BCC TAX & LEGAL NEWSLETTER 2024 #6

Dear Friend of the Chamber,

The objectives of the British Chamber of Commerce for Luxembourg are to follow and influence developments in the economic and business world in Luxembourg affecting members' interests, and so contribute to making Luxembourg an attractive place to do business. The Tax and Legal groups of the BCC address key issues in their sectors to corporate and individual members through a number of events, and seek to raise awareness and influence decision-makers as to the issues of concern to the BCC membership.

The purpose of the BCC Tax and Legal newsletters is to provide additional regular bimonthly updates on key tax and legal developments in Luxembourg that may be relevant to your business. The present newsletters issued by member firms of the Tax and Legal groups cover the period from **September** to **October 2024**. If you deem that another person within your organisation should receive this email, please let us know. If you wish to unsubscribe please contact the BCC Secretariat by email to info@bcc.lu.

Tax Newsletter

VAT Corner:

• KPMG: VAT changes expected for 2025

• Deloitte: New developments regarding the VAT exemption for funds

EY:

• Tax exemption for rental allowances to attract young talent

New Luxembourg RCS registration requirements for individuals:

- Deloitte
- PwC

Deloitte:

- German court rules on tax refunds for foreign investment funds
- Drastic Dutch tax reclassifications impacting Luxembourg funds and investors

PwC:

- 2024 CbCR Prepare for 31 December deadline
- Luxembourg available TP dispute resolution procedures

ATOZ:

• Update to the EU list of non-cooperative jurisdictions for tax purposes

• EU DAC9 proposal to ease filing obligations under Pillar Two

Legal Newsletter

BANKING:

AKD

• The Luxembourg law of 15 July 2024 on the transfer of non-performing loans and its effects on Luxembourg securitisation undertakings

CONSUMER LAW:

BSP

• Unfair terms in focus I Key amendments to Luxembourg's Consumer Code

CORPORATE / M&A:

A&O SHEARMAN

• Luxembourg RCS: what are the new requirements as of 12 November 2024?

BAKER & MCKENZIE

• Trade and companies register — updates to the filing process and registration of individuals

BSP

• Company Law I Upgrading use of digital tools and processes

CLIFFORD CHANCE

• Filing RCS: New formalities upcoming for natural persons

DLA PIPER

• New filing requirements with the Luxembourg Register of Commerce and Companies

LINKLATERS LLP

• New filing requirements with the Luxembourg Register of Commerce and Companies

NAUTADUTILH AVOCATS

• CJEU judgment on Article 22 referrals: predictability and legal certainty restored?

OGIER

• Luxembourg Business Register- new requirements | Ogier

PINSENT MASONS LUXEMBOURG

• Directors and agents of Luxembourg registered businesses face new disclosure obligation

VANDENBULKE

• New filing format and requirements to the Luxembourg RCS: Prepare for 12 November 2024

CRYPTOCURRENCIES:

ELVINGER HOSS PRUSSEN

• Markets in crypto-assets regulation (MiCA): The scope is in the details

DATA PROTECTION:

A&O SHEARMAN

• The Dutch Hague Court upholds Bung's decision in GDPR data access case

EMPLOYMENT:

BONN SCHMITT

• New legal obligations for employers

DLA PIPER

• Newsflash: Parliament approves long-awaited amendments to Luxembourg Labour Code

LINKLATERS

• Summer round-up: Latest news in Luxembourg employment law

MOLITOR AVOCATS À LA COUR

• Law of 24 July 2024 on transparent and predictable working conditions

ESG:

BAKER & MCKENZIE

• CSSF Circular 24/863 — ESMA guidelines on ESG fund naming practices

ELVINGER HOSS PRUSSEN

CSSF supervisory expectations and filing procedure- ESMA ESG fund names guidelines

LINKLATERS

• Publication of Circular CSSF 24/863 on funds' names using ESG or sustainability-related terms

OGIER

• Application date for ESMA's guidelines on funds' names nears | Ogier

PINSENT MASONS LUXEMBOURG

• EU fund naming guidelines risk further uncertainty for investors

SIMMONS & SIMMONS

• CSSF Circular 24/863: ESMA Rules on ESG/Sustainability Fund Names

VANDENBULKE

• Investment Funds: ESG terminology in fund names – CSSF procedure

FINANCIAL REGULATIONS:

BONN SCHMITT

• DORA Regulation: New Law Published

PINSENT MASONS LUXEMBOURG

• Luxembourg charity financial governance bill should be welcomed by sector

INSURANCE:

DSM AVOCATS À LA COUR

• A Luxembourg Court ordered a stay of payment for FWU LIFE INSURANCE LUX S.A.

INVESTMENT FUNDS:

BSP

• AIF I Clarification by the CSSF on controls for Luxembourg depositaries of AIFs investing in illiquid assets

DLA PIPER

• Change of control provisions in investment fund structures

ELVINGER HOSS PRUSSEN

• New ELTIF regulatory technical standards

LOYENS & LOEFF

• Luxembourg regulator issues recommendations for portfolio management delegation by Luxembourg fund managers

VANDENBULKE

• Investment Funds: ELTIF RTS published and in force

MARITIME LAW

BONN SCHMITT

• Maritime law divides Mexico and Luxembourg: A Luxembourg vessel detained by Mexico

RESTRUCTURING AND INSOLVENCY:

OGIER

• Voluntary liquidation / dissolution of a Luxembourg company | Ogier

WHITE COLLAR AND BUSINESS CRIME:

LOYENS & LOEFF

• New EU Anti-Money Laundering Regulation impacts foreign entities pursuing business in the Union

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Best regards,

BCC Secretariat