

The Danish Act on the Central Business Register

Consolidated Act No. 598 of June 22, 2000

cf. Act No. 417 of May 22, 1996, as subsequently amended by section 2 in Act No. 295 of May 2, 2000

Unauthorized translation of “*Lov om Det Centrale Virksomhedsregister*”

Section 1. The Ministry of Economic Affairs shall be responsible for the operation of the Central Business Register (abbreviated CVR). Statistics Denmark shall be responsible for the administration of the register.

Subsection 2. Tasks pertaining to the register shall according to the provisions laid down in this Act be the responsibility of Statistics Denmark in co-operation with the Ministry of Labour, the Danish Commerce and Companies Agency and the Ministry of Taxation, Central Customs and Tax Administration.

Section 2. The object of the Central Business Register shall be:

- 1) to store primary data on legal entities, cf. section 3, which operate on a self-employment basis or employ persons working for pay and the associated production units, cf. section 4,
- 2) to undertake an unambiguous numbering of the legal entities and production units recorded in the register, cf. sections 5 and 6, and
- 3) to provide primary data for public authorities, institutions and private individuals, cf. sections 18 and 19.

Subsection 2. The Minister of Economic Affairs may, cf. section 21, on the recommendation of the steering group, cf. sections 8 and 9, lay down rules providing for registration of legal persons who, although they are not subject to no. 1 of subsection (1), are responsible for administration of property, liable to pay tax or pay out taxable

benefits, or are under a legal obligation to

register with public authorities or institutions.

Section 3. A legal entity shall in this Act be taken to mean:

- 1) A physical person in the capacity as employer or self-employed person.
- 2) A legal person or a branch owned by a foreign legal person.
- 3) A central government administrative unit.
- 4) A county.
- 5) A municipality.
- 6) A joint municipal undertaking.

Section 4. A production unit shall in this Act be taken to mean:

- 1) The main activity performed by a legal entity with only one main activity, and where all activities are performed at or from the same geographical address as the legal entity's address.
- 2) The individual main activity, if a legal entity is engaged in several main activities performed at or from one geographical address.
- 3) The individual activity, if a legal entity is engaged in activities performed at or from several geographical addresses, cf. subsection (2).

Subsection 2. Building sites are only considered production units, if they pursuant to the Working Environment Act are liable to register with the Working Environment Service.

Section 5. An unambiguous identification number (CVR number) is assigned to legal entities.

Subsection 2. The Danish Commerce and Companies Agency allocates the CVR num-

ber to legal entities, which are recorded in the registers operated by the Agency in pursuance of legislation to this effect.

Subsection 3. The Ministry of Taxation, Central Customs and Tax Administration allocates the CVR number to the legal entities referred to in nos. 1 and 2 of section 3, and which are registered with the Agency in pursuance of legislation to this effect. However, this shall not apply to legal entities, subject to subsection (2).

Subsection 4. Statistics Denmark in co-operation with the Ministry of Taxation, Central Customs and Tax Administration allocates the CVR number to the legal entities referred to in nos. 3-6 of section 3, and which are not subject to subsection (2).

Section 6. An unambiguous identification number (P number) is assigned to the production units by Statistics Denmark in co-operation with the Ministry of Labour. The P number remains with the production unit, although there is a change of owner.

Subsection 2. Statistics Denmark supplies the production units with the CVR number for the legal entity to which they belong.

Section 7. In all matters pertaining to legal entities, public authorities and institutions shall use the CVR number.

Section 8. The Minister of Economic Affairs shall set up a Steering Group and a User Group for the Central Business Register.

Section 9. The Steering Group shall especially consider matters pertaining to the rules governing the operation of the register, cf. section 21, contents, cf. section 11 and use, cf. sections 18 and 19.

Subsection 2. The Steering Group shall be composed of 8 members, of whom 6 shall be appointed by the Minister of Economic Affairs on the recommendation of the Minister of Labour, Minister of Industry, Minister of Research, Minister of Agriculture and Fisheries, Minister of Taxation, and the National Association of Local Authorities. In addition, the Minister of

Economic Affairs shall appoint the chairman and a further member.

Subsection 3. The members shall be appointed for a period of two years at a time.

Subsection 4. The Minister of Economic Affairs shall lay down the rules of procedure of the Steering Group.

Section 10. The User Group shall especially consider matters pertaining to the rules governing the practical use of the register, cf. sections 18 and 19.

Subsection 2. The User Group shall be composed of fourteen members, of whom nine are appointed by the Minister of Economic Affairs on the recommendation of the Minister of Labour, Minister of Housing, Minister of Industry, Minister of Research, Minister of the Interior, Minister of Agriculture and Fisheries, Minister of Taxation, the Labour Market Supplementary Pension Scheme and the National Association of Local Authorities. Three members with insight in business conditions shall be appointed by the Minister of Economic Affairs, who shall also appoint the chairman and a further member.

Subsection 3. The members shall be appointed for a period of two years at a time.

Subsection 4. The Minister of Economic Affairs shall lay down the rules of procedure of the User Group.

Section 11. Unless otherwise laid down in pursuance of subsections (3) and (4), the following primary data shall be recorded in the Central Business Register:

- 1) CVR number of the unit
- 2) Type of business
- 3) Date of business start
- 4) Date of business closure
- 5) Business name
- 6) Business address
- 7) Name, address, occupation, and CPR or CVR numbers for directly responsible participants
- 8) Kind of economic activity and secondary activities, if any
- 9) Telephone number

5.2 Act on CVR

- 10) Telefax number
- 11) E-mail address
- 12) Number of employees
- 13) Importer and exporter status and
- 14) P number of associated production units.

Subsection 2. Unless otherwise laid down in pursuance of section 3, the following primary data on the production units shall be recorded in the Central Business Register:

- 1) P number of the unit
- 2) CVR number of the legal entity to which the production unit belong
- 3) Date of business start
- 4) Date of business closure
- 5) Name or designation
- 6) Address
- 7) Telephone number
- 8) Telefax number
- 9) E-mail address
- 10) Main kind of economic activity and secondary activities, if any
- 11) Number of employees.

Subsection 3. The Ministry of Economic Affairs may lay down rules, cf. section 21, governing the extent to which and how information on telephone and telefax numbers, e-mail address, number of employees and importer- exporter status shall be recorded in the Central Business Register.

Subsection 4. The Ministry of Economic Affairs may lay down rules, cf. section 21, governing the extent to which and how information on name, address, occupation and CPR or CVR numbers for directly

responsible participants shall be recorded in the register.

Subsection 5. The Ministry of Economic Affairs may lay down rules, cf. section 21, governing the recording of information on debt rescheduling, compulsory composition and bankruptcy.

Section 12. For legal entities registered with the Danish Commerce and Companies Agency, only the Agency shall be permitted to enter and change primary data in the Central Business Register, which are recorded in the registers operated by the Danish Commerce and Companies Agency.

Subsection 2. For legal entities referred to in nos. 1 and 2 of section 3, and which are not subject to subsection (1) of section 12, the data entered in the registers operated by the Ministry of Taxation, Central Customs and Tax Administration are maintained by the Ministry of Taxation, Central Customs and Tax Administration.

Subsection 3. For legal entities referred to in nos. 3-6 of section 3, and which are not subject to subsections (1) or (2) of section 12, the primary data are maintained by Statistics Denmark. The Ministry of Taxation, Central Customs and Tax Administration maintains the primary data, which are entered in the registers operated by the Tax Administration.

Subsection 4. All primary data on production units are maintained by Statistics Denmark in co-operation with the Ministry of Labour, cf. subsection 5.

Subsection 5. For all units in the Central Business Register, kind of economic activity data are maintained by Statistics Denmark in co-operation with the Ministry of Taxation, Central Customs and Tax Administration.

Subsection 6. The Ministry of Economic Affairs may lay down the rules, cf. section 21, governing maintenance of the primary data referred to in subsection (3) of section 11 and rules governing maintenance of such

primary data for legal entities, subject to nos. 1 and 2 of section 3, which are not maintained in pursuance of the present provision of subsections (1) or (2) and subsection (5).

Section 13. Public authorities shall according to rules laid down by the minister concerned, after negotiation with the Minister of Economic Affairs, maintain the primary data on legal entities, which subject to nos. 1 or 2 of section 3 are not maintained pursuant to subsections (1) or (2) and (5) of section 12, or in accordance with the provisions laid down in pursuance of subsection (6) of section 12. However, the CVR number shall only be assigned in pursuance of subsections (3) and (4) of section 5.

Subsection 2. Public authorities and institutions may furnish primary data on legal entities and production units for use in the maintenance of the Central Business Register. However, entering and changing primary data shall only be effected in pursuance of subsections (1-5) of section 12, and the provisions laid down pursuant to subsection (6) of section 12 and subsection (1) of section 13. Furthermore, the CVR number may only be assigned in pursuance of section 5.

Subsection 3. The Minister of Economic Affairs may, after negotiation with the Minister of Research, lay down the rules providing for telecommunication companies to supply the register with information on which publicly accessible numbers for telecommunication have been assigned to each registration unit.

Section 14. Public authorities and institutions may when submitting and receiving CVR primary data use electronic media.

Section 15. Public authorities and institutions shall use the primary data recorded in the Central Business Register for operation of their own registers, instead of obtaining the same information from the legal entities.

Section 16. Legal entities shall, on request, subject to subsection 1 of section 2, no. 1 or the rules laid down in pursuance of subsection 2 of section 2, supply within the fixed time limit Statistics Denmark, in its capacity as supervising institution for the Central Business Register, with information on the primary data maintained by Statistics Denmark in pursuance of subsections (3-5) of section 12, or according to rules laid down pursuant to subsection (6) of section 12.

Subsection 2. The Minister of Economic Affairs may lay down the rules, cf. section 21, which impose the legal entities to notify the following:

1) commencement of new or cessation of existing main activity at the legal entity's

address, cf. no 2., subsection (1) of section 4, if this is not effected in connection with registration or deregistration of the legal entity.

2) establishment or closure of production units located at other addresses than the legal entity's address, cf. no. 3, subsection (1) of section 4.

Section 17. Any person registered shall be able, upon written application to the CVR administration, to obtain information on the primary data recorded in the Central Business Register on him.

Section 18. Any person may have access from the Central Business Register to the primary data, which are recorded in the register, subject to the exemptions and conditions referred to in subsections (2-6).

Subsection 2. The CPR number shall not be passed on to any private individual.

Subsection 3. Information on a directly responsible participant's private residence, provided that this address is not identical with the business address, shall not be

passed on to any private individual in connection with extracts of groups of legal entities or production units. However, the Minister of Economic Affairs may lay down the rules governing whether information on the name of a directly responsible participant, who is a physical person, and whether and to which extent information on the latter's private residence may be passed on to any private individual.

Subsection 4. The Minister of Economic Affairs may lay down the rules governing whether and the extent to which information on telephone and telefax numbers and e-mail address may be passed on to any private individual.

Subsection 5. Information on the number of employees shall only be passed on to private individuals in the form of size groups according to the rules laid down in the register provisions governing the Central Business Register, cf. the Danish Public Authorities' Registers Act.

5.2 Act on CVR

Subsection 6. Extractions of groups of units from the register shall be effected in a manner which ensures that only information, which may be furnished to the users in question pursuant to this section, is passed on.

Subsection 7. Public authorities and institutions which have received primary data from the Central Business Register shall, in the case of passing on the data received, observe the provisions laid down in subsections (2), (3) and 6 and in subsection (2) of section 19, and in rules laid down in pursuance of subsections (3-5).

Section 19. For legal entities, which have stated in writing that they do not want the primary data in the Central Business Register to be used for advertising inquiries, this information shall be recorded in the register.

Subsection 2. When passing on primary data from the register to private individuals, primary data on units, which do not want to receive any advertising inquiries, shall be retained pursuant to subsection (1). However, data may be passed on provided that the recipient of the information declares and ensures that, partly the requirement of not receiving any advertising inquiries is respected and partly that information on such units is not passed on to others as a whole or in groups. Information received under this condition shall not be passed on or used contrary to the conditions laid down.

Section 20. The Minister of Economic Affairs shall, after negotiation with the Minister of Finance, lay down the rules governing sales of and remuneration for services rendered by the Central Business Register to public authorities and institutions and private individuals.

Section 21. Provisions shall, after negotiation with the Minister of Labour, Minister of Industry and Minister of Taxation, be laid down pursuant to subsection (2) of section 2, subsections (3-5) of section 11, subsection (6) of section 12, subsection (2) of section 16 and subsections (3) and (4) of section 18.

Subsection 2. However, the Minister of Economic Affairs may, after negotiation with the ministries referred to in subsection (1), lay down provisions for the operation of the Central Business Register.

Section 22. Any person, who fails to furnish information within a time limit fixed in pursuance of section 16 or who intentionally or through gross negligence furnishes false information, shall be punished by a fine.

Subsection 2. Any person, who intentionally or through gross negligence or offends against the provisions in item 3, subsection (2) of section 19, shall be punished by a fine.

Subsection 3. Regulations issued in pursuance of this Act may stipulate the payment of a fine offending against the provisions in these regulations.

Subsection 4. Companies, societies etc. (the legal entitled person) can be enjoined liability to punishment according to the rules in the penal code chapter 5.

Section 23. Decisions in pursuance of this Act shall be made by Statistics Denmark.

Subsection 2. The Minister of Economic Affairs may lay down provisions governing access to filing a complaint against the decisions made in pursuance of this Act and thus determine that decisions shall not be brought before a higher administrative authority.

Section 24. The coming into force of this Act shall be decided by the Minister of Economic Affairs.

Subsection 2. When this Act comes into force existing registration numbers for the legal entity at the Danish Commerce and Companies Agency and the Ministry of Taxation, Central Customs and Tax Administration of the CVR are replaced as identification number for the legal entity.

Subsection 3. When this Act comes into force, the Danish Act on the Central Business Register shall be repealed, cf. Consolidated Act No. 530 of 19th June, 1992¹.

Section 25. This Act shall not be applicable to the Faroe Islands and Greenland.

Act. No 295 of 2th May, 2000 (the ammendment) concerning Section 18, sub-

section 3 and Section 22, subsection 4 hold the following coming into force decision:

Section 6. The present Act shall enter into force on May 15, 2000.

Ministry of Economic Affairs, 22th June 2000

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/Hilmar Bojesen

¹ The Danish title of the repealed Act is "Lov om Det Centrale Erhvervsregister".