



# INSOLVENCY INVESTIGATIONS: KEY SEARCH DATABASES AND CONTACTS FOR IPS IN FOREIGN JURISDICTIONS

AUSTRALIA	BRAZIL	BVI	CAYMAN ISLANDS
CHILE	COLOMBIA	ENGLAND & WALES	FRANCE
GERMANY	GHANA	HONG KONG	INDIA
ISLE OF MAN	JAPAN	JERSEY	MALAYSIA
MEXICO	NEW ZEALAND	PEOPLE'S REPUBLIC OF CHINA	PERU
PORTUGAL	SCOTLAND	SERBIA	SOUTH AFRICA
UGANDA	UNITED STATES OF AMERICA		



# FOREWORD

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This compendium is intended to provide Insolvency and Asset Recovery Professionals with key search databases and contacts in foreign jurisdictions, which can be accessed globally, to assist them in conducting preliminary desktop investigations.

Confronted with the knowledge of possible assets abroad, what usually follows is anxiety and questions around whether it would be sensible to invest in following the trail and / or bringing proceedings. During domestic investigations, an officeholder might stumble across avoidable transactions, causes of action, or decrees, against persons abroad, once again raising the question: will enforcement proceeding be successful? The conclusion often lies in the answer to what is the value of these assets, if any, and whether it would be cost effective to enforce.

INSOL International has already published a compendium titled "Cost Assessment for Debt Collection Abroad", which also covers the issue of costs incurred by foreign insolvency practitioners when enforcing foreign judgments. In this publication the focus is on providing resources to assess the existence of assets, and their likely value - as a pre-cursor to undertaking detailed investigations, bringing proceedings, applying for recognition, or even making a case for litigation funding from stakeholders or third parties.

In 26 country chapters, by notable professionals from across the world, INSOL has assembled a repository of online searchable databases for companies / partnerships, directorships, shareholdings, land titles, vehicle ownership, intellectual property rights, insolvency proceedings (both corporate and personal), licences and registrations, security interests / charges, direct and indirect taxation, and legal proceedings. Further contact information for courts, judicial tribunals, regulatory authorities, and professional bodies, where available, has also been included in the chapter for reference.

Whereas most resources are free of charge - providing unrestricted access - some require the querist to register for an account, and a further few are restricted for access by imposition of a minor cost. Access to a handful of resources is limited to local residents - therefore not immediately serving the main object of this project - but it is encouraging to know that the data is indeed available electronically and can be accessed with the assistance of a local colleague. It was also encouraging to note, from the chapters submitted from the Cayman Islands, and the BVI, that the offshore jurisdictions may not be as much of a black hole as one might imagine, though the information publicly available is no doubt limited.

Of particular interest might be the section on general information about investigation processes and resources - there are several golden nuggets here, including further legal and investigative tools, details of local investigative agencies, and powers vested in IPs under the local legislations.

With a few of INSOL's notable objectives in mind - to deliver knowledge, thought leadership, and opportunities for professional collaboration - I hope that this publication will be useful to our professionals - for desktop investigations and / or providing a point of contact in the jurisdiction of their their interest.

Supported by the experienced INSOL team, this publication is the work of several authors, and I thank them all for their immeasurable contribution to developing an ordinary idea into an invaluable asset. We hope to continue to build on the repository with more resources over time -and extend an open invitation to all readers who would like to contribute country chapters that are not covered in this publication.



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## **FRANCE**

## INSOLVENCY INVESTIGATIONS: KEY SEARCH DATABASES AND CONTACTS FOR IPS IN FOREIGN JURISDICTIONS

INFORMATION CATEGORY	SEARCH / CONTACT DETAILS
<b>Entity details - corporate structure, shareholdings and directorships</b>	<p>Details regarding corporate structures and directorships are available through the official internet portal called Infogreffe (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>). However, information regarding shareholdings is generally not available or up to date. A search can be made by name or registration number (SIREN) of the relevant entity.</p> <p>Certified documents can be downloaded or ordered for delivery by mail.</p> <p>Access to corporate information may also be available free of charge through INPI (<a href="https://data.inpi.fr/">https://data.inpi.fr/</a>) or through unofficial internet websites such as Pappers (<a href="https://www.pappers.fr/">https://www.pappers.fr/</a>). Although not official, this portal displays information in a more user-friendly way.</p>
<b>Business registration information</b>	<p>See above. Business registration information can be found on Infogreffe (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>), INPI (<a href="https://data.inpi.fr/">https://data.inpi.fr/</a>) and unofficial internet portals such as Pappers (<a href="https://www.pappers.fr/">https://www.pappers.fr/</a>).</p> <p>However, certified registration extracts can only be downloaded or obtained by mail through the official internet website called Infogreffe (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>).</p>
<b>Stock exchange details for listed entities</b>	<p>In addition to corporate information which can be found on Infogreffe (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>), INPI (<a href="https://data.inpi.fr/">https://data.inpi.fr/</a>) or Pappers (<a href="https://www.pappers.fr/">https://www.pappers.fr/</a>), information specifically related to listed entities can be found on a website managed by the AMF (French stock exchange regulatory body): <a href="https://bdif.amf-france.org/fr">https://bdif.amf-france.org/fr</a>.</p>
<b>Verification of corporate insolvency</b>	<p>Verifying whether a company is subject to insolvency proceedings can be done by downloading a certified registration extract or insolvency certificate on the Infogreffe website (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>).</p> <p>A search on non-official website such as Pappers (<a href="https://www.pappers.fr/">https://www.pappers.fr/</a>) may also provide such information.</p> <p>Judicial decisions commencing insolvency proceedings are officially published on the BODACC website (<a href="https://www.bodacc.fr/pages/annonces-commerciales/?sort=dateparution">https://www.bodacc.fr/pages/annonces-commerciales/?sort=dateparution</a>). The publication generally occurs within one or two weeks of the commencement of the insolvency proceedings.</p>
<b>Verification of individual bankruptcy</b>	<p>Verifying whether an individual is subject to insolvency proceedings is possible by consulting the Infogreffe website (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>). This is limited to individuals carrying out a commercial activity.</p> <p>Individuals carrying out non-commercial activities (for example, doctors or lawyers) do not appear on the Infogreffe website (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>). Generally, all judgments commencing insolvency proceedings are however published on the BODACC website (<a href="https://www.bodacc.fr/pages/annonces-commerciales/?sort=dateparution">https://www.bodacc.fr/pages/annonces-commerciales/?sort=dateparution</a>) as noted above.</p>
<b>Verification of banning / disqualification to act as a director</b>	<p>A database does exist, but it is not public.</p> <p>Decisions banning/disqualifying someone to act as a director are officially published on the BODACC website (<a href="https://www.bodacc.fr/pages/annonces-commerciales/?sort=dateparution">https://www.bodacc.fr/pages/annonces-commerciales/?sort=dateparution</a>). It is not possible to search by the name of the individual.</p>

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INFORMATION CATEGORY	SEARCH / CONTACT DETAILS
<b>Details of any credit/ financial services licences and registrations</b>	This information is available through a website managed by the ACPR (French credit and financial institutions regulatory body): <a href="https://www.regafi.fr/spip.php?rubrique1">https://www.regafi.fr/spip.php?rubrique1</a> .
<b>Ownership of land</b>	This is not publicly available information.
<b>Vehicle licensing and registration details</b>	<p>A non-official website (<a href="https://siv-auto.fr/">https://siv-auto.fr/</a>) gives access to a vehicle's main technical characteristics with a search from the registration number.</p> <p>Only the owner of a vehicle can access registration details related to its vehicle through this official website: <a href="https://siv.interieur.gouv.fr/map-usg-ui/do/accueil_certificat">https://siv.interieur.gouv.fr/map-usg-ui/do/accueil_certificat</a>.</p>
<b>IP rights</b>	Information relating to IP rights (patents and trademarks) is available through an official website managed by INPI (French regulatory body regarding the IP rights): <a href="https://data.inpi.fr/">https://data.inpi.fr/</a> .
<b>Ownership of shares</b>	This is not publicly available information.
<b>Registered security interests over property held by entity</b>	<p>Certain security interests are not published in public registers (e.g. share pledges, pledges over receivables etc.).</p> <p>Certain security interests must be published through a trade register (e.g. pledges over the debtor's going concern, pledges over the inventory etc.). It is possible to obtain information on these from the Infogreffe website (<a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a>).</p> <p>Pledges over IP rights (patents, trademarks) can be checked through the INPI website (<a href="https://data.inpi.fr/">https://data.inpi.fr/</a>).</p>
<b>Details of legal proceedings (completed and pending)</b>	Details regarding legal proceedings are not publicly available. However, some websites such as <a href="https://www.doctrine.fr/">https://www.doctrine.fr/</a> or <a href="https://justice.pappers.fr/">https://justice.pappers.fr/</a> publish certain decisions, making these publicly available.
<b>Unpaid taxation</b>	This is not publicly available information.
<b>General information about investigation processes and resources - regulatory authorities</b>	The French ministry of Economy ( <a href="https://www.economie.gouv.fr/entreprises/difficultes">https://www.economie.gouv.fr/entreprises/difficultes</a> ) and Infogreffe ( <a href="https://www.infogreffe.fr/">https://www.infogreffe.fr/</a> ) provide useful information regarding the legal tools available to tackle financial difficulties.
<b>Professional IP body - for information and referral purposes</b>	An association called CNAJMJ brings together IPs in France ( <i>administrateurs judiciaires</i> and <i>mandataires judiciaires</i> ). Its website is <a href="https://www.cnajmj.fr/">https://www.cnajmj.fr/</a> .