

Going digital: The German notary

Berlin, June 14, 2022 | Dr. Lilly Fiedler

Digitizing the “undigitizable”. German notary offices are known for their immutable processes and principles. Founders or their corresponding representatives are still required to make a personal appearance to their notary of choice to found a new company. Identities have to be checked manually, prior to the deed being read to and signed by all parties present. But that is about to change.

Founding and register applications online possible from 1 August 2022

Digital revolution, here we come, as in the not-so-distant future, this personal visit will become redundant (at least in some cases). From 1 August 2022, technology will take over and transfer the act of founding into the digital space. A video conferencing system, developed by the Federal Chamber of Notaries (Bundesnotarkammer) will be introduced to allow for identities to be verified and the act of founding and register applications to be completed online. Electronic signatures will then be sufficient for the signing of the deeds.

Though not for everything

Changes to processes in notary offices have been long overdue. They now help founders to reduce (travel) costs, while saving them valuable time they desperately need to build their company. Founders should not become overly enthusiastic, though, as for the time being, this digital process will only be made available for the founding of GmbHs (limited liability companies) and register applications (further information at <https://www.onlineverfahren.notar.de/>). It is an important step towards the digital transformation of the German notary.

Digitization to continue

It is a kick-start, promising for more changes to come. One of those might be the transference of the validity register for notarial powers of attorney and inheritance certificates onto the blockchain (further information at <https://www.bnotk.de/aktuelles/details/innovationspreis-fuer-erste-blockchain-kooperation-in-der-justiz>) or the digital archive for notarial documents (starting 1 July 2022).

We at YPOG have not only been supporting but driving the digitization of legal processes and are looking forward to many more to come.

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