



Don't forget to register your company to the
Beneficial Owners Register !
(le "Registre des Bénéficiaires Effectifs")



Reminder about the law

The law of 13 January 2019 (the "Law") establishes a register of beneficial owners¹ by :

- Implementing the provisions of Article 30 of Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system in purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60 / EC European Parliament and of the Council and Commission Directive 2006/70 / EC;
- Amending the amended law of 19 December 2002 on the *Registre de Commerce et des Sociétés* and the accounting and annual accounts of undertakings.

LINARI LAW FIRM
AVOCATS A LA COUR

You have until 31 August 2019 to comply with the provisions of the Law and file the necessary information regarding the beneficial owners with the Beneficial Owners Register.

It's not too late and Linari Law Firm can obviously assist you in this process

¹ For the purposes of this Law, the term "beneficial owner" means any natural person who ultimately owns or controls the customer or any natural person for whom a transaction is performed or an activity carried out. The notion of beneficial owner includes at least:

(a) in the case of companies

any natural person who owns or controls a legal entity, by virtue of a sufficient percentage of shares (i.e. at least 25% of the shares) or voting rights or of an ownership interest in that entity;

(b) in the case of fiducies and trusts,

the constituent, any trustee, the protector (if any), the beneficiaries or, where the persons who will be the beneficiaries of the construction or legal entity have not yet been designated, the category of persons in whose main interest the construction or legal entity has been incorporated or operates; any other natural person exercising ultimate control over the *fiducie* or trust; for legal entities such as foundations, and legal arrangements similar to *fiducies* or trusts, any natural person performing functions equivalent to or similar to those referred to in point (b).

Information to be published in the Beneficial Owners Register

- the name and first name (s);
- the nationality (ies);
- the day, the month, the year and the place of birth;
- the country of residence;
- the nature and extent of the effective interests held;
- the precise private address or the precise professional address mentioning:
 - for addresses in the Grand Duchy of Luxembourg: habitual residence in the register of natural persons or, for business addresses, the locality, the street and the building number in the national register of localities and streets, as provided for in Article 2, letter g) of the amended law of 25 July 2002 (“*portant réorganisation de l’administration du cadastre et de la topographie*”) as well as the postal code;
 - for addresses abroad: the locality, the street and the building number together with the postal code and the country;
 - for persons registered in the national register of natural persons: the identification number provided for by the amended law of 19 June 2013 on the identification of natural persons;
 - for non-resident persons not registered in the national register of natural persons: a foreign identification number.

Don’t forget to register Investment Funds as well !

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