

The lack of a unified register of the population in several European countries is leading to the rise of 'unofficial' databases to help creditors trace their debtors

By Volker Remy

## FAKE OR REAL? SHADOW REGISTERS IN EUROPE

FACT – not fiction: Update your marketing database twice a year against the population register, trace the moved debtors online within minutes or verify the buyer's identity in e-commerce within seconds: this happens every day – in Finland, Austria and Estonia.

Yet at the same time it is pure science fiction for German entrepreneurs. If tracing a debtor who has moved from Munich via Frankfurt to Berlin using German's population registers you should budget six months and about €25 and learn at the end, that the trace gets lost in Berlin. This is because 16 Bundesländer (government regions or states) mean 16 different population registry legislations, over 6,000 local authorities with their own rules of procedure and a fee ranging from €3-15.

Of course there are efforts to exploit the population registries electronically by regrouping them on a Bundesländ-level into Bundesländ-portals. Nevertheless, the user has to know in which community he thinks the missing person might be, since the legislation in most Bundesländer does not allow the pooling of the population.

Yet probably the best twist is the German peculiarity to include problems in clear solutions: every citizen has the right to disagree with his address data being available via electronic access – and without justification.

### Private registers

Imagine 2012, when by law all population registers should be ready for electronic access, but until then a large proportion of the German population disagrees to such usage. This leads to us going 'back to the future', with address inquiries answered by employees and sent by post.

So, it is not astonishing that private 'shadow registers' – basically illegal databases – are gaining more importance, profiting from the complex legislation in Germany, where 16 ministries of the interior and their parliaments are unable to agree to one standard.

### More complicated models

But Germany is not the most negative model – in Switzerland, as it happens, you will get no answer to your request, or you can be asked to complete and attach a pack of documents to your

inquiry, proving your legal interest in getting the information, even if the result is that the person is totally unknown in the community.

This can happen because in some cantons the decision is on a local level – the municipality can decide if the administration should answer address requests or not.

At the same time in the same country in another canton, you can easily get unlimited address data, whilst calling a chargeable hotline, unfortunately accessible only from inside the country. Also in Switzerland private shadow registers try to help.

Or take Spain or the Netherlands: they both have excellent population registers, even central-registers, but they will not 'talk' to you unless you are a bailiff or an authority. Private databases are the consequence.

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