

The Digital Registry

Serving commercial justice and business



Clerks of the commercial courts
INNOVATING FOR PUBLIC SERVICE



Key figures

5 million

legal acts managed for companies

141

registries among the 141 Commercial Courts across France

5,5 million

head offices registered in France

80%

French economic actors registered in the Trade and Companies Register (RCS)

2000

employees

The Digital Registry

Serving commercial justice and business

Pioneers of dematerialization for more than thirty years, the clerks of the commercial courts have facilitated access to legal information in our country. With Infogreffe, they have enabled direct access to economic and legal information contained in the trade and company register, and the digitization of the formalities for companies.

The digital policy initiated by the profession has not stopped evolving. The clerks of the commercial courts have had the constant desire to implement increasingly efficient dematerialized solutions covering all their missions. To such an extent that we can now speak of a true "digital registry".

The 2020/2021 health crisis has proven how essential dematerialization and digital devices are. Thanks to the digital tools developed over the last few years, the clerks of the commercial courts have been able to fully carry out their public service missions, despite the crisis.

Today, the beneficiaries of dematerialization in court clerks' offices are not only the different actors of commercial justice but also the companies that can be integrated in digital paths to facilitate their procedures.

The quality and speed requirements of digital policies are now combined with the imperatives of information security. The profession has adopted a permanent R&D approach. It is constantly investing in the development of new tools and the evolution of existing tools. This guide lists the various achievements of the clerks of the commercial courts in terms of dematerialization. It presents the different facets of the French "digital registry".

Why a brochure on the Digital Registry?

The clerks of the commercial courts occupy a central position between the judicial and economic worlds.

True registrars of companies, they are also, by nature, at the service of commercial justice and its actors.

Present throughout France, they welcome economic actors every day in the registries.

The clerks with Infogreffe, has multiplied the digital tools. For more than thirty years, the clerks of the commercial courts have been constantly innovating in order to offer more and more online services.

Relying on the reliable and secure information they collect every day, on their central position in commercial justice and on their capacity for innovation, **the clerks of the commercial courts have over the years built a true "Digital Registry".**

The health crisis of the years 2020-2021 obviously underlines the relevance and effectiveness of these digital tools. This set of solutions is structured around four areas of intervention:

- For the business owner on a daily basis _____ p.5
- For the efficiency of commercial justice _____ p.11
- For transparency and economic security _____ p.15
- For a better understanding of economic activity _____ p.20

For the company manager on a daily basis

Creation of a company, filing of annual accounts, request for a Kbis extract, diagnosis in case of difficulties... the clerks of the commercial courts are present at each stage of a company's life. They have developed many tools to facilitate the procedures of entrepreneurs and this "digital registry" is now a valuable aid for business leaders and their advisors.



Infogreffe.fr

The digital platform for the company

Created in 2007, the Infogreffe.fr online formalities platform has never stopped innovating.

Today, it offers digitalization of all formalities.

Fast, practical and secure, Infogreffe.fr is convincing more and more companies: of the **5 million legal documents** registered each year with the registries, nearly a quarter are now filed online.

Many features are available directly from Infogreffe.fr.

> Online registration

Today, Infogreffe.fr allows you to register a company online and receive the Kbis extract within 24 hours. This Kbis extract, which is the company's identity card, attests to the company's or trader's registration in the Trade and Companies Register (RCS) and to the reliability and accuracy of the information it contains.

Throughout the life of the company, essential changes (change of manager, change of capital, change of name, etc.) must be the subject of an amendment to the RCS. All these changes can be made directly online on Infogreffe.fr by the company director or his counsel. As well as the cancellation of a company in case of cessation of activity.

> Online account filing

Each year, certain economic actors are required to file their accounts with the clerk of the commercial court. This obligation contributes to economic transparency (see page 15).



The filing of accounts is possible directly online on Infogreffe.fr in a few clicks and in complete security (438,434 online filings in 2020).



> Injunctions to pay

The injunction to pay is a judicial procedure for the recovery of debts. It intervenes in particular within the framework of "small" litigations and has the advantage of being fast (the debtor does not have to be convened in front of the court) and inexpensive.

Tribunaldigital.fr the digital platform of Infogreffe.fr also allow you to file an application for an injunction to pay online by attaching digital supporting documents and signing it with an electronic certificate. The application is then transmitted and processed by the competent commercial court.

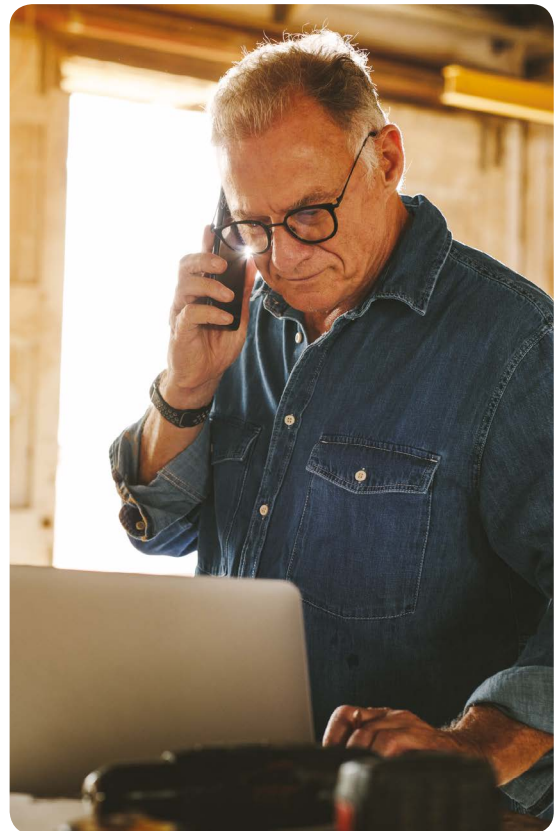
> Consultation of registers of liens and property security

Pledges, collateral and liens are the legal tools that allow business financing actors to take the necessary guarantees on their clients' assets. The clerks of the

All the information, checked and authenticated under the responsibility of the clerk of the court, a public and ministerial officer, enables third parties to learn about the legal and economic situation of the company. Direct access to the registers of the various registries through the Infogreffe.fr platform contributes to economic transparency and legal security.

commercial court register and make public these pledges.

The Infogreffe.fr portal provides direct access to the various registers of liens and pledges and thus enables economic players to know the exact financial situation of their partners.



MonIdenum, the secured digital identity

In a few clicks, everyone can obtain a digital identity on monIdenum.fr.

> A free and essential tool

MonIdenum, a free and secure authentication service, allows anyone who has activated their digital identity to authenticate themselves on partner digital services.

For the company director, the service reconciles with the trade and companies register, allowing him to act in his name in complete security.

MonIdenum is the authentication service used by the Digital Court and is legally enforceable (see page 12).

> Download your Kbis

MonIdenum also offers business owners **free and unlimited online access to their digital Kbis**.
320,000 digital Kbis were issued for free in 2020.

> Anticipating difficulties

MonIdenum also allows the company manager to obtain, in complete confidentiality, his performance indicator.

This predictive indicator is based on the analysis of the company's economic and legal data compared to the data of companies in the same sector. It allows the manager to anticipate possible difficulties and to deal with them more quickly.

> Interconnection and automatic updates

The rights assigned to MonIdenum are automatically updated as soon as an event is recorded in the Trade and Companies Register (for example, a change of manager, the creation of a new company...).

As the digital identity is directly linked to the RCS, it is updated on a daily basis, which gives it a high level of legal security.





Prevention of companies in difficulty

The Commercial Court plays an essential role in preventing business difficulties. Detecting early warning signals is one of the missions of the court clerks. A task that takes on its full dimension in the current economic context.

> Prevention/detection

By analyzing and processing the information from the legal registers, the clerks of the commercial courts are able to list the companies likely to encounter difficulties. This targeted list is sent to the President of the Commercial Court so that he can initiate a meeting with the company manager to propose solutions to rectify his situation.

> The self-diagnosis and the performance indicator

In their desire to go further, the clerks of the commercial courts offer the company manager a self-diagnosis tool. This tool is based on an analysis of legal and financial data held by the clerks of the commercial courts, enhanced by artificial intelligence algorithms. Thus, in complete confidentiality, any manager can estimate the level of risk of failure of his company: according to its history and situation, and according to the economic situation of the sector, a performance indicator is assigned. Alerted before difficulties arise, the company manager is able to take corrective action or to ask for support from the commercial court or any other advisor.

The self-diagnosis tool is made available free of charge to company managers by the clerks of the commercial courts and is accessible via [Monldenum.fr](https://monldenum.fr)

and also...

> The "Tell us once" program

Commercial court clerks are participating in the "Tell us once" program launched in 2014 by the Secrétariat Général de Modernisation de l'Action Publique (SGMAP) with the aim of reducing the redundancy of information requested by the administration from businesses, in areas such as simplified public procurement (MPS) or simplified public aid (APS). Within this framework, the profession has opened an access via web services to the information of the trade register, to all the administrations and public entities members of the system.

This system, now called API Entreprise, offers various uses consisting in simplifying the procedures of companies. It is now used in a very effective and constant way as shown by the evolution of consultations in recent years.

> The opening to all territories

Since 2019, commercial court clerks have been appointed in the overseas departments and regions (DROM), allowing the opening of the dematerialized services of the Infogreffe website for economic actors in these territories.

After the opening of the [Infogreffe.fr](https://infogreffe.fr) website and then of the Digital Court, the RPVA-TC lawyers' portal is accessible since 2020 in the DROM.

In the same vein, since 2018, Infogreffe's services (and in particular the dissemination of legal information for companies and the completion of



formalities online) have been available in Alsace-Moselle. Since 2017, these services, adapted to the needs of New Caledonia, have been set up under the domain name Infogreffe.nc.

> The Infogreffe Marketplace

In the spring of 2021, the clerks of the commercial courts launched the Infogreffe Marketplace, **the platform for putting the transferor of a company in touch with buyers or investors.**

The Infogreffe Marketplace links supply and demand, acting as a trusted third party in the business transfer process. It is an additional tool for French entrepreneurial spirit.

The profession is ideally placed to assist in the takeover or creation of a company, in the search for partners or investors. The clerks of the commercial courts are close to the economic actors, benefit from the data of the RCS, have the tools of evaluation...

The Infogreffe Marketplace lists, thanks to numerous numerical (balance sheet data) and qualitative criteria, transfer offers submitted by sellers and entrepreneurs looking for partners and associates, or even by administrators and judicial representatives.

> Monjuridique.infogreffe.fr

Monjuridique.infogreffe.fr is aimed at both company directors and their advisors by enabling **the dematerialization of all mandatory company registers within a framework of maximum compliance and security** guaranteed by a blockchain system.

This collaborative platform allows the organization of online general meetings (convocation, voting, electronic signature...), "workflows" to sign all company documents (minutes) and other contracts with all the company's partners. All of this is stored in digital safes that meet CCFN standards.

Myinfogreffe.fr : Infogreffe's blog

This blog is a space for information and exchanges on the Trade and Companies Register (RCS), the formalities at the Commercial Court Registry and the role of the clerks.

Myinfogreffe.fr also lists scams targeting entrepreneurs registered with the RCS.

For the efficiency of commercial justice

Commercial justice in France is recognized for its efficiency: the time limits are in line with the requirements of the economic world and the appeal rates are reduced. The clerks of the court provide access to the public service of commercial justice. They are in direct daily contact with lawyers, litigants, company directors and commercial court judges. The profession has developed numerous digital tools that make commercial justice more efficient and accessible.

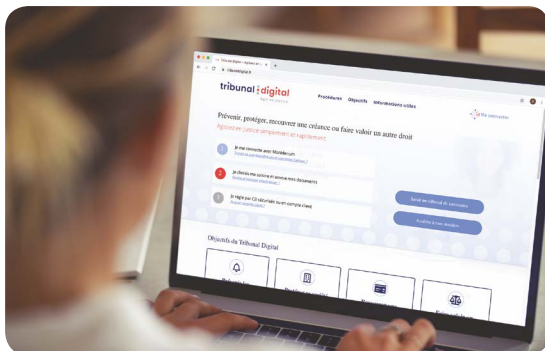


The Digital Court

The Digital Court was created to allow the litigant to seize online the commercial jurisdiction.

The Digital Court is the digital gateway to the 141 French commercial courts. It allows business owners to file their applications with the court online, simply, quickly and securely. In just a few clicks, they can access their proceedings, have access to all the elements of the case, and follow the progress of a case in progress.

He can thus seize his jurisdiction online to prevent business difficulties, place himself under the protection of the law, recover a debt or assert another right.



> The procedures available online at tribunaldigital.fr :

A business owner may:

Prevent the difficulties of his company

- self-diagnosis
- request for an interview to the president of the court
- request for assistance

Protect his company

- find help to overcome a specific difficulty
- obtain a stay of proceedings

- develop a plan to continue the business, maintain employment and pay off liabilities

Recoup a debt

- file an application for an order for payment
- file a writ of summons
- file a summons on the merits

Asserting another right

- file a petition with the President
- file a motion with the juge-commissaire

The Digital Court then allows all the actors of the commercial justice (lawyers, judges...) to have access to the different files of a procedure.

> Respond to crisis situations

The profession has also put in place secure solutions allowing, if the situation requires it and if the texts in force authorize it, the use of video-conferencing for hearings.

These tools meet the requirements of commercial justice in terms of encryption, security, confidentiality of exchanges, reliable hosting and ease of use.

Thanks to the holding of remote hearings, it is possible to obtain the opening of collective proceedings (safeguard, recovery and judicial liquidation) and preventive measures such as conciliation or the ad hoc mandate, and thus meet the needs of companies in difficulty.

These tools have, for example, allowed commercial justice to continue to function during the Covid 19



The judges' portal

The portal has been made available to consular judges by the profession, to enable them to access their files securely online at any time.

This dematerialized communication system allows a fluidity of exchanges, the reduction of processing times and the improvement of the follow-up of cases.

The portal allows to:

- consult the schedule of hearings;
- research business;
- access case alerts;
- access to documentary resources;
- exchange draft judgments between judges of the same chamber.

The lawyers' portal

The lawyers' portal (RPVA-TC) is the counterpart of the judges' portal for lawyers.

In particular, it allows:

- to refer the matter to the Commercial Court;
- to place cases on the merits and in summary proceedings;
- to exchange conclusions with other lawyers and send them to the court;
- to request a referral.

The electronic signature of court decisions

An order allowing the electronic signature of decisions rendered by commercial courts was published on April 11, 2019. This decree constitutes a major advance for the profession since it allows, through the electronic signature of decisions, to digitize the entire procedure before the commercial court from the referral to the court until the communication of the decision.

The National Council of Commercial Court Clerks has been entrusted with the implementation of the system by providing commercial court judges with electronic certificates to sign decisions.

In the first phase, only payment orders will be electronically signed, before being extended to the entire system.

The audiovisual communication by means of a videoconferencing solution

A decree allowing the audiovisual communication by means of a videoconferencing solution was published on May 13, 2022. This decree provides for a specific provision concerning audiovisual communication implemented during "tele-hearings" organized by

commercial courts and offers the possibility for Commercial court clerks to use a solution made available by the National Council of Commercial Court Clerks.

Open Data of court decisions

The 2018–2022 justice programming law provides for the availability of court decisions to the public in

Also noteworthy is the free access of judicial authorities to RCS information.

Since 2011, public prosecutors have been able to access the [infogreffe.fr](https://www.infogreffe.fr) website free of charge and thus instantly obtain all the information necessary for their actions.

electronic format. This "judicial Open Data" also concerns decisions rendered by commercial courts.

The profession has therefore been asked by the Ministry of Justice to collect and transmit the decisions of the 141 commercial courts so that they can be anonymized (systematically removing the names of the parties, third parties and judges).

GIE Infogreffe is currently working to ensure the security of the flows when sending decisions and the return of anonymized decisions.

The system is expected to be operational in 2024.

The directory of consular judges

The creation of a centralized directory of consular judges has been discussed for many years.

Such a tool, listing the updated composition of the consular jurisdictions and the information relating to the judges, will make it possible to ensure an exchange between the judges and to facilitate the training actions organized for their attention.



For a transparent and secure economic activity

For many years, the clerks of the commercial courts have developed, with their GIE Infogreffe, digital tools for the distribution of company data.

The information published is first verified, checked and authenticated by the clerks. It is also updated daily. The profession thus contributes greatly to the legal security that is essential to the development of economic life.



Economic transparency and equity between companies



> Infogreffe.fr

Infogreffe.fr is the best known of the dematerialized tools developed by the profession. **Business owners can access all legal information from the trade and company register.**

The RCS is the true civil status of each company and lists the legal data of companies and merchants. These data, verified and validated by the clerk of the commercial court, contribute to the economic transparency that is essential for growth. 100,000 updates are made daily by the 141 commercial court clerks in metropolitan and overseas France and are immediately accessible on Infogreffe.fr.

The RCS currently contains information on 5.5 million companies, representing approximately 80% of the French economy.

> The electronic Kbis

The Kbis extract, a real updated identity card of the company, attests to the legal existence and legality of any company registered with the RCS. The Kbis contains the essential information about a company: company name, capital, managers, activity, etc. It also mentions the collective proceedings initiated by the commercial court.

The Kbis is more and more transmitted in a dematerialized way. **In order to avoid possible fraud, the electronic Kbis contains a QR code for verification.** This QR code links to a verification page on the Infogreffe.fr website. This makes it possible to verify that the electronic document is indeed an official Kbis.

> The Register of Beneficial Owners

Created in 2017, by the transposition of the 4th Anti-Money Laundering Directive, the Register of Beneficial Owners (RBE) aims to identify the beneficiary or beneficiaries of companies as well as the control methods exercised by these beneficiaries. It thus **allows to directly trace the real beneficiary of the economic activity of a legal entity, and thus to reinforce transparency in the life of companies.**

The keeping of the RBE has been entrusted to the clerks of the commercial courts, and they thus exercise a real control of economic police. The RBE is a valuable tool for the authorities in charge of the fight against fraud, money laundering and the financing of terrorism

While certain information on beneficial owners is made available to the general public, only the authorized authorities (judicial authorities, police, gendarmerie, customs, etc.) and persons subject to the fight against money laundering and terrorist financing (credit institutions, insurance companies, legal and accounting professionals, etc.) have access to all the data. A reporting portal allows them to report online any discrepancy between the information recorded in the BMS and the information they have in order to ensure the greatest efficiency of the register.

> PPLE.fr, the legal publicity portal for companies

The profession is one of the three actors of the legal publicity portal which gathers all the data published on the Official Bulletin of Civil and Commercial Announcements (BODACC), the data of the RCS and the announcements published in the newspapers of legal announcements.

PPLE.fr allows you to find all the advertisements and legal information concerning the 10,026,016 French companies (creation, modification, transfer, number of establishments, publication of accounts, collective procedures...).



> The FNIG

In order to combat fraud, the National Council of Commercial Court Clerks has implemented, since 2017, the National File of Management Bans (FNIG).

This file lists the management bans and personal bankruptcy measures pronounced by commercial, civil and criminal courts throughout the country.

This register is accessible to the clerks of the commercial courts, to magistrates and to certain public bodies and authorities in charge of the fight against fraud.



At the European level

> The Business Registry Interconnection System in Europe (BRIS) has been operational since 2017. On the French side, the GIE Infogreffe is the operator that provides access to French company data. This cross-border access to company information meets a growing demand for access to company information in Europe and is essential for the proper functioning of the single market.

> The European Interconnection for Insolvency (IRI) is underway. All EU member states have local insolvency registers whose information is available to the public. These registers, which have been interconnected since September 1, 2021, make it possible from the European e-Justice portal to consult, analyze and store information on the insolvency of a natural or legal person in any member state of the European Union, in accordance with national regulations. In France, the GIE Infogreffe has set up and will ensure the distribution on e-Justice of information relating to insolvency proceedings opened in France

> DOCVERIF, fight against document fraud

The clerks of the commercial courts are responsible for checking the supporting documents filed in support of the formalities with the RCS. In this context, the profession has to face a growing number of document frauds, that is, the use of false documents (especially identity documents). This fraud is encouraged by the emergence of digital technology. For the clerks of the commercial courts, it is essential to identify fraudsters before the creation of any company in order to eliminate any possibility of using the company for irregular and fraudulent purposes.

DOCVERIF is an automated processing system designed to facilitate the verification of the validity of documents issued by the French authorities (national identity cards, passports and residence permits). Initially reserved for the Police, the Gendarmerie and the authorities, the tool is now being deployed in the registries.

> Sécurigreffe, the secure notification area

Sécurigreffe is a new tool for handling the difficulties of all companies. It is a secure electronic notification system set up by the clerks of the commercial courts in order to allow a fluid dialogue with the administrators and judicial representatives (AJMJ).

To exchange information, court clerks and court-appointed receivers and agents (AJMJ) use Sécurigreffe and benefit from an electronic safe made available by GIE Infogreffe. The AJMJs' offices can thus transmit the documents they need to file with the commercial court clerk's office in a dematerialized format.



Fight against money laundering and terrorist financing

The fight against money laundering and terrorist financing (AML/CFT) is a national issue, framed by European directives. In recent years, the profession has become a key player in this area. Its intervention takes place on two levels:

> For compliance with KYC rules

The information collected, validated and certified by the clerks of the commercial courts is used within the framework of KYC (know your customer) by the organizations that are subject to it.

Indeed, the regulations oblige certain structures to adopt vigilance and declaration measures. This

concerns in particular financial institutions (banks and insurance companies) and many companies in the context of financial transactions, payments and receipts. In order to implement vigilance measures, a good knowledge of customers and prospects is necessary.

This Know Your Customer (KYC) system must be initiated prior to entering into a business relationship. It must be updated periodically or when the client carries out unusual or significant transactions. It enables the organization to analyze each transaction with regard to AML/CFT risks and, if necessary, to prohibit it or to file a suspicious transaction report.

The penalties for non-compliance are significant and therefore encourage organizations that are subject to them to secure their approaches.

However, the data held by the registries and by Infogreffe cover a significant part of the KYC requirements for French legal entities: knowledge of the identity of the company and its managers, changes in partners, the company's activity, its location, key events, knowledge of the company's



assets and, above all, knowledge of the beneficial owners and of the company's ownership links.

The profession has therefore launched kyc.infogreffe.fr. A monitoring tool dedicated to customer knowledge based on official documents certified by the clerks of the commercial courts.

> Through a policy of active partnerships

The clerks of the commercial courts are integrated into the economic police system and are called upon by the organizations in charge of the fight against corruption (TRACFIN, French Anti-Corruption Agency, MICAF, PNF...).

Since 2020, the Monetary and Financial Code provides that commercial court clerks are subject to AML/CFT obligations and designates the Conseil national des greffiers des tribunaux de commerce (CNGTC) as the supervisory authority for the profession. However, for many years now, an active partnership policy has led the profession to be solicited by the various players.

Forexample, the partnership between TRACFIN and the National Council has led to the development of alert criteria and the implementation of a dematerialized process for reporting suspicious transactions via the ERMES platform. This approach has led to the transmission of numerous reports to TRACFIN, resulting in the identification of large-scale fraud schemes.

Recently, a tripartite partnership between the National Financial Prosecutor's Office (PNF), the National Council and Infogreffe allows PNF magistrates to have personalized and privileged access to data from the trade and company register. The same is true for agents of the French Anti-Corruption Agency (AFA).

For a better knowledge of the economic activity

The RCS gathers 80% of the French economic actors. The data relating to the RCS is therefore a mine of reliable and up-to-date information on the French economy. For public actors, for national or local political decision-makers, it is a way to take the pulse of the economy. For the economic players themselves, it is a potential vector for economic growth.

The clerks of the commercial courts have therefore developed practical and accessible tools to provide access to this data.



DataInfogreffe, Infogreffe's Open Data tool

Since 2015, DataInfogreffe.fr has been making public data registered in the trade and company register available in open and easily reusable formats.

This information, controlled by the clerks of the commercial courts, can be consulted and used free of charge through several sets of data (company registrations, deregistrations, key figures, judgments of collective procedures, etc.).

The Open Data of companies wanted by DataInfogreffe.fr provides a reliable source of information on commercial companies and promotes innovation through the reuse of data by third parties.

The Statistical Observatory

The information collected throughout the country in the 141 commercial registries constitutes an incredible snapshot of the French economy. The profession has therefore decided to make it available to the greatest number of people through its Statistical Observatory.

This Statistical Observatory makes it possible to monitor the major trends in French economic and entrepreneurial activity throughout the year, to identify sectors of activity that are growing or experiencing difficulties, and the dynamics at the national level.

It covers the updated economic and legal data of the 5.5 million companies registered with the RCS and makes it possible to analyze and compare



various official public indicators such as the number of registered companies (by legal form, by sector of activity), the number of companies that have been struck off (by sector of activity), the density of companies (by number of employees), the average life span of companies, the average age and civility of managers...

Each year, a national report is prepared by an independent research firm, XERFI Spécific. The analysis of this data is presented through economic studies and dynamic presentations based on a statistical portal to illustrate, region by region, municipality by municipality, in the form of maps and diagrams, the data on companies. The Statistical Observatory website is free to access. **The data can be consulted on the site statistiques.cngtc.fr**

of companies (transfer of head office, change of name, creation of a new establishment, dissolution, deletion etc...).

The blockchain network developed by the clerks of the commercial courts makes the exchange of information between the clerks of the commercial courts more fluid. It thus reinforces the efficiency of the RCS developed by the clerks of the commercial courts and offers a better service to companies, by further reducing the time required to update the registers.

Blockchain technology will eventually allow clerks to share a single, common view of information and benefit from full traceability of notifications of legal changes recorded and transmitted.

The blockchain network

The profession has deployed a blockchain network in order to fluidify and reinforce the security of certain management operations of the trade and companies register. The blockchain network is used to track and share:

- the exchange of regulatory information relating to business difficulties;
- changes in the status





Find the digital registry and follow its news

> WEB SITES

cngtc.fr

infogreffe.fr

datainfogreffe.fr

> SOCIAL NETWORKS

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