

The transparency of the debtor's address

| | Address of the debtor: natural person | Who gets the information: creditor, court, enforcement organ | Conditions of access and procedures | Address of the debtor: legal persons and merchants | Who gets the information: creditor, court, enforcement organ | Conditions of access and procedures | Efficiency and reliability of the registers |
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| Austria | <p>1. Local and central registers of persons domiciled in Austria and central register of foreigners</p> <p>2. Social registers held by public authorities</p> | <p>1. Creditor, enforcement court - online access is available (sec. 16 MeldeG). The central register of foreigners is not accessible to individual creditors</p> | <p>2. By administrative assistance, social registers are obliged to help the courts (sec. 89h Law on the Organisation of the Civil Courts (GOG), sec. 294a Enforcement Code) to find out the address of a debtor</p> | <p>Companies' register (Firmenbuch) – local register</p> <p>Registration of business corporations, trading companies, merchants</p> | <p>Public register, sec. 9 Commercial Code</p> <p>Creditors and enforcement organs get the information.</p> | <p>Online access available (and general "centralized" research) are possible</p> <p>http://www.justiz.gv.at/datenbankzugang/-index/html</p> | <p>The Austrian system performs well because of the online access for creditors and the assistance of the enforcement courts</p> <p>Information in the commercial register is reliable because of a material examination by the registry</p> |

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| Belgium | Register of population (population registers are public); register of foreigners (including the staff of the European Community). Police authorities must provide information about the debtor's residence/ address. | Bailiff has online access to the civil registry, including information about residence, previous address, marital status | Written application of private creditors, enlarged investigation empowerment of bailiffs. | Commercial register at the commercial courts Central Register at the Ministry of Justice Registration of business corporation, trading companies and merchants | Public register, no legal interest must be shown | Limited access to the central register – actual information is still lacking | All information in the commercial register is checked by the “greffier” but limited reliance on registered information |

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| Denmark | Central population register; Fiscal and social registers (these are also central registers); | Population register is available to everybody; Fiscal and social registers are not available. The enforcement court may ask the police about the debtor's address | Population register: no special conditions; Fiscal and social registers are only available if public claims are enforced | Commercial register (central register); Fiscal, bank and social registers | Commercial register is available to everybody; Fiscal, bank and social registers are available to public creditors | To get information from the commercial register the applicant has to pay a fee | Private Agencies (ex. RKI Information) provide information about the debtor's address A higher fee is payable |

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| Finland | Central population register; Fiscal and social registers; Police authorities must provide information about the debtor's address and telephone number to the enforcement organ | Population register is available to everybody; Fiscal and social registers are only available to the enforcement organs | Population register: no special conditions; information is available by telephone or online | Finnish Business Information System (BIS) which is a joint corporate information system of the National Board of Patents and Registration of Finland and the Finnish Tax Administration; Information on business corporation, commercial companies, individual merchants | Public register, information is available online; Information is available in Finnish, Swedish and English BIS Search in English available http://www.ytj.fi/ | No legal interest is required to be shown The fee is about € 10,00. | No material inquiries of facts before their entry in the commercial register |

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| France | <p>1. Local population registers; Mortgage registers</p> <p>2. Administrative assistance by the Procureur de la République</p> | <p>1. Available to everybody</p> <p>2. Bailiff may ask the Procureur de la République to find out the debtor's address.</p> | <p>1. No special conditions; simple application</p> <p>2. Bailiff needs an enforceable title</p> | <p>Decentralised commercial registers at the commercial tribunals</p> <p>A second centralised register is available (INIP)</p> | <p>Commercial registers are available to everybody</p> <p>Information about business corporations, commercial companies, registered business names (merchants)</p> | <p>No special conditions: simple application</p> <p>Online access is available, www.infogreffe.fr</p> | <p>In practice, cooperation between bailiffs and prosecutors does not operate well.</p> <p>Help of private institutions is often needed</p> <p>Information in the commercial register is reliable because of material examination</p> |

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| Germany | <p>1. Local registers of all persons domiciled in Germany</p> <p>2. Tax and social registers are not available to creditors, nor to enforcement organs</p> | <p>It's the task of the creditor to obtain information, no investigative empowerment of enforcement organs</p> <p>Competence of the enforcement organ largely depends on the address of the debtor</p> | <p>Simple application, small fee (about 5 €)</p> | <p>Commercial Registers at the local courts or at the Chambers for Business and Commerce, partly online available (at the level of the Federal States)</p> <p>Information about business corporations, commercial companies, merchants</p> | <p>It's the task of the creditor to get the information, no investigative empowerment of enforcement organs</p> | <p>Simple application, no legal interest must be shown.</p> | <p>Decentralised registers are not efficient as long as online access is not available</p> <p>Private institutions (creitreform, SCHUFA) offer information for a (higher) fee.</p> <p>Registers are generally reliable.</p> |

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| Greece | Local population registers; Tax register | Local population register is available to everybody; Tax register is only available to the enforcement organ | Application is necessary; No fee has to be paid Creditors may ask police authorities about the debtor's address | Companies' register | Public register: available to everybody | Simple application; no fee must be paid | Additional information can be obtained by using informal sources such as telephone directories |

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| Ireland | <p>No general positive obligation on Irish citizens to notify the authorities of their place of abode within the state;</p> <p>the establishment of a modern civil registration system is planned;</p> <p>existing registers so far: electoral reg.; reg. of births, marriages and deaths; fiscal and social reg.</p> | <p>Electoral register and register of births, marriages and deaths are available to everybody;</p> <p>Fiscal and social registers are only available to the person to whom the information relates</p> | <p>Payment of a small fee is necessary</p> | <p>Companies' Registration Office (CRO)</p> <p>Central Register</p> <p>Incorporation of companies and the registration of business names.</p> | <p>Available to everybody</p> | <p>Online access available; www.cro.ie</p> <p>Access is free of charge</p> | <p>It is not common to search public registers to identify the debtor's residence</p> <p>Information can be obtained by using informal sources such as telephone directories</p> <p>Transparency of data about companies and business names is much more efficient</p> |

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| Italy | Local registers of civil status; Tax register (anagrafe tributaria) | registers of civil status are open to everybody; Tax register is not available to the enforcement organ However, "Informal information" may be obtained from the tax register by presenting the VAT-Code | Local registers of civil status: no special conditions; Access to the tax register only if public claims are at issue | Commercial registers (local registers) and centralised register of enterprises. Different registers for Business corporations, commercial companies and merchants | Public registers: available to everybody hold by the Chamber of Industry and Commerce | No special conditions; Generally written information is provided Online access is available (after registration) http://www.infocamere.it | Great difficulties in getting information, private investigators are often asked. No material investigation of the information in the commercial registers Several proposals for a legal reform have been presented; including access of the enforce. court to the tax register |

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| Luxemburg | Population registers (local registers of all persons living in Luxemburg; no central register); Register of the Centre of Social Security | Population registers are available to everybody; Register of the Centre of Social Security is available to creditors with an enforceable title in order to find out the address of the debtor. | Population registers: access without any conditions; also by phone; Social register: application at court (tribunal de paix) is necessary; information is given to the court. | Central commercial register ; Tax registers; register of the centre of Social Security are not available. | Commercial register is open to everybody; Fiscal and social registers are not available to the creditor and to the enforcement organ. | Commercial register: no special conditions; Online access Register of the centre of Social Security: application at court is necessary | System is performing well; Information in the registers is reliable; Problems with debtors using the names of third persons |

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| Netherlands | Population register (Gemeentelijke Basisadministratie persoonsgegevens, GBA); | Court; bailiff (not available to the creditor) | Conditions are formulated in the GBA-Act (no further information available); | Partnership corporations and individual merchants are registered in the Chamber of commerce; Tax registers | Chamber of commerce holds a public register: available to everybody; Online access is available at www.kvk.nl Tax register is only available to the enforcement organs | Chamber of commerce: no special conditions; Regarding the tax register the conditions are formulated in the taxation laws (legal interest) | Bailiffs exercise inkasso as professional, efficient service. No material investigation of facts before their entry in the commercial register |

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| Portugal | Register of all individuals of Portuguese nationality Register of foreigners. | The Court (art. 519 CPC), the bailiff (art. 833 n°3 CPC) | Court has direct access. Bailiff must ask for permission by the enforcement judge | Decentralized: Commercial Reg. Centralised: Tax., social and companies' registers | National register of business corporations register available for the creditor | Decentralized and centralised registers are accessible for the creditors | |

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| Spain | 1. Local registers of persons domiciled in a certain municipality; Civil register; Consulate or embassy regarding foreigners living in Spain | Before starting enforcement proceedings, the creditor must find out the address of the debtor Local registers will not transmit the address of the debtor, but only inform whether the debtor is registered in the municipality | Civil register: a special form must be used; Local registers: telephone access is available; Commercial register: Online access is available | Commercial register; Companies' register; Chamber of commerce (national, regional) Fiscal administration | Public registers: available to everybody; Fiscal administration: Information is given only if requested by a judge | A special form has to be used; Online access available; Fiscal administration: information only on demand of a judge | In most cases, the creditor can obtain the address of the debtor by simple request (before the conclusion of a contract); otherwise, the research via internet offers many additional possibilities Information in the commercial register is reliable, because of a material investigation of the registry |

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| Sweden | National register of all persons domiciled or resident in Sweden. | The Enforcement Authority, creditor | No limitations, Enforcement Authority has access to the social register online access | Companies' register (register of limited liabilities corporation; trade and association registers), central register Tax register Information about corporations, companies and merchants | Creditor, court, enforcement agency | Online access available; Access to the tax register only for the local enforcement authority | |

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| United Kingdom England/ Wales | <p>No formal system of registration of domicile in the U.K.</p> <p>Electoral roll (currently public access but unlikely to remain so; rapidly out of date)</p> <p>Vehicle License Agency is no longer available (Data Protection Registrar has decided that the information should not be available to aid enforcement, since purpose is not sufficiently closely linked to the vehicle; also address was inaccurate in about 35% of cases)</p> | Creditors or (from the Vehicle License Agency) bailiffs. | <p>On single request – sometimes, a legal interest must be shown</p> <p>Information to be obtained from the Vehicle License Agency must be sufficiently linked to the vehicle</p> | <p>Companies are registered at the Companies House</p> <p>Other business are less easily monitored.</p> <p>Possible: to get information via VAT reference of the debtor</p> | <p>Creditor, enforcement organ: public register</p> <p>Online access is available: www.companieshouse.gov.uk</p> | <p>On simple request; sometimes the showing of a legal interest is necessary</p> | <p>Registrations in the companies' register are not formally checked and therefore not much reliable.</p> <p>Unofficial information is obtained from sources such as credit reference agencies and enquiry agents</p> <p>A high fee may be payable</p> |

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| United Kingdom Scotland | <p>No formal system of registration of domicile in the U.K.</p> <p>Electoral roll (public access, rapidly out of date)</p> <p>Vehicle Licensing Agency (?)</p> | Public access | <p>On application; Justified interest in access needed</p> <p>Investigation agencies do not need to justify access</p> | <p>Companies are registered in the Companies register (Cardiff)</p> <p>Register of bankruptcy, sheriff court judgment registers, petitions in bankruptcy; register of Deeds of Arrangement</p> | Public access | <p>On application; Justified interest in access needed (?)</p> | No non-public data sources open to creditors |