

The deadline for the registration on the company gateway expires today!

On 31 August 2017, the deadline stipulated by legislation expires that all economic operators (in particular all companies limited by shares, limited liability companies and limited partnerships) shall register on the company gateway. The registration is also necessary in addition to fulfilling the legislative obligations since as from 1 January 2018, the economic operators are typically required to communicate with courts, other authorities and public bodies through this portal.

Registration on the company portal: obligations and functions

The most essential step of the digitalization of the communication with public bodies may be to introduce the company portal and to make the registration on the portal mandatory. All economic operators domiciled in Hungary (in particular business organisations, European companies, groupings, cooperatives, law firms, bailiffs, notary offices, furthermore – and deviating from the general concept of the economic operators – all organisations domiciled in Hungary pursuing an economic activity without legal entity,) are obliged to register on the website of <https://cegkapu.gov.hu> until 30 August. Under a recent legislative amendment, individual entrepreneurs are removed from the scope of this obligation and are still entitled / obliged to use the client gateway.

According to the present legislation and plans, the function of the company gateway will be similar to the function of the more or less widespread and successful client gateway for natural persons. On one hand, it will host the documents to be received and delivered by the economic operator and it also serves as a communication channel with the public bodies, through which the documents to be sent or received is presumed to be sent or delivered by the authorised person. Thus, the company gateway will be the official contact point of the economic operator, through which it will communicate with, among others, the courts and other authorities. Furthermore, the company gateway will replace the system of the e-litigation gateway for electronic communication on litigations.

A natural person, who is the legal representative of the economic operator (in case of limited liability companies, its managing director, in case of company limited by shares, its executive director) and – in the most practical case – who has also registered on the client gateway may perform the registration. However, the registration on the client gateway may be substituted with the application of the so-called partially encoded phone identification or with the new type of e-ID card and card slot. If we seek to register on behalf of the economic operator registered in the company registry acting as an executive officer vested with the power of individual signature, following the identification (by the client gateway or by other means) mentioned above, the tax number of the represented economic operator and the e-



mail address shall be specified, on which the economic operator seeks to receive notifications in connection with the company gateway (it is worth to regularly check this account, since it is the primary source of information on the arrival of documents) Subsequently, certain personal data and email address of the natural person as agent for the company gateway shall be given, who will be primarily entitled to manage the company gateway of the organization, then the registration can be finished. If the circumstances are different from the case specified above (which may be deemed typical), for example in case of managers with joint right of representation or NGOs, it may be necessary to take further steps (e.g. the approval of the registration by the other representative) or upload documents (e.g. the instrument of constitution).

Since the communication channel built on company portal and the delivery system will be launched next year, the abovementioned obligation for registration is already in force from 31 August 2017 until 31 December 2017, however during this time, as a sort of a grace period, the registration can be made up without any detrimental legal consequences.