

## Luxembourg Tax Authorities issue notices on missing 2014 FATCA reports

### Closing the distance

Global Financial Services Industry



#### Luxembourg Tax Alert: Late FATCA reporting? Avoid a potential fine!

The Luxembourg Tax Authorities recently issued a number of notices to Financial Institutions related to their obligations for 2014 FATCA reporting.

Many of the letters issued have a **16th March deadline** by which to respond. Given that there is a lead time in registering with the Luxembourg filing gateway, we would recommend that financial institutions address this as soon as possible.

#### What are the potential penalties?

According to the Luxembourg Law dated 24 July 2015, where reasonable due diligence obligations are not met, or where exchange of information mechanisms are not sufficiently implemented, a Reporting Model 1 Financial Institution could incur an administrative fine of a maximum of EUR 250,000.

If reporting obligations are not met, or in the case of late, incomplete or incorrect information, a reporting financial institution could be exposed to an administrative sanction of 0.5% of the total amount that should have been communicated, with a minimum of EUR 1,500.

## How Deloitte can help

Deloitte can assist in the preparation of FATCA reporting and filings with the Administration des Contributions Directes (ACD). Our existing FATCA reporting infrastructure allows us to complete filings within a short timeframe. We have successfully completed year 1 filings for numerous clients and may be able to provide additional assistance when necessary.

Please note that a nil return is still required to be filed, even when a Financial Institution does not have reportable accounts.

For more information please [click here](#) or please contact:

**Denise Hintzke**

Director, Global FATCA  
Tax Leader  
Deloitte Tax LLP  
+1 212 436 4792

**Anne Mericle**

Senior Manager, Global FATCA  
PMO  
Deloitte Tax LLP  
+1 212 436 3908

**Susan Segar**

Director, Global  
Information Reporting  
Deloitte Tax LLP  
+1 703 885 6328

**Susan Schultz**

Director, FATCA Global  
Delivery Center (GDC)  
Operations Leader  
Deloitte Tax LLP  
+1 612 397 4604

**Matthew Cahill**

Partner, Global Information Reporting  
Deloitte Tax LLP  
+1 212 436 3420

**David C Wright**

FATCA Tax Leader, UK  
Deloitte United Kingdom  
+44 20 7303 4641

**Pascal Eber**

FATCA Tax Leader, Luxembourg  
Deloitte Tax & Consulting  
+352 45145 2649

This alert contains general information only and Deloitte is not, by means of this alert, rendering accounting, business, financial, investment, legal, tax, or other professional advice or services. This alert is not a substitute for such professional advice or services, nor should it be used as a basis for any decision or action that may affect your business. Before making any decision or taking any action that may affect your business, you should consult a qualified professional advisor. Deloitte shall not be responsible for any loss sustained by any person who relies on this alert.

**About Deloitte**

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see [www.deloitte.com/about](http://www.deloitte.com/about) for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms. Please see [www.deloitte.com/us/about](http://www.deloitte.com/us/about) for a detailed description of the legal structure of Deloitte LLP and its subsidiaries. Certain services may not be available to attest clients under the rules and regulations of public accounting.

Copyright © 2016 Deloitte Development LLC. All rights reserved.  
Member of Deloitte Touche Tohmatsu Limited