It was rather a strategy exercise, in which notaries were invited to reflect on the role of the notary at the very beginning of the process, but also on the possibility of playing an additional role once the authentic instrument has been signed and the keys handed over.

The third topic focused on real estate and more specifically on the aging population and the role of notaries in their journey to the real estate market. New housing concepts that enable parents and adult children to live together in the same house, but with separate living spaces, were discussed, and it emerged from this discussion that there are not enough legal rules for these types of residential arrangements. In addition, the concepts of living wills (in the Netherlands) and lasting powers of attorney for care (in Belgium) were analysed and interesting differences were found between both.



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THE SPANISH NOTARIAT LAUNCHES THE ELECTRONIC PROTOCOL

9 November 2023

On 9 November, legal measures entered into force in Spain to create the electronic notarial protocol, which will speed up the exchange of information and provide citizens and businesses with electronic copies of their notarial documents.

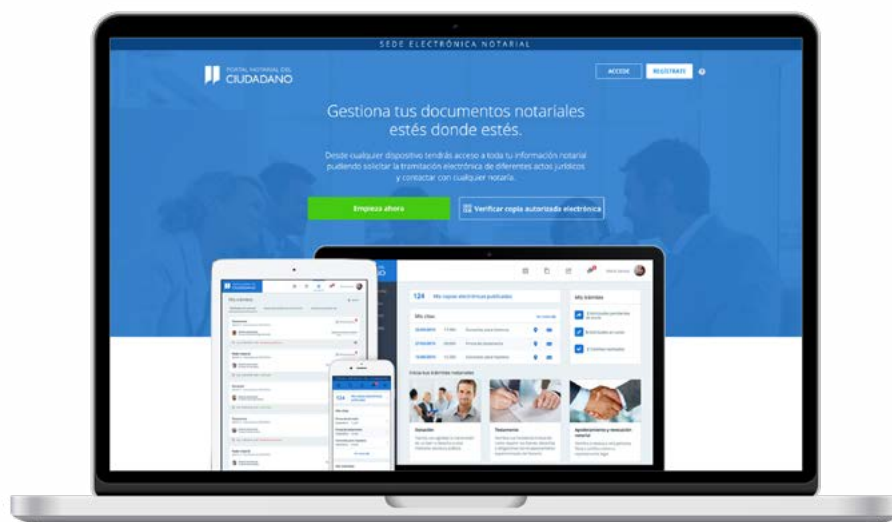
Citizens can also choose the notary of their choice online, locate the notary who keeps the originals of their documents, organise secure videoconferences with them, consult and exchange documents before signing the document.

"Digital services are an option for citizens and businesses. The Spanish notariat will continue to provide its services mainly in person in the approximately 3 000 notarial offices throughout the country, thus avoiding any digital divide," explains José Ángel Martínez Sanchiz, President of the Spanish General Council of the Notariat. He added: "The provision of a high-quality, agile and accessible service, with maximum guarantees of legal security and protection, remains the main objective of the notariat. The legislator chose to take a cautious approach, recognising the value of the service provided by the notariat in person".

Notaries will be able to provide fully online certain notarial services, mainly those of a commercial nature, such as the formation of online companies, in response to the European Union's requirement (given concrete expression in Directive 2019/1151) to allow any citizen to form a limited liability company in another Member State without having to go physically there.

All these services will be provided on the Electronic Notarial Office set up by the Spanish notariat in 2004. This area benefits from the highest security measures, classified by the National Safety Framework (ENS) as high level, a certification that very few organisations have. The Citizens' Notarial Portal is the gateway for citizens and businesses to the Electronic Notarial Office.

www.portalnotariales.es



The Citizens' Notarial Portal is the gateway for citizens and businesses to the Electronic Notarial Office.



FRANCE – THE 4 DAYS OF HOUSING

11-14 December 2023

The *Conseil supérieur du notariat* organised its major annual communication to the general public from 11 to 14 December 2023. After family law in 2022, the theme chosen for 2023 was that of real estate law, housing of the future and all legislation and regulations on energy efficiency, a subject of topical interest in France as in many other countries.

In concrete terms, for four days, French notaries and their representative bodies at national, regional and county level have mobilised across France to answer questions raised by the public free of charge: holding thematic conferences, providing consultations and advice in the various bodies, by telephone or via a virtual exhibition, press conferences with real estate figures for 2023 and projections for 2024, etc.

This was accompanied by a major communication campaign on several national and local radio stations, on regional online news and press websites and on the various social networks (Facebook, X, LinkedIn, YouTube, Instagram and Snapchat).

The expertise of French notaries, their closeness to clients across France and their availability to their clients was highlighted throughout this operation.



For four days, French notaries and their representative bodies at national, regional and county level have mobilised across France to answer questions raised by the public free of charge.

DU 11 AU 14 DÉCEMBRE 2023

**CULTIVEZ
L'HABITAT DE DEMAIN**

4 JOURS POUR PARLER LOGEMENT
AVEC UN NOTAIRE

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UNION CRÉDIT DES NOTAIRES

Notaires
de France



STATISTICAL DATA ON REAL ESTATE TRANSACTIONS AND MORTGAGES IN ITALY

June- October 2023



CONSIGLIO
NAZIONALE
DEL
NOTARIATO

The Italian notariat published in June and October 2023 notarial statistical data on real estate transactions and mortgages in Italy during the first two and six months of the year, including projections for the end of the year, with a focus on the cities of Turin, Bologna, Bari, Palermo, Milan, Verona, Rome, Florence and Naples. The two press campaigns achieved excellent results, with over 230 articles published for a total value of two and a half million euros.

This initiative provided a detailed and accurate overview of trends in the real estate sector, generating significant interest among stakeholders and the general public. The core of the campaign was the use of reliable and up-to-date data that clearly described market performance. Through the strategic use of media, including articles in specialised magazines, TV interviews and social media presence, the campaign reached a wide audience.

This visibility made it possible not only to inform the public about the current state of the real estate market, but also to raise awareness of the importance of the survey conducted by the notariat. The investigation was conducted by the National Council of Notaries (CNN) through a specific app created by Notartel s.p.a., an IT company for Italian notaries. It took place at the offices of all practising notaries who submit monthly Notarial Statistical Data (DSN) in the form of files which, anonymously, are sent to the CNN's Acquisition of Notarial Statistical Data System. The data presented were disseminated to cover the notarial offices' activities: the data, collected for each year, has been integrated by probabilistic time on missed responses; in addition, in order to ensure the best quality of information, the surveys were carried out on the basis of the data received which were complete with all information on tax registration, transcription and entry in property registers, cadastral transfer and payment of taxes due on the basis of the notary's self-assessment.

The results of the campaign showed that the housing market in Italy is slowing down. It is affected by the long-lasting increase in interest rates. In addition, statistical data have shown that the market for secondary residences has been much more resilient than the market for primary residences. This is probably due to the fact that those who choose to continue to invest in real estate and buy a secondary residence usually do so by dipping into their savings, without the need of a mortgage loan.



The core of the campaign was the use of reliable and up-to-date data that clearly described market performance.



POLAND – NEW SYSTEM OF TRANSMISSION OF DOCUMENTS WITH ADMINISTRATIVE AUTHORITIES

2022 - 2023

In Poland, notaries and parties to notarial transactions are bound by certain obligations towards the authorities of the public administration in a broad sense, including the judiciary. These obligations involve the submission of a number of applications for registration in public registers, the transmission of information and/or reports for tax or anti-money laundering and countering the financing of terrorism purposes. **Traditionally, these obligations were fulfilled by sending official copies of notarial authentic instruments on paper.**

This system proved no longer to meet the requirements of modern times, both in terms of register-keeping issues and incompatibility with digital procedures. On the one hand, some proposals were made for only certain data contained in the notarial documents to be transmitted, meaning that notaries would provide certain data to existing systems and databases. On the other hand, given the integrity of notarial authentic instruments and the need to emphasise the autonomy of the notariat, it was proposed that the form of the official copy of notarial authentic instruments be converted in digital format and that the procedures for transmitting such electronic copies be automated.

The Polish National Council of Notaries has launched an initiative to create the Central Directory of Electronic Official Copies of Authentic Notarial Instruments (CREWAN). The idea was to centralise the procedure for transmitting documents between notaries and administrative authorities through this system.

Implementation of the solution started in 2018. As a first step, an exchange with the IT system used in the judicial registration procedure conducted by the National Register of Courts (Polish Companies Register) was established. At present, following the complete digitisation of registration procedures, an electronic official copy of a notarial authentic instrument to be submitted to the National Judicial Register is uploaded by a notary in the CREWAN system and the party concerned only inserts the number of that document in the electronic application to be lodged with that register. Once the application has been received in the CREWAN system, the official copy is extracted automatically by the National Judicial Register.

Another important step in the development of CREWAN was taken at the turn of the years 2022 to 2023. Polish notaries can now send electronic copies of notarial authentic instruments to the national tax administration in order to fulfil their obligation to transmit information on tax events. Of course, the number of official copies sent is ten times higher than the number of copies downloaded for the purposes of the national court register. Furthermore, the CREWAN system is currently used by all Polish notaries, not only those who carry out transactions in the field of company law. The success of the CREWAN system has prevented the decrease in the importance of official copies of notarial authentic instruments in exchanges with public administration authorities. In addition, it paves the way for further promotion of CREWAN as a communication tool with other authorities, such as courts, where the digitalisation of land and mortgage registers is envisaged.



KRN KRAJOWA RADA
NOTARIALNA



Polish notaries can now send electronic copies of notarial authentic instruments to the national tax administration in order to fulfil their obligation to transmit information on tax events.



30TH ANNIVERSARY OF THE CZECH NOTARIAT

2023

In 2023, the main topic of interest of the Czech notariat was “family, citizens and youth”.

The Chamber of Notaries of the Czech Republic celebrated the 30th anniversary of the restoration of the free notarial profession. An international conference was held in Prague on 5 October. The expert programme focused on the role of notaries in society, with a particular focus on family issues and the protection of vulnerable adults. More than 700 participants from 13 countries attended the conference.



On 25 October, on the occasion of the European Day of Justice, the Czech Notariat's Open Day took place in the same format as each year. The participating notaries answered questions from more than 150 citizens concerning family law, succession law and real estate law.

Finally, the Czech notariat tried to approach law students and graduates from law faculties: a second year of internship in notarial studies was organised in cooperation with Charles University in Prague. Following the success of this programme, cooperation with other Czech universities is planned for 2024.



More than 700 participants from 13 countries attended the conference.



**Marius
Stračkaitis**
2024 President
of the CNUE



Strengthening the notariat will first and foremost be my priority for the Lithuanian Presidency.

MESSAGE FROM THE 2024 PRESIDENT

Taking over the presidency of the Council of the Notariats of the European Union (CNUE) for 2024 is a serious and highly responsible task for Lithuania, which is the second member of the group of countries that joined the European Union two decades ago to take on the leading role of the 50 000 European notaries and 200 000 collaborators of the notariat.

The situation of notaries is different in each EU country, but we are all united by a common goal of a strong and stable notarial profession. This is why strengthening the notariat will first and foremost be my priority for the Lithuanian Presidency.

With this in mind, it should be remembered that we are involved in the exercise of non-contentious justice which helps to avoid costly litigation. Increasingly, in many Member States, the legislator uses notaries to reduce the administrative, judicial and financial burden: settlement of successions, protection of vulnerable adults, celebration of marriages, amicable settlement of divorces, etc. This transfer of tasks to notaries increases the efficiency of proceedings and thus promotes citizens' access to justice. That is why **I intend to focus on sharing experience between notariats and work towards the use of preventive justice procedures in the adoption of future EU legislation.**

The second priority of the Lithuanian Presidency of the CNUE is the digitalisation of notariats' services. We are well advanced in this area. Our aim is to keep pace with digital technologies and processes, while preserving the role of notaries as guarantor of the rule of law.

The third priority of our presidency is driven by time and moral values: we need to support notaries in Ukraine, which is under Russian aggression. We need to work tirelessly to contribute to the reconstruction and digitalisation of the Ukrainian notariat and to support notaries and their families who have been affected by the war. On 13 September, we will organise a conference in Vilnius, which will serve as a platform for discussions on future cooperation between the CNUE, the Ukrainian notariat and Ukrainian and European institutions.