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## AVOCATS A LA COUR



### Corporate Finance & Transactional - 13 October 2021

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#### **Postponement of the requirement to provide the Luxembourg national identification number for any registration with the Luxembourg Trade and Companies Register to Q1 2022**

By way of a notice to the public issued on 1 October 2021, the Luxembourg Business Registers (“**LBR**”), in charge of the Luxembourg Trade and Companies Register (“**RCS**”), announced *inter alia* that the registration of the Luxembourg national identification number of natural persons registered with the RCS will be pushed back to the first trimester of 2022.

The LBR had indeed previously announced that any natural person registered with the RCS in relation to any registered person (i.e., as shareholder, manager, etc.) shall transmit his/her Luxembourg national identification number, it being noted that the latter will not be made public. Consequently, the Luxembourg national identification number will become one of the mandatory information to be provided upon filing with the RCS.

Whereas the Luxembourg national identification number was already required to proceed with a publication with the Luxembourg Register of Beneficial Owners, the requirement was limited to those already having such number.

It is now foreseen that a Luxembourg national identification number will be created for any natural person not having one, and that additional information will need to be provided for the sole purposes of the registration with the National register of natural persons (nationality, sex and private address, ID and proof of the private address). The number will be communicated solely to the related natural person, unless it is expressly mentioned that the person requesting the registration is acting on behalf of such natural person.

Since all natural persons registered with the RCS are subject to this new obligation, a reasonable transitional period is foreseen for registered entities to be compliant on a voluntary basis before such regularisation becomes mandatory. In this second phase, no publication will be possible until the Luxembourg national identification number is registered.

The declared objective of the amendment is to ensure the coherence of the information and a foreseen welcome consequence is that any amendment of the address with the National register of natural persons should be automatically reflected with the RCS, with no further formalities.

The implementation date is yet to be communicated.

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