



**Handling inactive business relationships**  
We assist you to overcome the obstacle



# Your obligations

according to the Law of 30 March 2022

The law of 30 March 2022 (“The Law”) on inactive accounts, inactive safe-deposit boxes and unclaimed insurance contracts clarified requirements for **credit institutions and insurance undertakings** but created new challenges that can result in operational or regulatory burdens.

## The professional must diligently adhere to the following obligations, arranged in sequential order<sup>1</sup>:



### Implementation of adequate internal organization

You must implement policies and procedures and have the proper internal organization to identify and monitor inactive business relationships or those who will become inactive.



### Timely detection of inactive accounts, insurance policies or safe-boxes

Once the holder does not carry out transactions and maintain contact, it becomes essential to diligently monitor the business relationship.



### Issuance of the 1st registered letter

After 3 years of inactivity, you shall inform the holder of the consequences of inactivity by registered letter. The letter should be sent within 3 months following the expiry of the three-year time frame.



### Conducting research to identify new contact details

3 months after the registered letter has been sent, If the relationship is not reactivated and the sum of the balances of all accounts held by the holder exceed EUR 2,500 you must conduct researches\* to identify new contact details and reach out to the holder.

\* You may charge and debit the research fees effectively incurred back to the holder



### Issuance of the 2nd registered letter

After 9 years of inactivity, you shall inform the holder again by registered letter within 3 months following the expiry of the nine-year time frame.



### Preparation of the consignment request

After 10 years of inactivity, you shall request the consignment of the assets registered on the inactive account, not claimed by the holder, or a right holder to the Caisse des Dépôts et Consignations (“CdC”) within 3 months following the expiry of the ten-year time frame.



### Reporting to authority's

Every year in February you have to report to your supervisory authority (CSSF, CAA):

- The total number of holders of inactive accounts/safes/insurance policies
- The total number of inactive accounts/safes/insurance policies
- The overall balance of all inactive accounts/insurance policies

<sup>1</sup>The presented guidelines refer to inactive accounts. It should be noted that the law provides for divergent deadlines regarding the requirements for insurance contracts.

## Our service offer

Individually tailored to meet your needs, our team of experienced professionals in business intelligence, AML/CTF and project management, can offer the following services as a complete and single solution.

Entity Type	Banks Life insurance companies Safe deposits providers	Investment funds (manager) PFS FI closing business
Applicable law/regulation	Law of 30 March 2022	Law of 29 April 1999 and CSSF Circular 15/631

We can support you with the following services based on the requirement of the law of 2022 and the requirement of the Law of 29 April 1999 and CSSF Circular 15/631



Perform a gap analysis and update of your current internal policies and procedures against the latest legal and regulatory standards



Support in gathering the compulsory information and documents for mandatory consignment request after 10 years of inactivity as required by The Law



Assist in identifying and classifying inactive relationships with IT support



Assist and coordinate the entire process including the periodic report to the authorities in accordance with regulatory standards



Perform Open-Source Intelligence (OSINT) searches to identify new contact details, update anti-money laundering/know your customer (AML/KYC) information, initiate contact with inactive client and ensure compliance with regulatory standards



Support in gathering the mandatory information and documents in the scope of a bilateral agreement for the transfer to the CdC



Perform an independent AML/CTF Risk Assessment on inactive accounts, safe-boxes, insurance contracts or investors and documentation of the results



Our restructuring practice has a dedicated liquidation desk of full-time professionals with a proven track record to handle the day-to-day tasks of your company/fund liquidation



Requirement of Law of 30 March 2022, Law of 29 April 1999 and CSSF Circular 15/631



Requirement of Law of 30 March 2022



Requirement of Law of 29 April 1999 and CSSF Circular 15/631

## Your benefits



Redirect your crucial business and compliance resources to nurture profitable client relationships and explore new opportunities



Reduce inactive business relationships on a timely manner to prevent delays in liquidation procedures regarding unmet liabilities due to loss of contact with holders of accounts, safe-deposit boxes, insurance policies, beneficiaries or investors



Gain efficiency, convenience, streamlined communication, reduced costs and reduced administrative burden with our one stop shop service offer



Reduce on- and off- balance sheet liabilities



Prevent operational discussions regarding inactive accounts, safe-deposit boxes, insurance policies



Reduce and prevent inactive business relationships

## Credentials

Performance of OSINT searches using public sources to identify potential points of contact of account holders, with a success rate of 73% for various bank.

Conduct of AML/CTF Risk Assessments for various banks as part of a transfer of 500 + bank accounts to the CdC.

Support in the preparation and consolidation of required documentation for the transfer of accounts to the CdC.

Coordination of the entire process, from identifying points of contact to transferring bank accounts to the CdC.

Performance of regulatory Gap-Analyses and amendment of policies and procedures for various credit institutions.

Contact and liaising with CdC to facilitate consignment process and remedy any blocking point.



# Contacts



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