



**UNIDROIT FOUNDATION
BPER PROJECT TENTH WORKSHOP
PROJECT GROUP MEETING
5 FEBRUARY 2026**

**FOUNDATION 2026
BPER REPORT
FEBRUARY 2026**

Summary Report for the Tenth Meeting of the Best Practices in the Field of Electronic Registry Design and Operation Project

1. The tenth and final meeting of the Project on Best Practices in the Field of Electronic Registry Design and Operation (BPER) was held on 5 February 2026 via Zoom. The BPER Project is run under the auspices of the Cape Town Convention Academic Project (CTCAP), a partnership between UNIDROIT and the University of Cambridge, with the Aviation Working Group as its founding sponsor. The BPER Project is supported by the UNIDROIT Foundation and Aviareto.
2. The meeting was chaired by the CTCAP Director, Mr Jeffrey Wool (President of the UNIDROIT Foundation and Secretary-General of the Aviation Working Group). The agenda for the meeting is provided under Annexe 1 of this Report.
3. The tenth workshop was dedicated to the examination and discussion of proposed revisions to the Draft Guide on Best Practices for Electronic Business Registries (the BPEBR Guide) in light of the feedback received through the targeted consultation process.

Opening Remarks and Project Overview

4. *Mr Wool* opened the meeting by placing the work on the BPEBR Guide within the context of UNIDROIT's Centenary year and outlining the anticipated timeline for the Guide's finalisation. It was noted that the intention was to prepare the document for presentation to the Governing Council taking place on 27-29 May 2026. Further promotional activities would be planned and communicated separately.

Consultation Feedback Overview

5. Upon greeting participants, *Ms Kateryna Bovsunovska* provided a brief overview of the targeted consultation process, noting that it ran from 1 September to 22 November 2025 and was promoted during the Corporate Registers Forum in Tunis in October 2025. The ten responses received offered diverse perspectives from different stakeholder groups, including registry service and technology providers, business registries, electronic registry operators, digital transformation experts, academics, researchers, and legal counsels. The majority of respondents were from Europe, with two from the Americas and one respondent from the MENA region.

6. The topics attracting the most input during the targeted consultation were interoperability, and automation and emerging technologies, highlighting these areas as particularly relevant for stakeholders.

Review of Proposed Changes to Chapter I: Introduction

7. Moving toward the review of proposed changes in Chapter I: Introduction, *Ms Bovsunovska* explained the proposed revisions in the description of different registry models in the Guide, namely, centralised and decentralised ones. It was clarified that in centralised models, a single national authority, managed the entire registration lifecycle and database for the whole country, whereas in decentralised models, the authority to register businesses and maintain records was distributed across subnational entities or administrative layers. The proposed clarifications, accompanied by illustrative examples to demonstrate these different approaches, were agreed.

8. Further, *Ms Bovsunovska* explained that a slight adjustment had been made regarding the registry functions. The revision aimed to accommodate the diversity of jurisdictions, noting that in some cases registration conferred legal personality, while in others it only recognised and publicised an entity's legal status. *The participants* supported this revision.

9. In the section on automation and emerging technologies, the revisions concerned the continued need for human oversight in automated processes and the automation benefits from the perspective of registry users. The updated empirical data from the 2025 International Business Registry Insights survey on e-services, indicating increased levels of automation across registries, was also incorporated to place the Guide's recommendations in a more current operational context. No objections were raised to the proposed revisions.

10. Other revisions in Chapter I aimed to address the comments received regarding the EBR liability. *Ms Bovsunovska* explained that, under applicable national law, registries were typically subject to a standard of care lower than the "best practices" outlined in the BPEBR Guide, and that such standards, whether described as reasonable care or ordinary care, varied across jurisdictions. She noted that the Guide, not being legislative in nature, did not prescribe an optimal liability regime, but adopting best practices could support a registry in demonstrating that it met the applicable standard of care. Footnotes were added to illustrate different liability frameworks while keeping the Guide concise and within scope.

11. *Mr Wool* noted that the Guide should not make any statement about limiting liability, explaining that there was no basis for a statement similar to the provisions of the Cape Town Convention on International Interests in Mobile Equipment for the electronic collateral registry under the Convention. *A participant* indicated that the section had now been clarified, but suggested that references in the introduction still implied a limitation of liability and needed rephrasing to reflect that liability depended on the applicable domestic law. *Mr Wool* agreed, highlighting that any changes must reflect the position of UNIDROIT and reiterated that the Guide was a non-legislative instrument and should not suggest a limitation of liability. *Ms Bovsunovska* confirmed that an adjustment of the wording had been made to the first sentence of the section, based on the collected consultation input. *The participants* agreed that this aspect should be further clarified to avoid implying an actual limitation of liability in the final version of the Guide.

Review of Proposed Changes to Chapter II: Critical Performance Factors (CPFs)

12. *Ms Bovsunovska* introduced the clarification added to the Accessibility CPF, noting the importance of language considerations in EBRs. She explained that linguistic diversity could enhance Accessibility but might also pose challenges for Accuracy, including the handling of applications in multiple languages or official translations. Aligning with the UNCITRAL Legislative Guide on Key Features of a Business Registry (UNCITRAL Legislative Guide), it was proposed that registries should allow submissions in a single language while making publicly available information accessible in all official languages of the jurisdiction and, where

appropriate, in additional languages using tools such as machine translation, supported by certified translations where required.

13. A *participant* shared practical challenges arising from browser-based automatic translation tools. For example, a user viewing the registry interface translated into French might enter information in English, with the browser automatically translating it into French, potentially resulting in a registration containing incorrectly translated data. Thus, such functionality in EBRs should be thoroughly monitored. He acknowledged that registries were generally bound by applicable legislation regarding official languages.

14. Another *participant* agreed with the wording and supported the understanding that decisions on official languages were jurisdictionally specific.

15. Other proposed amendments to the Accessibility CPF included additional explanation that registry services should be available through multiple channels, including web pages, telephone, and subscription services, and highlighted the increasing use of APIs to facilitate public and private access. *The participants* supported the revisions to the Accessibility CPF.

16. Continuing with Accuracy CPF, *Ms Bovsunovska* reported on comments suggesting the inclusion of guidance on an “optimal” level of accuracy. She explained that no changes were proposed in this respect, as the purpose of the relevant CPF was to support registries and provide processes for assessing accuracy needs and ensuring responsible data management, depending on the type of data and applicable responsibilities. *The participants* agreed that it was therefore not considered appropriate to prescribe a uniform standard.

17. Further, *Ms Bovsunovska* addressed the suggestion on Confidentiality and Privacy CPF. The consultation participants supported that the Guide differentiated between Privacy and Confidentiality, but a suggestion had been received to classify EBR information into four categories: available to everyone, to authorised users, to persons with special permission, and confidential information. She proposed not to adopt the categorisation, as such a configuration may not be suitable for all EBR data in all contexts. Additional reference to Annexe 1 on the scope of publicly available information was provided in the CPF.

18. Under the Correctability CPF, *Ms Bovsunovska* explained changes made with the purpose of clarifying the distinctions between factually inaccurate information, legally invalid information, and information that was both factually and legally invalid, as well as providing more details on judicial involvement in the error correction. She noted that certain issues raised in the consultation, such as the distinction between intentional errors and technical or clerical mistakes, were not addressed due to their dependence on domestic legal frameworks.

19. Regarding the CPF on Error Detection, a *participant* queried why the comment relating to the role of users in detecting errors had not been addressed. In response, *Ms Bovsunovska* clarified that the Error Detection CPF was framed from the perspective of registry system design and operation, rather than user behaviour, whereas the possibility for a user to flag and correct errors was elaborated on in the CPF on Correctability.

20. Next, *Ms Bovsunovska* indicated that the CPF on Interoperability was updated with the suggested examples of open-source, distributed data-exchange layers that enabled secure system-to-system communication in Estonia and Finland. Based on the feedback received, it was also proposed to refine the technical section of the CPF, particularly to include the references to ISO 8000 series, including ISO 8000-816 and ISO 8000-815 for business registry identifiers, together with the ISO 25500-3, which was under

development and aimed to specify requirements for data verification requests for authoritative legal entity identifiers. These updates were supported by the participants.

21. In the CPF on Legal Authority and Compliance, the description of German and Spanish EBRs was adjusted based on the comments received from those jurisdictions. Further, in the CPF on Legal Authority of the Registrar, *Ms Bovsunovska* explained an additional footnote clarifying that the term “registrar” was used functionally for the purposes of the Guide and did not prescribe institutional arrangements under domestic law. She referred to an example of Poland, where registry functions are distributed among multiple authorities.

22. She further explained that the Guide’s wording was proposed to be adjusted to better reflect differing approaches across jurisdictions regarding the scope of EBR verification powers, noting distinctions between formal procedural checks and more substantive verification carried out by other authorities or through *ex post* enforcement mechanisms.

23. *Ms Bovsunovska* briefly outlined that a footnote was added elaborating on the culture of accountability referred to in the Reliability CPF, and cross-references were added to CPFs on Risk Management and System Validation. The changes proposed to Timeliness CPF addressed the need for human oversight of automated aspects of business registration or decision-making to ensure consistency with other parts of the BPEBR Guide. In the CPF on User-Centred Design, it was suggested that avoiding complex legal or technical language be part of good design.

Review of Proposed Changes to Chapters III and IV, the Annexes, and Additional Suggestions

24. No further suggestions for revisions were presented for the rest of the CPFs and Chapters III or IV. Changes made in Annexe II on technical standards were limited to the new ISO standards included in the Interoperability CPF. *The participants* raised no objections to the proposed refinements in the BPEBR Guide.

25. *A participant* suggested that the introduction could further clarify that the Guide was without prejudice to national law to address the general sentiment of the feedback collected. *Mr Wool* agreed that this point merited consideration and stressed that the additional language should be narrowly framed and carefully drafted to avoid implying changes to domestic legal regimes.

Closing Remarks

26. *Mr Wool* concluded the meeting by thanking all participants for their contributions and engagement throughout the discussion. He acknowledged the support provided by *Ms Bovsunovska* and *Mr Cowan*, noting their significant assistance in coordinating and preparing the Guide. He emphasised that the next steps would include final review and publication of the Guide with its launch with the Governing Council, and ensuring that all points raised during the discussion were addressed appropriately. *Mr Wool* encouraged participants to remain engaged and assured them that updates would be provided as the process progresses.

Annexe 1



**10th Workshop on
Best Practices in the Field of Electronic Registry Design and Operation**

**Draft Agenda
5 February 2026, 10.00 – 13.00**

Online via Zoom (access details are provided separately)

**** All times are in Central European Time (CET), UTC +1 ****

Chairs: Professor Louise Gullifer, Professor Jeffrey Wool, Professor Ignacio Tirado (CTCAP Directors)

10:00 - 10:15	Opening and Welcome Remarks <i>CTCAP Directors</i>
10:15 - 10:30	Summary of the targeted consultation and general overview of the expert feedback received on the Draft Guide on Best Practices for Electronic Business Registries <i>UNIDROIT Secretariat</i>
10:30 - 12:30	Review and discussion of the proposed revisions to the Draft Guide on Best Practices for Electronic Business Registries, particularly revisions to: <ul style="list-style-type: none"> - Chapter I - CPF 9 on Correctability - CPF 14 on Interoperability - CPF 15 on Legal Authority and Compliance - CPF 16 on Legal Authority of the Registrar
12:30 - 12:50	Next Steps
12:50 - 13:00	Any Other Business and Closing Remarks <i>CTCAP Directors</i>

