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The Central Register and Information on Business Activity - an attempt to assess the new legal solutions. Selected issues

Summary

An attempt is made to assess the Central Register and Information on Business Activity (CEIDG) as a teleinformation system operating in conjunction with other electronically accessible public registers.

The need for an integrated system of public registers results from the Act on freedom of economic activity of 2 July 2004 that provides, among others, for a system of verification of the data already entered in the Register. As the analysis shows, the Act did not originally provide for the necessity to transfer to the Central Register and Information on Business Activity the data entered in other public registers, but merely imposed an information obligation on concession authorities, registers of regulated business activity as well as relevant licencing authorities. Currently, the statutory provisions regulating the freedom of economic activity provide that economic courts, the Central Information unit of the National Court Register, the National Criminal Record, ward guardians and relevant organs deciding upon incapacitation, organs of state administration issuing or withdrawing permits to foreigners wishing undertake business activity in Poland as well as concession authorities, registers of regulated business activity and licencing authorities are obliged to make their data and information available to the CEIDG. The imposed obligation, however, does not mean that the above entities comply with its provisions. As practice shows, the Exchange of information between the Central Register and Information on Business Activity and the obliged entities is still negligent.

The paper also indicates certain other problems related to the functioning of the Central Register and Information on Business Activity, and the availability of an entrepreneur's address if the same as the place in which business is conducted, in particular. Despite the shortcomings, however, there are advantages as well, such as. e.g. a fast track procedure for those wishing to undertake economic activity, or a creation of a register of representative offices. Nevertheless, the current regulation requires further amendments to improve the existing system.

Keywords: register, The minister responsible for the economy, teleinformation system.