

Grand-Ducal Regulation of 15 January 2019 Register of beneficial owners (“RBE”)



This is a non-official translation drawn up by Arendt & Medernach for information purposes only. In case of discrepancies between the French and the English texts, the French text, as published in the Luxembourg official journal, shall prevail. The Grand-Ducal Regulation enters into force on 1 March 2019.

Grand-Ducal Regulation of 15 February 2019 on the procedures for registration, payment of administrative fees and access to information recorded in the Register of beneficial owners

Chapter 1 - Procedures for registration in the Register of beneficial owners

Art. 1.

(1) The registered entity shall request the registration of the information provided for in Article 3 of the law of 13 January 2019 establishing a Register of beneficial owners through the manager's website.

(2) Each application for registration accepted by the manager shall be included in the file of the registered person or entity maintained electronically by the manager.

(3) Each registration shall be dated on the day on which the manager accepts the application for registration and shall be assigned a unique number. It shall give rise to the issuance of a receipt of acceptance of the registration, which will be returned to the applicant.

(4) The manager may prohibit access to its website by any holder of an electronic certificate for which there is evidence of misuse or fraudulent use of such certificate.

Art. 2.

Registrations must be made in French, German or Luxembourgish, in a complete and accurate manner. The alphanumeric characters to be used are the letters of the Latin alphabet and Roman or Arabic numerals. The use of additional characters and symbols is permitted if they have a meaning in the relevant language.

Art. 3.

The manager shall hold a complete record of registrations using an electronic computerised process.

Art. 4.

(1) The office of the manager shall be located in the municipality of Luxembourg. The manager may have offices in other municipalities in the Grand Duchy of Luxembourg. It shall display the opening hours of its office on its website.

(2) For registered entities which are materially unable to make the registrations required by the above-mentioned law of 13 January 2019 in accordance with Article 1, the manager shall provide technical assistance at its offices.

Art. 5.

The supporting documents provided for in Article 4(3) of the above-mentioned law of 13 January 2019 shall include:

1° for natural persons not registered in the Trade and companies register, the official documents enabling the establishment of the identity of the beneficial owners accompanied by a translation into French, German or Luxembourgish if the official documents are not in Latin characters;

2° where applicable, the request for a restriction of access to the information as referred to in Article 15(1) of the above-mentioned law of 13 January 2019; and

3° where applicable, a document certifying that the entity is a company whose securities are admitted to trading on a regulated market in the Grand Duchy of Luxembourg or in another State which is a party to the Agreement on the European Economic Area or in another third country imposing obligations recognised as being equivalent by the European Commission within the meaning of Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC.

Art. 6.

Requests for restrictions of access provided for in Article 15 of the above-mentioned law of 13 January 2019 shall be provided transmitted to the manager in accordance with the provisions of Articles 1 and 2, at the same time or subsequently to the registration requests.

Chapter II - Access to information

Art. 7.

(1) The Register of beneficial owners may be consulted free of charge on the manager's website.

(2) Searches in the Register of beneficial owners shall be carried out by the name, corporate name, name or registration number of the entity registered in the Trade and companies register.

(3) Access by credit institutions, financial institutions and bailiffs and notaries acting in their capacity as public officers to information on beneficial owners covered by an access restriction granted in accordance with Article 15(1) of the above-mentioned law of 13 January 2019 shall be granted through extracts, which must be requested in accordance with Article 9(2).

Art. 8.

(1) Access to the Register of beneficial owners by the national authorities, as defined in Article 1, point 5°, of the above-mentioned law of 13 January 2019, is subject to a request issued by the national authority addressed to the manager.

(2) Searches in the Register of beneficial owners by the national authority shall be carried out by the name, corporate name, name or registration number of the entity registered in the Trade and companies register or by the beneficial owner.

(3) National authorities have access to the registered and historical information of registered and wound-up entities contained in the Register of beneficial owners.

Art. 9.

(1) The manager shall issue extracts and certificates on secure paper on the letterhead of the Register of beneficial owners or in electronic form, subject to the payment of an administrative fee, as provided for in Annex A.

(2) Requests for extracts and certificates shall be made on the website of the manager.

(3) The extracts and certificates issued shall bear the handwritten or electronic signature of the manager.

Art. 10.

(1) Entities subject to a request for verification from the manager, pursuant to Article 9 of the above-mentioned law of 13 January 2019, must verify their information on the manager's website.

(2) If the information entered is adequate, accurate and up-to-date, the entity must confirm its data through the manager's website.

(3) If the entity finds that the information entered is inadequate, inaccurate or not up-to-date, it must update its information in accordance with Article 1.

Chapter III - Payment procedures**Art. 11.**

(1) Any accepted application for registration, as well as any request for an extract or certificate, shall be subject to the payment of an administrative fee to the manager for the amount set out in Annex A.

(2) Fees shall be due individually, when registration is made by an applicant which is not approved for payment on a monthly basis as provided for in Article 12(2). **Art. 12.**

(1) Payment shall be made electronically. However, the entities referred to in Article 4(2) may pay the administrative fees in cash.

(2) Applicants who regularly make a significant number of applications for registration, extracts or certificates to the manager may submit an application for approval to pay on the basis of a monthly invoice drawn up after the registration of the administrative fees set out in Annex A due on these applications.

(3) The application for approval shall contain a written commitment by the applicant to pay to the manager all amounts due for administrative fees in a single payment within 30 days after the date of issuance of the invoice issued and sent by the manager.

(4) Applications for approval shall be submitted to the manager.

(5) The manager shall decide on applications for approval and notify its decisions to the applicants. When approval is granted, a reference number is communicated to the applicant.

(6) The manager may withdraw the authorisation upon a justified decision if the amounts due for the administrative fees remain unpaid for two months following the date of issuance of the monthly invoice issued by the manager.

Chapter IV - Transitional and final provisions

Art. 13.

Entities subject to the above-mentioned law of 13 January 2019 are exempt from payment of the administrative fees, set out in Annex A, for a period of six months after the entry into force of this Grand-Ducal Regulation.

Art. 14.

This Grand-Ducal Regulation shall enter into force on 1 March 2019.

Annexe A – Fees

Pricing schedule for the Register of beneficial owners

Amounts in EUR excluding VAT (fees subject to VAT at a rate of 17%)	
Type of declaration	
Registration process	€ 15
Amendment	€ 15
Extract	
Extract in paper form	€ 10
Extract in electronic form	€ 5
Certification of non-registration of beneficial owner(s)	
Certificate in paper form	€ 10
Certificate in electronic form	€ 5
Other fees	
Supplement for priority processing of a request for an extract or certificate in paper form	€ 100
Assistance desk for the declaration	Declaration fee + € 20
Request for exemption - Article 15	Declaration fee + € 200



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