



## BB Short News

### Netherlands export more to North-Rhine Westphalia, Germany than to France

Düsseldorf, 05 October 2016 - From a Dutch perspective, Germany is still the most important export partner. Reason enough for the German-Dutch Chamber of Commerce to create a platform for Dutch entrepreneurs wishing to export to Germany or invest in Germany, the *Duitslanddag*.

As last year, BEITEN BURKHARDT hosted an info booth at the *Duitslanddag* which took place in Utrecht on 29 September 2016. The Dutch Desk was represented by lawyer Regine Nuckel, moving in "reinforcements" from IP/IT and Public and Procurement Law.

*"We have had many interesting talks with Dutch entrepreneurs who wish to invest in Germany or seek export partners in Germany. One of the key topics was how important it is to be well prepared for these activities,"* explains Regine Nuckel.



Here are our seven tips to successfully invest in and export to Germany:

#### 1. Information

Gather information on the German market, also from a legal and tax perspective. Well researched is half done.

#### 2. Advice

Seek competent advice right from the beginning which legal form or distribution structure is the best for you and your business.



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### 3 General Terms and Conditions

Even though it seems so simple - don't just translate your existing (Dutch) general terms and conditions into German. That is just not going to work. It is worth the effort to seek good advice so that you will be able to agree on effective and legally sustainable general terms and conditions with your German business partners.

### 4. Marketing

Are you allowed to simply contact potential new customers by letter or phone? Business practices which might be legal in the Netherlands could in Germany result in warnings or cease and desist letters under contractual penalty. Do seek professional advice on the legal framework for successful advertising in Germany.

### 5. Employees

You recruited successfully, and you are happy to have found adequate staff for the distribution of your product (also) in Germany. Now please don't just use the employment agreements you are using in the Netherlands. German and Dutch employment laws are really different in many aspects, with respect to concluding employment contracts, for example, or effective dismissals.

### 6. Language

Virtual all Dutch speak English almost fluently. You can expect that your German business partners will be able to cope. Still, they will appreciate it if you communicate in German. Not necessarily when it comes to concluding legally binding contracts, however. Obtain advice here at an early stage because even if both parties believe that they agree and that they are on the same page, there are many *valse vrienden* which can lead to a complete misunderstanding.

### 7. Culture

Congratulations! Your distribution structure is up, your employees are ready, and your general terms and conditions have been translated into good German so that they are legally valid. Now (almost) nothing stands in your way. Just pay attention to the little cultural differences now. Keep to the agreements, be on time and well prepared -- then you too will soon be one of the Dutch enterprises for whom Germany is the largest and most important trade partner.



**BEITEN BURKHARDT**

Competence with personality.

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### **Koopmanschap – voor ons geen vreemd woord!**

We will be glad to help. Your contact:



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