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Consolidation Act no. 651 of 15 June 2006

Consolidated Act on Certain Commercial Undertakings

(Bekendtgørelse om lov om visse erhvervsdrivende virksomheder)

This is an Act to consolidate the Act on Commercial Undertakings, cf. Consolidated Act no. 11 of 9 January 2002 with amendments consequential upon section 3 of Act no. 246 of 27 March 2006.

Part 1

Scope and definitions

1.-(1) This Act shall apply to undertakings whose objects are to promote the financial interests of the undertaking's members through commercial operations.

(2) For the purposes of this Act, undertakings means sole traders, partnerships, limited partnerships, co-operatives (co-operative societies) and other limited liability businesses and societies to which the Public Companies Act (*Aktieselskabsloven*), the Private Companies Act (*Anpartsselskabsloven*) or the Act on Commercial Foundations (*Lov om erhvervsdrivende fonde*) do not apply. Branches of similar foreign undertakings are also governed by this Act.

(3) Under this Act, an undertaking is deemed to carry out commercial operations where it

- 1) passes on goods or copyright, provides services or the like for which the undertaking normally receives consideration, or
- 2) carries on business by selling real property or letting real property on rent, or
- 3) has the relationship with a public or private limited company set out in section 2(2) of the Public Companies Act (cf. subsections (4) and (5) thereof) or with another undertaking carrying on the business set out in nos. 1) or 2) above, or
- 4) exercises a dominant influence over another undertaking pursuant to statutes, bye-laws or articles or by agreement and has a considerable share in its operating profit or loss without having the relationship set out in no. 3) above with the other undertaking.

2.-(1) For the purposes of this Act, a partnership means an undertaking in which all members are personally and jointly and severally liable, without limitation, for the debts and obligations of the undertaking.

(2) For the purposes of this Act, a limited partnership means an undertaking in which one or more members, the general partners, are personally and jointly and severally liable, without limitation, for the debts and obligations of the undertaking, whereas one or more members, the limited partners, have limited liability for the debts and obligations of the undertaking. For

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limited partnerships formed after 1 June 1996, the participants with unlimited liability shall have administrative and financial authority.

(3) Except for the provisions of Parts 1, 2 and 7, this Act shall not apply to sole traders, partnerships and limited partnerships. Partnerships and limited partnerships in which all the partners and general partners respectively are public limited companies, partner companies (limited partnership companies), private limited companies or companies in a similar form of corporate organisation shall, however be notified for registration with the Danish Commerce and Companies Agency, as sections 10-17 shall apply correspondingly to these undertakings. The Danish Commerce and Companies Agency may lay down more detailed regulations on what information is to be registered on these undertakings.

3. For the purposes of this Act, a limited liability undertaking means an undertaking in which none of the members are personally and jointly and severally liable without limitation.

4. For the purposes of this Act, a co-operative (a co-operative society) means an undertaking governed by section 2(1) or (2), or by section 3, whose objects are to help promote the common interests of the members through their participation in the business activities as buyers, suppliers or in any other, similar way, and whose profit, other than normal interest on the paid-up capital, shall either be distributed among the members in proportion to their share of the turnover or remain undistributed in the undertaking.

5.-(1) This Act shall not apply to

- 1) undertakings which have obtained approval pursuant to section 60 of the Act on Municipal Administration (*Lov om kommunernes styrelse*),
- 2) undertakings governed by the provisions of the Merchant Shipping Act (*Søloven*) about shipping partnerships, and
- 3) undertakings supervised by the Danish Financial Supervisory Authority (*Finanstilsynet*) or any similar supervisory authority within the European Union or in countries with which the European Union has concluded a co-operation agreement.

(2) The Danish Commerce and Companies Agency (*Erhvervs- og Selskabsstyrelsen*) may determine that an undertaking or specific types of undertakings shall be exempt in whole or in part from the provisions of this Act.

Part 2

Name and powers of procuration of the undertaking

6.-(1) For the purposes of this Act, the name of an undertaking means the name under which the undertaking exercises its business or any part of such business, and which is applied when signing for the undertaking.

(2) The names of undertakings shall differ clearly from each other. The name of an undertaking must not include surnames, names of companies, foundations or businesses,

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specific names of real property, trade marks, logos, etc., that do not belong to the undertaking, or anything which may be confused therewith.

(3) The name of an undertaking must not be likely to mislead. It must not include any specification of businesses which have no connection with the business activity carried on by the undertaking. If the name describes a specific business activity, it must not be used in an unchanged form if the nature of the business activity changes significantly.

(4) Partnerships, limited partnerships and co-operatives (co-operative societies) may use those designations, or abbreviations thereof, in their names. None others may use these designations, or designations which may be confused therewith.

(5) Where anyone retires as a liable member of an undertaking, his name may be retained in the name of the undertaking if the permission of the person concerned or his heirs has been obtained.

(6) The name of a limited liability undertaking shall contain information about the limitation of liability. The only abbreviation permitted for limited liability co-operatives shall be »A.M.B.A.«.

(7) The provisions of subsections (1) to (6) above shall apply correspondingly to the secondary names of undertakings. When secondary names are used, the principal name of the undertaking shall be added in brackets.

(8) A branch name of a foreign undertaking shall include the word »filial« (branch) and clearly indicate the nationality of the undertaking.

7.-(1) Power(s) of procuration can be granted only by the fully liable member(s) or by the management body which, according to the statutes of the undertaking, have powers to do so. The person authorised to sign for the undertaking shall be entitled to do so in all matters pertaining to the operations of the undertaking and to bind the undertaking. The person authorised to sign for the undertaking shall not be entitled to dispose of or mortgage real property of the undertaking without being specifically authorised to do so.

(2) Powers of procuration may be granted to more than one person, to the effect that they can only be exercised jointly (joint powers of procuration).

(3) Powers of procuration cannot be limited with effect in relation to third parties, other than as provided in subsection (2) above.

(4) A person entitled to sign for an undertaking cannot transfer his power of procuration to another.

(5) Powers of procuration can be revoked from time to time. The death of the principal shall not lead to revocation of the power of procuration.

Part 3

Registration and legal personality

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8.-(1) The board of directors, management board or similar management body of limited liability undertakings (cf. section 3) shall deliver for registration particulars of the undertaking to the Danish Commerce and Companies Agency (*Erhvervs- og Selskabsstyrelsen*).

(2) The branch manager of a branch of a foreign limited liability undertaking shall deliver for registration particulars of the branch.

9.-(1) A limited liability undertaking which has not been registered with the Danish Commerce and Companies Agency cannot acquire rights or incur debts and obligations as an undertaking, Nor can it be a party to legal proceedings other than lawsuits concerning its formation.

(2) Anyone who has incurred, before the registration, an obligation or has a share in such an obligation will be personally and jointly and severally liable, without limitation, for any such obligation incurred on behalf of the undertaking. Upon registration, the undertaking shall take over the obligations.

(3) If an agreement has been made before the registration of a limited liability undertaking, and if the other contracting party knew that the undertaking had not been registered, such other contracting party shall, unless otherwise agreed, be entitled to treat himself as discharged from all further contractual obligations if the particulars for registration have not been delivered prior to the expiration of the time limit set out in section 10(2), or if registration is refused. If the other contracting party was unaware that the undertaking had not been registered, such party shall be entitled to treat himself as discharged from all further contractual obligations as long as the undertaking has not been registered.

Part 4

Delivery of particulars for registration, and publication

10.-(1) The Danish Commerce and Companies Agency (*Erhvervs- og Selskabsstyrelsen*) shall keep a register of undertakings which have been registered pursuant to this Act.

(2) Particulars for registration pursuant to section 8 shall reach the Danish Commerce and Companies Agency not later than eight weeks after the formation of the undertaking or after the obligation to deliver particulars for registration starts to apply to the undertaking. The particulars delivered for registration shall include a copy of the undertaking's statutes.

(3) In the register shall be entered information about the names and addresses of the members of the board of directors, of the management board or similar management body, and about which persons are authorised to sign for the undertaking. Information about the undertaking's name, address, the municipality in which its domicile is situated and its financial year shall likewise be entered in the register. If the undertaking shall present an annual report in accordance with section 3(1), no. 4 of the Act on Commercial Enterprises' Presentation of Financial Statements, etc. (the Financial Statements Act) (*årsregnskabsloven*), the auditor's name shall also be entered in the register.

(4) If the notification concerning the formation of an undertaking has not been delivered prior to the expiration of the time limit set out in subsection (2) above, registration cannot take place.

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(5) Where an undertaking which has been entered in the Register of Associations (*Registeret for Foreninger*) under the Act on the Associations Register (*Lov om Forenings-Registeret*) is registered with the Danish Commerce and Companies Agency under this Act, the undertaking shall be struck off the Register of Associations once publication under section 14 of this Act has taken place.

(6) A limited partnership or a partnership may be deleted from the Danish Commerce and Companies Agency's register, if

- 1) the undertaking reports that all partners and general partners respectively are no longer public limited companies, partner companies (limited partnership companies), private limited companies or companies in a similar form of corporate organisation,
- 2) the undertaking has no longer registered a management and this has not been remediated by no later than the expiry of a time limit stipulated by the Danish Commerce and Companies Agency, or
- 3) the management has not submitted an annual report to the Danish Commerce and Companies Agency in accordance with the regulations in the Financial Statements Act (*årsregnskabsloven*) in this regard.

(7) If, following deletion, it becomes clear that the situation leading to deletion no longer exists, the limited partnership or partnership may, cf. subsection (6), request the Danish Commerce and Companies Agency to re-register the undertaking. The Danish Commerce and Companies Agency may lay down more detailed regulations on re-registration of the undertakings mentioned in subsection (6)

10a.-(1) The time limits fixed in or in pursuance of this Act shall be in force from and including the day after the day of the event that released the time limit. This shall apply to the calculation of time limits in terms of dates, weeks and years.

(2) Where a time limit is stated in terms of weeks, the time limit shall expire on the same day of the week as the day on which the event that released the time limit took place. Cf. subsection (1) above.

(3) Where a time limit is stated in terms of months, the time limit shall expire on the date of the month on which the event that released the time limit took place. Cf. subsection (1) above. If the day on which the event that released the time limit took place is the last day of a month, or if the time limit expires on a non-existing day of a month, the time limit shall always expire on the last day of a month, irrespective of the length of the month.

(4) Where a time limit is stated in terms of years, the time limit shall expire on the anniversary of the date when the event that released the time limit took place. Cf. subsection (1) above.

(5) Where a time limit expires on a weekend, a public holiday, the Danish Constitution day (5 June), Christmas Eve or New Year's Eve, the time limit shall be extended to the following weekday.

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11.-(1) If the statutes of the undertaking are altered or if any other circumstance changes, about which particulars have been delivered, such altered particulars must, in the absence of any provision to the contrary in this Act, be delivered to the effect that the Danish Commerce and Companies Agency (*Erhvervs- og Selskabsstyrelsen*) shall have received them not later than four weeks from the date on which the alteration or change was adopted. If the statutes of the undertaking are altered as regards domicile, or if any changes are made to the board of directors, management board or similar management body of the undertaking, or if a new auditor is appointed, the Danish Commerce and Companies Agency must have received such particulars within two weeks from a resolution to this effect has been passed.

(2) If an undertaking is no longer governed by this Act, cf. section 1(1) and no solvent liquidation is undertaken, cf. section 20, particulars to that effect shall be delivered under subsection (1) above. The particulars shall enclose a declaration prepared by a state-authorized public accountant or a state-authorized registered accountant to the effect that the undertaking is undoubtedly solvent. The Danish Commerce and Companies Agency shall strike the undertaking off the register once such a declaration has been received.

12. The Danish Commerce and Companies Agency may demand any information necessary to determine whether this Act is being observed.

13.-(1) Registration may be refused if the particulars delivered for registration are not in compliance with this Act, with the undertaking's statutes or regulations made under this Act.

(2) Where the particulars delivered cannot be registered because of errors or omissions, the Danish Commerce and Companies Agency may fix a time limit for rectification. Registration may be refused where no such rectification occurs within the time limit fixed.

(3) The applicant delivering the particulars for registration shall be notified in writing that registration has been refused and of the reason for such refusal.

14.-(1) Registrations under this Act, receipt of merger plans, division plans and declarations by valuation experts pursuant to sections 21a and 21b shall immediately be published in the Danish Commerce and Companies Agency computerised information system. Registrations and particulars received, with annexes, merger plans, division plans and declarations by valuation experts pursuant to sections 21a and 21b shall be available for inspection by the public.

(2) Third parties shall be deemed to have knowledge of anything which has been published in the registration gazette. The provision of the first clause of this subsection shall not be applicable to transactions which have been made prior to the 16th day following the publication if any third party proves that he has not had the opportunity to acquire knowledge of the published matters.

(3) As long as no publication has occurred in the registration gazette, matters which must be submitted for registration and which must be published cannot be contended in relation to third parties save where documentation is provided to the effect that such third party has had knowledge thereof. The fact that such matters have not yet been published, shall not prevent any third party from relying upon the matters.

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(4) In the event of any disagreement between the contents of the publication in the registration gazette and the contents of the register of limited liability undertakings, the undertaking cannot rely upon the published text in relation to any third party. Such third party can, on the other hand, rely upon the published text in relation to the undertaking save where it is proved that the said party was familiar with the contents of the register.

15. The Agency may determine that registration shall take place via the Agency's computerised information system at the same time as or instead of in the registration gazette. Information published on the computerised information system shall be considered to have come to the knowledge of third parties and shall have the same legal effect in all respects as any publication in the registration gazette.

15a.-(1) Information on position, name and address of the promoters and management shall at all times appear on the Danish Commerce and Companies Agency computerised information system, unless the Danish Commerce and Companies Agency decides otherwise. This shall apply for both active and dissolved undertakings.

(2) Updates of the personal information pursuant to subsection (1) shall lapse 20 years after the person in question ceases to be active in undertakings registered in the Danish Commerce and Companies Agency computerised information system.

16.-(1) Letters, printouts and any other documents issued by the Danish Commerce and Companies Agency may be in either hard copy or electronic form. Irrespective of their form, such documents shall be equally effective in legal terms. The documents may be signed or unsigned, may be provided with an automatically reproduced signature, a digital signature or the like, at the Agency's discretion.

(2) Notifications, financial statements and other documents which the Danish Commerce and Companies Agency receives pursuant to this Act may be in either hard copy or electronic form. Irrespective of their form, such documents shall be equally effective in legal terms. The documents may be provided with a personal signature, an automatically reproduced signature, a digital signature or the like, according to more detailed regulations laid down by the Agency. The Agency shall lay down more detailed regulations on electronic submission of the relevant documents, including that submission shall be in a structured form stipulated by the Agency. The Agency may also stipulate requirements regarding the electronic systems used.

(3) The Agency shall stipulate regulations on notification and registration etc., including regulations as to which matters notifiers or others may themselves register in the Agency's computer system, and regulations as to the use of this system. Such registrations replace the filing of particulars. Section 11 shall also apply to such registrations.

(4) For notifications and registrations pursuant to the regulations stipulated in accordance with subsections (2) and (3), the Agency may, for up to five years from the date of registration, demand submission of evidence that the notification or registration has been carried out legally, cf. section 13(1).

(5) The Agency may lay down regulations on fees for notifications and print-outs etc., announcements, for using the Agency's computer system, reminders etc. in case of late payment as well as for services for which no fees have been fixed separately.

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17.-(1) Where anyone believes that a registration is detrimental to him, the question of deleting such registration shall be decided by the courts of law. Actions to this effect shall be instituted against the undertaking within six months of the publication of the registration. The court shall send a transcript of its judgment to the Danish Commerce and Companies Agency (*Erhvervs- og Selskabsstyrelsen*). A note concerning the outcome of the case shall be entered, free of charge, in the register of undertakings registered pursuant to this Act, and publication shall take place. Cf. section 14.

(2) Other decisions made by the Danish Commerce and Companies Agency under the provisions of this Act or regulations issued in pursuance of this Act may be delivered to the Company Appeals Board of the Ministry of Business and Industry (*Erhvervsministeriets Erhvervsankenævn*) not later than four weeks after the decision has been communicated to the relevant party.

(3) The decision made by the Danish Commerce and Companies Agency pursuant to section 12 and decisions made as a consequence of the time limits stipulated in sections 10 and 13 relating to the fixing of time limits under section 13(2) being exceeded, and decisions under sections 20 and 21(1), may not be submitted to a higher administrative authority.

Part 5

Duties of the management and auditor

18.-(1) With respect to undertakings covered by this Act which, pursuant to Act on Commercial Enterprises' Presentation of Financial Statements, etc. (the Financial Statements Act) (*lov om erhvervsdrivende virksomheders aflæggelse af årsregnskab m.v. (årsregnskabsloven)*) shall present annual reports, the management shall provide the auditors with such information as may be deemed significant to assess the undertaking, and if the undertaking is a parent company its group.

(2) The management shall give the auditor access to perform the investigations said auditor considers necessary and shall ensure that the auditor receives the information and assistance said auditor deems necessary to perform his duties. The management of an undertaking which is a subsidiary according to the Financial Statements Act shall have corresponding obligations in relation to the auditor of the parent company.

19. If an auditor resigns, or if the audit ceases in some other way before the end of the auditor's duties, the auditor shall immediately notify the Danish Commerce and Companies Agency.

Part 6

Dissolution

20. Part 14 of the Public Companies Act with any variations that might be required in consideration of the special nature of the undertakings shall apply to the solvent liquidation of limited liability undertakings.

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20a.-(1) In the case of undertakings with limited liability that have satisfied all creditors, participants in the undertaking may submit a statement to the Danish Commerce and Companies Agency that all liabilities, due as well as not yet due, have been discharged and that the undertaking has been dissolved. The name and addresses of the participants in the undertaking shall be given in the statement.

(2) The Danish Commerce and Companies Agency may only register the dissolution if the statement has been received by the Agency no later than two weeks after it was signed. The statement shall be accompanied by a letter from the customs and tax authorities certifying that the authorities have no claims on the undertaking regarding outstanding customs duties and tax.

(3) Participants in the undertaking shall be liable personally, jointly and severally, and without limitation for any liabilities that existed at the time when the statement was made, whether due or not yet due, and whether or not in dispute. Any assets remaining shall be distributed among the participants in the undertaking.

21.-(1) The Danish Commerce and Companies Agency may decide that an undertaking with limited liability shall be dissolved by the bankruptcy court, if the undertaking does not have the management required by the articles of association, or if the Agency has not received in due time the declaration pursuant to section 11(2) 2nd clause or annual report or statement of exemption pursuant to the Financial Statements Act, and the undertaking fails to remedy these situations within a period stipulated by the Danish Commerce and Companies Agency.

(2) The compulsory dissolution shall be carried out pursuant to the provisions of section 117 of the Public Companies Act with the necessary adjustments taking into account the special nature of the undertaking.

Part 6A

Merger and division

Merger

21a.-(1) An undertaking with limited liability may be dissolved without entering into solvent liquidation by the transfer of the undertaking's assets and liabilities as a whole to another undertaking with limited liability covered by this Act. This also applies where two or more undertakings with limited liability are merged into a new undertaking with limited liability. A resolution to merge shall be by the voting majority required to alter the articles of association.

(2) The provisions on merger in part 15 of the Public Companies Act shall apply correspondingly subject the necessary changes.

Division

21b.-(1) The participants in the undertaking may pass a resolution to divide an undertaking with limited liability by the voting majority required to alter the articles of association. In a division the assets and liabilities in total shall be transferred to more than one existing or newly formed undertakings with limited liability against compensation to the participants in the

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investing undertaking. With the same majority the participants in the undertaking may pass a resolution to divide by which the undertaking with limited liability transfers part of its assets and liabilities to one or more existing or newly formed undertakings with limited liability. The transfers may be carried out without the consent of the creditors.

(2) The provisions on division in part 15 of the Public Companies Act shall apply correspondingly subject the necessary changes.

(3) If a creditor of an undertaking with limited liability which has participated in a division is not satisfied, each of the other participating undertakings shall be jointly and severally liable for the obligations existing at the date of the publication of the division plan, but up to an amount corresponding to no more than the invested or remaining net value of the individual undertaking at that date.

Part 7

Penalty provisions etc.

22. If the board of directors, board of management, or a corresponding management body fails to comply in due time with the obligations in relation to the Danish Commerce and Companies Agency imposed on them by this Act or by provisions fixed according to this Act, the Agency may impose as a sanction daily or weekly fines which are subject to a right of distraint.

23.-(1) Provided that a more severe penalty is not applicable under the Criminal Code, any person who violates section 2(3), 2nd clause, section 6(3), (4), 2nd clause and (6)-(8), as well as section 8, section 10(2) and sections 11 and 12 shall be liable to a fine.

(2) In regulations issued pursuant to this Act, fines may be stipulated for any violation of the provisions of said regulations.

(3) If the violation has been committed by a company, an association, a fund or similar, the legal person as such may be liable to a fine. If the violation has been committed by the state, a municipality or municipalities jointly, cf. section 60 of the Municipal Management Act (*lov om kommunernes styrelse*) fines may be imposed on the state, the municipality or the municipalities jointly.

Part 8

Entry into Force, etc.

24. (Repealed)

25.-(1) This Act shall enter into force on 1 January 1995.

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(2) At the same time Act no. 23 of 1 March 1889 on registers of business names, firms and power of procuration shall be repealed.

(3) The information and documents which, no later than 31 December 1994, have been registered in or notified to the registers of business names shall be accessible until 1 July 1995 at the police commissioner, in Copenhagen at the corporation of Copenhagen.

26.-(1) Undertakings with limited liability as well as branches of similar foreign undertakings which exist at the date of entry into force of this Act shall be notified to the Danish Commerce and Companies Agency no later than 1 July 1995.

(2) Section 6(6), 1st clause and section 9 of this Act shall not apply to existing undertakings.

(3) Names of undertakings registered on or before the date of coming into force of this Act in the registers of business names, and particulars of which are delivered to the Danish Commerce and Companies Agency for registration can, notwithstanding section 6(2) be registered with the Danish Commerce and Companies Agency and be used with the same rights as before.

27. A limited liability undertaking existing on or before the date of coming into force of this Act may apply the provisions of section 19(1) to (4) provided that it, at the end of the first financial year commencing on 1 January 1995 or later, does not exceed any two of the limits fixed in section 19(2).

28.-(1) A limited liability undertaking which exists on or before the date of coming into force of this Act and is a parent undertaking may apply the provisions of section 2c of the Financial Statements Act (*Årsregnskabsloven*) provided that the group, at the end of the first financial year commencing on 1 January 1995 or later, does not exceed any two of the limits fixed in section 2c(1).

(2) A limited liability undertaking may apply the provisions of Part 9a of the Financial Statements Act provided that it, at the end of the first financial year commencing on 1 January 1995 or later, does not exceed any two of the limits set out in those provisions.

(3) A limited liability undertaking existing on or before the date of coming into force of this Act may, for financial years ending not later than 31 December 1998,

- 1) dispense with applying the provisions of the Financial Statements Act in respect of the calculation of and the statement in the balance sheet of depreciation of plant and machinery and other fixtures and fittings, tools and equipment,
- 2) apply tax depreciation and write-downs and other valuations where this practice has hitherto been applied by the undertaking, subject to disclosure in a note to the accounts of the approximate amount by which such policy has affected the profit or loss for the year in relation to valuations pursuant to the Financial Statements Act.

(4) Where the purchase price or production cost of a fixed asset cannot be determined without unreasonable expenses or within a reasonable time when the first annual accounts are being prepared under or pursuant to the Financial Statements Act, the residual balance at the beginning of the year may be deemed to be the purchase price or production cost. Application of this provision shall be disclosed in the notes to the accounts.

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(5) The corresponding amounts for preceding years may be left out in the first annual accounts prepared under or pursuant to the Financial Statements Act where adjustment of the figures of the annual accounts of the last preceding year can only be effected at considerable expenditure of money and time. Application of this provision shall be disclosed in the notes to the accounts.

29. This Act shall not extend to the Faeroe Islands and Greenland but may by Royal Decree be extended to those parts of the Kingdom of Denmark subject to such modifications as circumstances peculiar to the Faeroe Islands and Greenland may require.

Act no. 377 of 22 May 1996 contains the following provisions on entry into force:

Section 14

(1) This Act shall enter into force on 1 June 1996.

(Omitted)

Section 17

(1) This Act shall not extend to the Faeroe Islands and Greenland.

(2) Sections 1 to 4 may by Royal Decree be extended to the Faeroe Islands subject to such modifications as circumstances peculiar to the Faeroe Islands may require.

(3) Sections 1 to 4 and 6 to 10 may by Royal Decree be extended to Greenland subject to such modifications as circumstances peculiar to Greenland may require.

Act no. 449 of 7 June 2001 contains the following provisions on entry into force:

Section 7

(1) This Act shall enter into force on 1 January 2002. Provisions relating to accounting matters shall apply from the date the undertaking is subject to presenting an annual report in accordance with the Act on Commercial Enterprises' Presentation of Financial Statements, etc. (the Financial Statements Act), cf. sections 165 and 168 of this Act.

(2) This Act shall not extend to Greenland and the Faeroe Islands. The provisions in sections 1-4 may by Royal Decree be extended fully or in part to those parts of the Kingdom of Denmark subject to such modifications as circumstances peculiar to the Faeroe Islands or Greenland may require. The provisions of sections 5 and 6 may correspondingly be brought into force by Royal Decree for Greenland.

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Act no. 246 of 27 March 2006 contains the following provisions on entry into force:

Section 7

(1) This Act shall enter into force on 1 April 2006.

(2) (Omitted)

Section 8

(1) This Act shall not extend to Greenland and the Faeroe Islands.

(2) Sections 1-4 and 6 may, however, by Royal Decree be extended fully or in part to those parts of the Kingdom of Denmark subject to such modifications as circumstances peculiar to the Faeroe Islands or Greenland may require.

Ministry of Economic and Business Affairs, 2006

Bendt Bendtsen

/Ole Blöndal