

Netherlands



PLG Member Firm

Schaap & Partners

SCHAAP & PARTNERS

Schaap & Partners' origins date back to the early beginnings of the 20th century. Over the years, the firm has managed to distinguish itself in the field of law, shown amongst others in the appointment of a number of the firm's associates as members of the editorial staff of legal journals, as professors and as members of the Supreme Court and the Council of State.

Since the early days, much has changed but the typical no-nonsense mentality remained. Nowadays, Schaap & Partners is a well-equipped, medium-sized office, where neither hard work nor efforts are spared. Schaap & Partners employs approximately 100 people, amongst which are 40 lawyers and 20 paralegals.

Schaap & Partners has a diverse client base, consisting of not only multinationals, listed and unlisted companies, but also small-sized enterprises and private clients. Schaap & Partners wishes to be a partner for its clients, think with them, keep them on top of legal developments and find solutions to all sorts of issues. The fact that we are a fully independent law firm is very important to us and enables us to fully concentrate on and serve the best interest of our clients. The firm's main focus lies in the field of corporate law, M&A, commercial law and real estate.

Our solicitors and civil-law notaries work closely together. This has turned out to be a combination that is not only strong but also fruitful. The different disciplines make a perfect match which offers our clients adequate and efficient assistance in different practice areas.

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Country Facts

Legal Facts:

Constitution: The Netherlands is the European part of the Kingdom of the Netherlands, which is formed by the Netherlands, the Netherlands Antilles and Aruba. The Netherlands is a constitutional monarchy, located in northwestern Europe. It borders the North Sea to the north and west, Belgium to the south, and Germany to the east. The Netherlands is often referred to by the name *Holland*. The Netherlands is a densely populated and geographically low-lying country and is popularly known for its windmills, clogs (wooden shoes), dikes, tulips, bicycles, and social tolerance. The country is host to the International Court of Justice and the International Criminal Court at The Hague.

Legal System: The Dutch legal system is based on civil law. Courts interpret law, but are prohibited from creating law and thus do not issue rulings more general than the actual case to be judged.

In the Netherlands there are 19 courts of first instance and 5 courts of appeal. Every court of appeal has its own resort. Every resort is divided in regions and every region has its own court of first instance. The highest domestic court is the Supreme Court and is settled at The Hague.

Solicitors // Civil Law Notaries

Notaries play a more important role in the Netherlands than in many other jurisdictions, and are particularly vital to M&A, corporate and commercial property work. Notarial deeds are compulsory in conveyance of real estate, mortgages and the incorporation or alteration of a company's articles of association, as well as transfers of shares.

Solicitors are judicial service-workers and are exclusively competent in civil and criminal procedures. In most countries, lawyers are general practitioners. However, in the Netherlands it is common to become specialized, which specialism is chosen during their education or in the beginning of their career. All solicitors are member of the Dutch Bar Association, which organization is burdened with the care for quality.

The leading law firms in the Netherlands employ a substantial numbers of notaries, some of which have leading reputations within the legal profession. It is generally recognized that integrated solicitor//civil law notary teams are the best way forward, most particularly on property and shareholder transactions. If instructing a firm for a real estate deal or a corporate transaction, clients should check the availability of notaries at the law firm. Having lawyers and notaries in-house is vital to the success of certain transactions.

Geographical Facts:

Area: total: 41,526 km², water: 18.41%

Demographic Facts:

Population: January 2006: 16.335.509

Official Language: Dutch

Government: Parliamentary democracy, Constitutional monarchy

Economical Facts:

The Netherlands has a prosperous and open economy in which the government has reduced its role since the 1980s. Industrial activity is predominantly in food-processing (e.g. Unilever and Heineken), chemicals (e.g. DSM), petroleum refining (e.g. Royal Dutch Shell) and electronics (e.g. Philips). Important parts of the economy are international trade, banking and transport. The gross domestic product consists of the income out of service-area. The Rotterdam harbour is the second-largest port in the world, and the largest port in Europe.

The Netherlands successfully addressed the issue of public finances and stagnating job growth long before its European partners. In 2004, inflation in The Netherlands was at a low of 1.2%. Currently (2006), inflation amounts to approximately 1.3%. The inflation in the Netherlands belongs to the lowest percentages in the euro zone.

Taxation:

Although the Netherlands has a sophisticated tax system, some aspects of its fiscal system are extremely attractive and make it the ideal location in which to base international trading operations. Attractive fiscal incentives are further enhanced by a complex network of double taxation treaties and by the existence of a procedure of advance tax rulings whereby the tax authorities who are autonomous and approachable can at short notice specify the fiscal consequences of certain business structures (provided that material financial interests are involved and the propositions are reasonable).