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**The European Company (SE)
– practical failure or model for other supranational company types?**

– abstract –

Since 2004, European undertakings have the possibility to opt for a supranational type of company: The “European Company” (or “Societas Europaea” – SE). A considerable – though overall not huge – number of enterprises have already availed themselves of this new opportunity, including, inter alia, famous names like the German industry giants *Allianz SE*, *BASF SE* and *Porsche Automobil Holding SE* or the French reinsurer *SCOR SE*.

The paper will first provide an overview of the salient features of this new supranational, “European” type of company. The primary focus will be on the most important advantages (e.g. cross-border transfer of seat and restructuring, flexibility with respect to internal structure, “European corporate identity”) and disadvantages (e.g. rather complex legal framework, no special tax provisions) of using this supranational corporate vehicle, both from a legal and an economic point of view and illustrating the respective aspects by way of examples from the practical experience gained with the SE so far.

Based on this, the paper will then examine whether the SE has really turned out to be the “practical failure” that many predicted or whether it could actually serve as a model for other supranational company types – not only on the European, but also on a wider international or even global level, especially also for Asian countries.