

## BCC TAX & LEGAL NEWSLETTER 2023 #2

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 of 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 **January to February 2023**. 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](mailto:info@bcc.lu).

### ***Tax Newsletter***

ATOZ:

- [Tax Litigation Update: Tax Treatment of share class redemptions](#)

EY:

- [Luxembourg 2023 Tax and Legal Forecast](#)
- [Luxembourg revises salary requirements for certain third-country nationals](#)

PwC:

- [Social parametres applicable from 1 January 2023](#)

### ***Legal Newsletter***

#### **BANKING/FINANCE**

BONN STEICHEN & PARTNERS:

- [CSSF | Increase in fees with adoption of new Grand-Ducal Regulation](#)

DSM Avocats à la cour:

- [Professional payment guarantees: how are they used after two and a half years of application of the law?](#)

OGIER:

- [Credit lines to Luxembourg funds: to whom should we talk?](#)
- [Fund finance lending: a practical checklist](#)

PwC Legal:

- [News - CSSF Transparency enforcement priorities for your 2022 financial information publication](#)

SIMMONS & SIMMONS LUXEMBOURG LLP:

- [EBA Guidelines on loan origination and monitoring](#)

#### **CAPITAL MARKETS**

DLA Piper:

- [How to structure, manage and protect securitisation investments?](#)

Loyens & Loeff Luxembourg Sàrl:

- [Capital markets outlook 2023](#)

#### **CORPORATE / M&A**

BONN STEICHEN & PARTNERS:

- [Legality of the use of information on beneficial owners following CJEU's 22 November 2022 judgment](#)

MOLITOR Avocats à la Cour:

- [A new procedure for administrative dissolution without liquidation](#)

## **DATA PROTECTION**

BAKER & MCKENZIE:

- [Court of Justice of the European Union confirms individuals have the right to know to whom their personal data has been disclosed](#)

DSM Avocats à la cour:

- [A surprising decision was taken by the CNIL on 20 December 2022 concerning the use of personal data in the European Union without applicability of the GDPR](#)

NautaDutilh Avocats Luxembourg S.à r.l.:

- [Data Protection in Belgium: the 2023 focus of the BDPA](#)

PwC Legal:

- [News - NIS 2 Directive: an increased scope for a safer and cybercrime-free Union?](#)

## **EMPLOYMENT**

ALLEN & OVERY S.C.S.:

- [3 key topics for Luxembourg employers in 2023](#)

## **ESG**

CLIFFORD CHANCE:

- [ESG: WHAT TO EXPECT FROM FINANCIAL REGULATORS IN 2023 – DISCLOSURES, DATA AND 'GREENWASHING' IN THE SPOTLIGHT](#)

BONN STEICHEN & PARTNERS:

- [Report on incorporating ESG Risks in the supervision of investment firms](#)

MAPLES GROUP:

- [ICLG Environmental, Social & Governance Law 2023: Luxembourg](#)

OGIER:

- [SFDR and EU Taxonomy – the latest developments](#)

## **FINANCIAL REGULATION**

ALLEN & OVERY S.C.S.:

- [New reporting standards under EMIR: 203 reporting fields, one deadline, huge sanctions](#)

CLIFFORD CHANCE:

- [INSURER RESOLUTION -HOW DO THE NEW UK AND EU REGIMES COMPARE?](#)

DLA Piper:

- [Enforcement of a Luxembourg pledge over shares by X.Guzman](#)

SIMMONS & SIMMONS LUXEMBOURG LLP:

- [Circular CSSF 22/827](#)

## **INSURANCE**

ALLEN & OVERY S.C.S.:

- [Strengthening of the supervision of the use of governance arrangements in third countries to perform insurance \(including intermediary\) functions or activities](#)

## **INTELLECTUAL PROPERTY**

DLA Piper:

- [Compulsory licensing of intellectual property rights](#)

## **INVESTMENT FUNDS**

ELVINGER HOSS PRUSSEN:

- [AED: filing deadlines of the RC Report and the AML/CFT Questionnaire for RAIFs covering year 2022](#)

LINKLATERS LLP:

- [ELTIF 2.0 formally adopted in European Parliament](#)

Loyens & Loeff Luxembourg Sàrl:

- [ELTIF 2.0 adopted by the European Parliament – a further boost for Luxembourg as a pan-European retailisation hub of private funds?](#)

MAPLES GROUP:

- [CSSF Clarifies Eligibility to Open Cash Accounts for Luxembourg AIFs](#)
- [Funds & Investment Management Update - Luxembourg - Q4 2022](#)

PINSENT MASONS LUXEMBOURG:

- [ELTIF 2.0' is a welcome step forward but will need time to kick in](#)
- [ESMA consults on ESG and sustainability-related terms in fund names](#)

PwC Legal:

- [An \(almost\) comprehensive guide to the new ELTIF regulation](#)

SIMMONS & SIMMONS LUXEMBOURG LLP:

- [Launch of the SFDR data collection for investment fund managers](#)

## **IT**

BONN SCHMITT:

- [NFTS AND VIRTUAL GOODS AS TRADEMARKS](#)

## **LITIGATION**

BAKER & MCKENZIE:

- [Luxembourg announces its intention to withdraw from the Energy Charter Treaty - What effects will such intent have on current and future investments?](#)

LINKLATERS LLP:

- [New draft law implements Regulation on mutual recognition of freezing and confiscation orders throughout the EU](#)

## **REAL ESTATE**

BONN SCHMITT:

- [Commercial Lease: the Constitutional Court has declared unconstitutional the limitation of the rent](#)

ELVINGER HOSS PRUSSEN:

- [Subletting and the fight against speculation](#)

## **RESTRUCTURING AND INSOLVENCY**

Loyens & Loeff Luxembourg Sàrl:

- [Restructuring proceedings in the post-Brexit era: what are the implications for Luxembourg?](#)

## **WHITE COLLAR AND BUSINESS CRIME**

BAKER & MCKENZIE:

- [Access to the register of beneficial owners](#)

DSM Avocats à la cour:

- [A new procedure for accessing the RBE](#)

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Best regards,

BCC Secretariat