



LINARI LAW FIRM

AVOCATS A LA COUR

Major changes at the Luxembourg trade and companies register

The Luxembourg trade and companies register (*Registre de commerce et des sociétés*) (“RCS”) has implemented two major changes to its filing procedures:

1) Any individual, already registered or to be registered with the RCS will have to communicate their Luxembourg national identification number (“LNIN”), in accordance with article 12bis of the amended law of 19 December 2002 on the register of commerce and companies and the accounting and annual accounts of undertakings.



For individuals who have already a LNIN: this number must be mentioned on the RCS filing form and no further documents and information are requested.

For individuals who do not have a LNIN: the RCS will automatically allocate a LNIN to all individuals, subject to the providing of the following documents and information (in French, German, Luxembourgish language and even in English without translation). For all other documents in any other language, a simple, non-sworn translation will be required. These information and documents are only shared with the RCS and are neither published nor accessible to public:

- nationality and gender with a copy of a valid identity card or passport;

- address of the private residence, proven with a certificate of residence issued by the municipalities, a sworn statement issued by the person concerned, stamped or countersigned by a notary, an embassy, the police or if none of these documents can be produced, an electricity, water, gas, telephone or internet access bill.

Once the application for a LNIN has been accepted, the applicant receives a letter with its identification number. There will be a transitional period during which the LNIN will be required for any new registration or amendment filing regarding an individual.

After this transitional period, the communication of the LNIN will be compulsory for any filing with the RCS, whether it implies a change regarding an individual or not. Failing to do so, the filing procedure will be blocked.

2) There will be an automatic control of the consistency of each Luxembourg address registered with the RCS (registered offices for companies and private addresses for individuals), with the addresses registered with the National register of localities and streets. (i.e. *Registre national des localités et des rues*)

It is highly recommend to the registered entities to communicate the missing LNIN of the individuals linked to them as soon as possible in order to avoid to be blocked at a later stage.

Linari Law Firm is available should you need any additional information or assistance.