



INFORMATION NOTE

What is the CRS?

The Common Reporting Standard (hereafter "CRS"), is a regulation initiated by the OECD, aiming at preventing tax evasion and leading to a global automatic exchange of information between CRS-participating jurisdictions. A CRS participating jurisdiction (or "CRS jurisdiction", is a country that agreed to implement the CRS).

The CRS has been implemented at European Union level through the Directive on Administrative Cooperation (Directive 2014/107/UE), known as "DAC 2". Relationship with non-EU countries are ruled by mean of multilateral agreements called "Multilateral Competent Authority Agreement".

The CRS requires financial institutions to report financial accounts held, directly or indirectly, by account holders that are tax residents in a CRS jurisdiction.

For further information please consult the OECD file:



Is CRS applicable in Luxembourg?

Luxembourg, as a European Union Member State, implemented the «DAC 2» in his national legislation. As a consequence, Luxemburg Financial Institutions, such as AMFIE, must report information collected to the local tax authority (Administration des Contributions Directes) that will in turn forward the information to the tax authorities of the account holder's countries of tax residence(s).

Who is within the scope of CRS?

The CRS regulation applies to any Financial Institution located in a CRS jurisdiction and obliges those Financial Institutions to identify residents of another [CRS jurisdiction](#). CRS applies to both individuals and entities.

For the purpose of identifying CRS-jurisdiction residents, Financial Institutions are required to obtain self-certifications from their accounts holders. Among others, self-certifications information must include the country(ies) of tax residence and the [tax identification number\(s\)](#).

What is required by CRS for individuals?

CRS requires Financial Institutions to:

1) Identify customers for whom one of the following CRS indicia appears:

- Address (mailing, residence, post office box or care-of) in a CRS jurisdiction;
- Telephone number from a CRS jurisdiction ;
- Standing instructions from their AMFIE account to an account maintained in a CRS jurisdiction;
- Power of attorney on their account granted to a person with a CRS jurisdiction address (mailing, residence, post office box or care-of).

2) Document customers with CRS indicia.

This means customers have to sign a self-certification form to confirm their CRS tax residence(s).

3) Report the following information:

- the identity and identification information of the CRS tax resident;
- their accounts and account balances;
- the financial income on these accounts, including gross proceeds.

The first reporting will occur in 2017 and will cover

the year 2016.

What does CRS mean for AMFIE members?

Since 01/01/2016, AMFIE is required to obtain from new members tax residence(s) for tax purposes, and their related tax identification number(s). Without this information, AMFIE is not authorized to open an account.

For members (account opened before 01/01/2016) and who did not complete the self-certification*, AMFIE will report to one or several jurisdictions, depending on the information(s) available in the member's file.

**The self-certification of residence for tax purpose form is available on the members' area of AMFIE's website or can be sent upon request to the Secretariat*

