

Circular LBR 22/01

Subject: Reopening of access to the Register of beneficial owners by professionals subject to the amended law of 12 November 2004 on the fight against money laundering and terrorist financing

In its judgment of 22 November 2022, delivered in joined cases C 37/20 and C 601/20, the Court of Justice of the European Union invalidated the provision of Directive 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and amending Directives 2009/138/EC and 2013/36/EU providing "*that Member States must ensure that information on the beneficial ownership of companies incorporated within their territory is accessible in all cases to any member of the general public*". Thus, public access to the Register of Beneficial Owners (RBE), via the website www.lbr.lu, has been suspended as of 22 November 2022 by Luxembourg Business Registers (LBR), by decision of its supervisory authority, the Ministry of Justice.

As a result, the professionals subject to the amended law of 12 November 2004 on the fight against money laundering and terrorist financing (hereinafter AML/CFT law) temporarily no longer had access to the RBE.

In order to remedy this situation and to reopen access to these professionals on the LBR website, LBR proposes the signature of an agreement governing access to the RBE consultation and its technical appendix. This agreement will lead to the creation of an account with LBR, allowing the professional to be identified as such by LBR, when connecting to the website and to designate internal users, via an application dedicated to user management.

LBR informs that :

- The creation of this account and the management of its users require the use of luxtrust certificates,
- Consultation of the RBE by the professional and the users he has designated should only be carried out within the framework of their obligations in terms of the fight against money laundering and terrorist financing.

The agreement and its annex can be downloaded from the RBE portal, under the new menu "access request" menu. They must be completed, signed (electronically or by hand) and returned to LBR at the following address Acces_rbe@lbr.lu.

The procedure for requesting access can be summarized as follows:



For LUXEMBOURG BUSINESS REGISTERS

(s) Yves Gonner
Director



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