

RBE

REGISTRE DES
BÉNÉFICIAIRES EFFECTIFS

FORMALITY OF DECLARATION TO THE REGISTER OF BENEFICIAL OWNERS



VERSION 5.0



RBE

REGISTRE DES
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First of all, in order to be able to register or modify a BO declaration and to access the different fields of the form, the part relating to the declaration of honour must be completed. To do so, please tick the box "I certify that I am duly authorized by the registered entity or its legal agent to carry out this registration".

Declaration of honour




The registered entity exposes itself to criminal sanctions, as prescribed by Article 20 (2) of the Law of 13 January 2019, in the event of a request for the registration of information that is deliberately inaccurate, incomplete or not up to date.

I certify that I am duly authorized by the registered entity or its legal agent to carry out this registration. *

The language of the declaration should then be chosen:

Choose the language of the declaration :  French  German

Finally, to access the appropriate form, select one of the three options:

 Beneficial owners <input type="button" value="REGISTER"/>	 Senior management officials <input type="button" value="REGISTER"/>	 Information from the regulated market, the company is listed on the stock exchange <input type="button" value="REGISTER"/>
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1. Details on the form regarding beneficial owners/senior management officials

1.1 National identification number field

When registering a person, it will be asked whether that person has a Luxembourg national identification number or not.

Numéro d'identification national luxembourgeois


La personne possède-t-elle un numéro d'identification national luxembourgeois ? *


Oui Non

1.1.1. The person to be registered has a Luxembourg national identification number.

If the person to be registered has a Luxembourg national identification number, the following "Identité" section opens:

Identité

 Les informations à renseigner dans ce cadre sont nécessaires au contrôle du numéro d'identification national renseigné. Les informations inscrites au RBE pourront au besoin être corrigées pour être conformes à celles renseignées dans le Registre national des personnes physiques.

Numéro d'identification national luxembourgeois : * 

Nom *


Prénom(s) *

Date de naissance *

La date de naissance est calculée à partir du numéro d'identification luxembourgeois si celui-ci est valide


Lieu de naissance *


Pays de naissance *

Veillez sélectionner votre choix 

When the Luxembourg national identification number is entered, the field relating to the date of birth is filled in automatically and cannot be modified.

Identité

 Les informations à renseigner dans ce cadre sont nécessaires au contrôle du numéro d'identification national renseigné. Les informations inscrites au RBE pourront au besoin être corrigées pour être conformes à celles renseignées dans le Registre national des personnes physiques.

Numéro d'identification national luxembourgeois : * 

1950010100001

Nom *

Prénom(s) *

Date de naissance *


01/01/1950


La date de naissance est calculée à partir du numéro d'identification luxembourgeois si celui-ci est valide

1.1.2. The person to be registered does not have a Luxembourg national identification number

For persons who do not have a Luxembourg national identification number, the fields must be completed as indicated on the official document proving the person's identity.

Identité

 Les noms et prénom(s) sont à indiquer tels qu'inscrits sur la pièce officielle jointe justifiant l'identité de la personne.

Numéro d'identification étranger * 

Nom *

Prénom(s) *


Date de naissance *

JJ/MM/AAAA ou JJ.MM.AAAA

JJ/MM/AAAA ou JJ.MM.AAAA

Lieu de naissance *

Pays de naissance *

Veillez sélectionner votre choix 

In this case, an official document enabling his identity to be verified must be attached to the declaration (see point 3.1).

Only the following items will be accepted:

- **Passport**

If you do not have a passport :

- **Identity card**
- **Residence permit**
- **Resident card**
- **Driving licence**

The foreign identification number to be included must match the one on the official attachment.

There are several possible scenarios:

a. Foreign national identification number

If a national identification number exists in the country, this number must be indicated on the declaration. It must also appear on the attachment.

It should be noted that in this case, as long as the foreign national identification number has been entered in the declaration, there is no need to indicate the number of the identity document in the RBE declaration.

Examples:



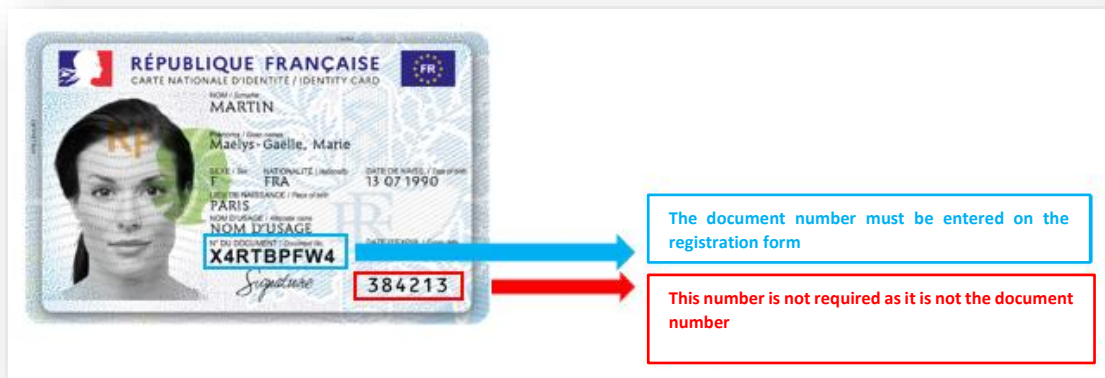
b. Identity document number (if no national identification number)

If there is no unique national identification number, the number to be given in the declaration to the RBE is the number of the identity document presented (e.g. passport number). Only this number will be accepted; any other number, even if it appears on the document presented, will be refused.

Likewise, when a document has different national identification numbers (e.g. tax identification number and national insurance number), the number of the identity document presented must be indicated.

The document numbers accepted are those on the identity documents accepted as proof of the person's identity (identity card, passport, residence permit, resident permit, driving licence).

Examples:



In the event of a discrepancy, the manager returns the declaration request for verification.



The field "Luxembourg national identification number" or "foreign identification number" (as the case may be) must be completed.

1.2 Fields relating to surname and first names

1.2.1. Person with a Luxembourg national identification number

The information relating to the surname and first name(s) to be included on the form must **correspond exactly to** the information in the National Register of Natural Persons. In the event of discrepancies, the information entered in the RBE may, if necessary, be corrected to conform to that entered in the National Register of Natural Persons.

1.2.2. Person who does not have a Luxembourg national identification number

The information to be provided must **comply** with the attached official document, allowing the identity of the person to be established. If the person has **several first names**, they must all be indicated on the form. As regards the name field, the **birth name** as it appears on the official supporting document must be indicated.

Titles and indications such as "Dr", "Sir", "Professor", "wife", "née", "Prince", "Princess", etc. should not be entered, **even if they appear on the identity document**.

Note that characters such as commas, inverted commas or brackets should not be entered in these fields.

If a change is to be made (e.g. an official change of surname or first name), the registrant must be deleted and re-registered with the new data.

1.3 Country of residence field

The country of residence must be selected from the proposed drop-down list.

For information purposes, it is not possible to select "Luxembourg" as country of residence when the person to be registered does not have a Luxembourg national identification number. In this case and if "Luxembourg" is selected, an error message will appear:

Pays de résidence

Pays de résidence *

Luxembourg

Un identifiant national luxembourgeois est obligatoire pour les résidents luxembourgeois

1.4 Nationality field

The nationality must be selected from the proposed drop-down list.

For information purposes, it is not possible to select Luxembourg nationality when the person to be registered does not have a Luxembourg national identification number. In such a case, an error message will appear:

Nationalite(s)

Nationalité * [Supprimer](#)

Luxembourgeoise

Un identifiant national luxembourgeois est obligatoire pour les luxembourgeois

When the person to be registered has several nationalities, it is necessary to fill in all of them on the form. To do this, select the first one in the drop-down list and click on the "+" "Ajouter une nouvelle nationalité" to choose the next one.

Nationalité(s)

Nationalité * [Supprimer](#)

Belge

[+](#) [Ajouter une nouvelle nationalité](#)

Conversely, if when modifying a declaration, a nationality of a registered person should be deleted, the word "Supprimer" should be clicked on at the level of the nationality that is no longer relevant.

1.5 Fields relating to private or business address

1.5.1. General

For the country, select it from the drop-down list.

The most complete address possible should be provided.

The street name must be given in full, i.e. with the words "rue", "avenue", "boulevard", "voie", etc...

1.5.2. Specific check on Luxembourg addresses

The Luxembourg address to be entered must conform to the information contained in the national register of localities and streets. An automatic check is therefore carried out on the address fields.

When "Luxembourg" is selected from the drop-down list, the following fields appear:

Adresse privée ou professionnelle précise

Pays *
Luxembourg

Code postal *

Rechercher

Localité *
Veuillez sélectionner votre choix

Rue *

Numéro

When the postal code is entered, the "Rechercher" tab is activated and the street name corresponding to this code registered with the national register of localities and streets is automatically filled in or proposed (if more than one street exists).

SÉLECTIONNER UNE RUE

BEAUFORT

- Am Wangert
- An de klenge Gaarden
- Bei der Kapell
- Chemin de la Vallée
- Härewiss
- Route de Dillingen
- Route de Grundhof
- Rue de l'Auberge
- Rue de l'Ecole
- Rue de l'Eglise
- Rue de la Libération
- Rue des Champs
- Rue des Prés
- Rue Belle-Vue
- Um Hiwel

Annuler Valider

If street numbers are also listed, then the "Numéro" field must be filled in. Otherwise, an error message will appear on the screen:

Adresse privée ou professionnelle précise

Pays *
Luxembourg

Code postal *
1468

Rechercher

Localité *
Luxembourg

Rue *
Rue Erasme

Numéro *

✖ Le numéro renseigné doit correspondre exactement à un des numéros figurant au Registre national des localités et des rues, associé à la rue, au code postal et à la localité renseignés. Les seules valeurs possibles sont : 2, 4, 9, 12, 13, 14, 16, 18. Si le numéro de rue ne figure pas dans la liste des valeurs possible, vous devez cocher la case ci-dessous.

L'adresse ne figure pas dans le registre national des localités et des rues.

If, however, the address to be entered is not listed in the national register of localities and streets, the fields must be completed and the box provided for this purpose must be ticked.

L'adresse ne figure pas dans le registre national des localités et des rues.

1.6 Fields for beneficial interests held (only for beneficial owners)

[Supprimer](#)

Nature des intérêts effectifs *

Ex : parts sociales, actions, participations au capital ou droits de vote.
Ce champ ne doit pas contenir de chiffre, indiquez uniquement la nature.
Les champs doivent être complétés en langue administrative (français, allemand ou luxembourgeois).

Etendue *

Ex : 40%
Veuillez indiquer des chiffres. Il peut s'agir par exemple d'un pourcentage ou d'une proportion.

These fields are proposed only if beneficial owners have been identified.

1.6.1. "Nature of effective interest" field


The information to be included in this field concerns **only** the nature of the interests held. These may be, for example: "parts sociales", "actions", "participations au capital" or "droits de vote". It is also possible to communicate in this field the capacity in which the person is registered ("fondateur" or "directeur"), in particular with regard to foundations.

1.6.2. Scope field

The information to be included concerns **the precise extent of** the effective interests held. It is not enough to state "strictly more than 25%". It must be a percentage or proportion.

The fields must be completed in the administrative language (French, German or Luxembourgish).

In the event that an effective interest type is to be added, in order for the fields to open and be completed, it is necessary to click on the "+ Ajouter un type d'intérêt effectif":

 [Ajouter un type d'intérêt effectif](#)

1.6.3. Consistency check by the manager :

It is to the responsibility of the registered entity to carry out the necessary research to define its beneficial owner(s) and the nature and extent of the interests to be registered. However, the RBE administrator has the possibility to carry out consistency checks between the information provided on the form when the RBE declaration is requested and the data entered in the RCS.

As the RCS and RBE databases must contain accurate and up-to-date information, the administrator can carry out certain consistency checks and verify a certain amount of information such as :

- > The consistency of the total sum of the percentages held for the extent of effective interests of the same kind, which must not exceed 100%. In the specific case of joint control, which must be specified in the field relating to the nature of the effective interests, the total extent entered may be greater than 100%.
- > If the ownership is carried out through an entity, the nature of the beneficial interests must specify that the ownership is held **indirectly**.
- > Concerning the extent of the effective interests held, indications which are not sufficiently precise, such as "majority", "minority" or "more than 25%", are not accepted. The scope should clearly indicate a percentage (%) or proportion (e.g. 3/4).

For all modifications of RBE declarations, a **check of the unmodified data** in the form is also carried out. The purpose of this check is to verify the consistency of all the data entered and to verify that all the data is still up to date .

1.7 Fields relating to the limitation of access to consultation (only for beneficial owners)

Limitation d'accès à la consultation

En application de l'article 15 de la loi du 13 janvier 2019 instituant un Registre des Bénéficiaires Effectifs, il est demandé que l'accès à la consultation soit limité.

This heading is only proposed if beneficial owners can be identified.

If the restricted access is checked, the "Motif(s)" and "Durée du risque (en mois)" (maximum 36 mois) sections will appear on the screen.

The access limitation request shall be transmitted to the LBR manager at the **same time as** the declaration request.

The risk(s) incurred by the beneficial owner(s) for whom the limitation of access is requested should be ticked and a supporting document justifying the request should be attached (see point **3.2**). The **risks** listed under this heading are those set out in Article 15 of the Law of 13 January 2019 establishing a Register of Beneficial Owners.

The duration for which the limitation is requested must be indicated (in months).

Limitation d'accès à la consultation

En application de l'article 15 de la loi du 13 janvier 2019 instituant un Registre des Bénéficiaires Effectifs, il est demandé que l'accès à la consultation de ces informations soit limité.

Motif(s) *

Risque de fraude

Risque d'enlèvement

Risque de chantage

Risque d'extorsion

Risque d'harcèlement

Risque de violence ou d'intimidation

Le bénéficiaire effectif est mineur ou autrement frappé d'incapacité

Durée du risque (en mois) * ?

Procedure

- > The request for limitation is transmitted together with the request for a declaration of beneficial owner to register the entity's beneficial owners in the RBE.
- > As long as the request for a declaration has not been accepted by the manager, the request for limited access shall not be subject to any assessment by the manager.
- > When the declaration request is accepted by the manager :
 - The beneficial owners are recorded in the RBE,
 - The declarant shall receive his declaration receipt, on which it shall be indicated that the request for access limitation is being assessed by the manager,
 - The data of the beneficial owner, for whom the request for limited access has been made, shall not be made available for public consultation until the manager has taken a position on the request,
 - The manager will be able to assess the merits of the request for limited access, which is in fact processed independently of the declaration request through which it was made.
- > The manager shall assess requests for limiting access **restrictively** and on **a case-by-case basis**.
- > If the request for limited access is **accepted** by the manager, the information of the beneficial owner concerned by the request shall **remain non-public** for the duration requested by the registrant.
- > If the request for access limitation is **refused** by the manager, the manager shall inform the registered entity by registered letter with acknowledgement of receipt. The decision taken by the manager may be appealed within 15 days, before the magistrate presiding over the chamber of the district court sitting in commercial matters for traders and before the president of the district court sitting in civil matters for others.
- > ***During this 15-day period, the information of the beneficial owner concerned by the application shall remain non-public.***
- > After this period and if no appeal has been lodged, this **information becomes available for consultation**.

1.8 Function field (only for certain senior management officials)

In principle, this field does not need to be completed. It is proposed to allow certain senior management officials to specify the particular nature of their function. This is the case for judicial representatives (e.g. provisional administrator) or liquidators.

When this field is completed in the form, a systematic consistency check is carried out against the data entered in the RCS. The function entered in the RBE must correspond to that entered in the RCS.

The screenshot shows a form titled "Fonction du dirigeant principal". Below the title is a light grey box containing the text "Fonction (ce champ est facultatif)" and an empty white input field.

2. Clarifications on the stock exchange listing form


The screenshot shows a form titled "COTATION EN BOURSE". Inside the form, there is a section titled "Cotation en bourse" with two fields: "Système de cotation *" (with an empty input field) and "Pays de cotation *" (with a dropdown menu showing "Veuillez sélectionner votre choix").

Where the registered entity is listed on a stock exchange, it need only list in RBE the name of the regulated market on which its securities are admitted to trading, as well as the country (drop-down list).

3. Supporting documents

3.1 Official documents allowing the identification of the beneficial owner/senior management officials

Pièces justificatives

 La pièce à joindre doit reprendre le numéro d'identifiant étranger renseigné à l'étape précédente.

Pièce d'identité du bénéficiaire effectif : DUPONT Jean

Les documents doivent **obligatoirement** être présentés au format PDF ou au format image (JPEG, TIFF et PNG).

This document is only required for beneficial owners/senior management officials who do not have a Luxembourg national identification number.

Copies of identity documents must be perfectly legible, complete and provided on both sides.

If the official document is not written in **Latin characters**, a translation into an administrative language (French, German, Luxembourgish) must be attached to the declaration request. A **free translation** is sufficient. It is not necessary to have the document translated by a sworn translator.

The document must be **valid**.

If the document to be attached is no longer valid (because it has expired, for example) or if the foreign identification number has changed, it is necessary to re-enter a new document in the RBE and enter the new identification number associated with it.

3.2 Other supporting documents

3.2.1. Any supporting documents to be attached to the application for a declaration

- **Document justifying a request for limitation of access (in the context of Article 15 of the Law of 13 January 2019 establishing a Register of Beneficial Owners)**

Pièce(s) justificative(s) concernant la limitation d'accès à la consultation (art. 15)

Pièce justificative pour la limitation d'accès (article 15)

Les documents doivent **obligatoirement** être présentés au format PDF ou au format image (JPEG, TIFF et PNG).

This document must be attached when a request is made to the RBE to limit access to information of a beneficial owner. It must state the **useful** and **necessary information, as well as** the reasons why the information of the beneficial owner should not be public.

The risk(s) must be:

- **Disproportionate to** the risk of fraud, kidnapping, blackmail, extortion, harassment, violence or intimidation, or
- Inherent in the fact that the beneficiary is a minor or otherwise incapacitated.

In so far as this document must enable the manager to assess the merits of the request in concrete terms, it is imperative that the request be duly **substantiated**. It is indeed insufficient to state only the risk that the person is or could be confronted with.

The same supporting document may concern several beneficial owners within the same entity. In this case, it is not necessary to attach it more than once to the application for a declaration.

Note that this document is only used by the manager to take a position on the limitation request transmitted to him.

- **Evidence that the registered entity is a company whose securities are admitted to trading on a regulated market**

Document attestant que la société est cotée en bourse.

Attestation de cotation en bourse

Ajouter la pièce jointe

Les documents doivent **obligatoirement** être présentés au format PDF ou au format image (JPEG, TIFF et PNG).

There is no prescribed format for this document. It must make it possible to identify the regulated market on which the company's securities are admitted to trading.

3.2.2. Language arrangements applicable to other supporting documents

These documents may be transmitted in the **administrative language** (French, German, Luxembourgish) or in **English**.

4. Contacts

LBR Helpdesk

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E-Mail: helpdesk@lbr.lu

Opening Days - Opening Hours

Monday to Friday 8:00 am to 5:30 pm