

企业申请 SME 资料新要求

根据最新收到的来自 ECHA 关于 SME 资料要求的邮件, ECHA 对 SME 资料的要求越来越严苛。具体要求如下:

1、公司股权结构: 工商局出具并盖章的工商证明。工商证明上, 需要有明确的企业名称, 地址, 注册资金, 持股人信息及经营范围。

要求原文: *The full set of the up-to-date AIC files of XXXX CHEMICALS CO. LTD. (affixed with the official AIC seal and accompanied with a certified translation into one of the official EU languages), where the ownership/shareholder information (showing the shareholder's name, location where the company is registered, registered capital, capital contribution with the percentage of interest, business scope, etc.) together with the amendments made to any of the company registration items, the information about the company's subsidiaries, branches and affiliates, the annual balance sheets, profit and loss statements, notes to them and the audit reports are included.*

2、经审计的财务信息, 包括年度报告及附注信息。

要求原文: *Copies of the full set of official financial accounts (audited if applicable) of the company concerned, together with the accompanying notes and annual reports, for the two latest approved accounting periods preceding the time of the submission. Similar documents should be provided also for all partner and linked enterprises, in accordance with Articles 3, 4 and 6 of the Annex to the Commission Recommendation.*

In addition, in case where the company concerned and/or any of its partner and linked enterprises draw up consolidated accounts or are included by consolidation in the accounts of another enterprise, you are requested to submit these consolidated statements with the accompanying notes and the annual reports for the two latest approved accounting periods preceding the time of the submission as well.

3、当地社保局出具并盖章的社保支付凭证。仅社保局出具的社保人数可能无法满足 ECHA 的要求。

要求原文: *Social insurance payment receipts/proofs issued by the competent local HRSS Bureau (affixed with the HRSS' official seal and accompanied with a certified translation into one of the official EU languages) for the company concerned and its linked and partner enterprises, for each of the 24 months in 2008 and 2009. Each monthly social insurance payment receipts/proofs should at least specify/provide the total number of people for whom the social insurance payments in the certain month were made.*

但凡申请 SME 的企业, 都需要准备好注册当年前两年的上述文件。如果是合伙性或联合型企业, 除自身的 SME 资料外, 合伙性或联合型企业的如上 SME 资料也需要一并提供。

此外, 在 2013 年最新的资料要求中, ECHA 明确表示原件如果不是欧盟的官方语言, 则需要由欧盟境内的英语翻译机构进行翻译, ECHA 称之为 certified English。其目的是更便于 ECHA 的审查。其中对 certified English 的具体要求如下:

In the context of the above, a certified translation is a translation that is accompanied by a signed statement that the translator is competent in the source and target languages (a sworn translator) and that the translation is an exact and accurate translation of the source document. Therefore, if the original version of any document is not in one of the official languages of the EU, a certified translation, in one of the official EU languages, by a translator who is authorised to produce translations for official governmental purposes in any of the EU Member States, should be provided. Non-certified translations cannot be accepted.

Furthermore, since the international practices regarding the certification and authentication of documents vary depending on the country and region, ECHA can only give you general advice on where you could obtain the certified translation. For example in your case, since your company is located in Ireland, you could consider consulting the database of translators and interpreters created by the Irish Translators' and Interpreters' Association (ITIA), providing

information on the officially authorized, appointed and sworn-in translators and interpreters in different languages (http://translatorsassociation.ie/component/option,com_wrapper/Itemid,64/).

由于 CIRS 坐落于爱尔兰, ECHA 推荐爱尔兰翻译协会 (具体可见链接) 可以作为提供 certified English 的服务机构。

之所以ECHA需要提供certified English, 是因为欧盟于2012年12月出台了企业类型和SME验证法案 (2012/838/EU, Euratom), 法案中明确提出提交的资料, 如果非欧盟官方语言, 需要配合经认证的翻译。具体要求如下:

Documents are accepted in all the official EU languages. To facilitate the work of the validation services applicants may be requested to submit a free translation of these documents. Documents submitted in a non- EU official language (1) may be refused if not accompanied by a certified/official/legal translation by an accredited body or translator. The supporting documents must not be over 6 months old.

ECHA 对 SME 资料翻译的要求, 正是依仗于欧盟的该法案。

瑞旭技术建议广大申请 SME 的企业, 尽早准备如上的 SME 资料。如果觉得获取资料比较困难, 或认为翻译费用过高, 请及时联系唯一代表, 更改企业规模。一旦被 ECHA 要求提供资料, 除了补齐行政费差价外, 有可能被处以 2 万欧元的罚款。