



Association des Banques et Banquiers, Luxembourg  
The Luxembourg Bankers' Association  
Luxemburger Bankenvereinigung



Member of



# TABLE OF CONTENTS

FOREWORD BY OUR CHAIRMAN	2
FOREWORD BY OUR CEO	4
KEY FIGURES	6
ABBL CLUSTERS	16
Private Banking	16
Retail Banking	18
Corporate Finance, Capital Markets and Cash Management	20
Digital Banking and FinTech Innovation	22
Depository Banking	25
Market Infrastructures	26
ABBL/ALFI EU REPRESENTATIVE OFFICE	27
Preparing for Brexit and actively closing the legislative cycle	27
TECHNICAL & REGULATORY MATTERS	28
Financial Markets	28
Banking Supervision	30
Legal & Compliance	33
Taxation	37
PSD2	38
Instant payments	39
Trust and Cybersecurity	39
ABBL PROJECTS	40
Employers' Affairs	40
Collective bargaining agreement for bank employees 2018-2020	41
ABBL communication	42
Financial education	42
ABBL publications	44
Corporate social responsibility (CSR)	45
LATEST DEVELOPMENTS IN BANKING AND FINANCIAL LAW	47
GLOSSARY	52



**Guy Hoffmann**  
CHAIRMAN

For many years Luxembourg has been an attractive and successful country with the best credit ratings. Its international banking centre is part of a well-diversified financial ecosystem, with a long-standing expertise in many fields such as corporate, depository and private banking, fintech and other financial services. Our banking and financial community is globally recognised for its expertise in international finance.



# FOREWORD BY OUR CHAIRMAN

Many reasons are behind this success. One of the most relevant factors is probably our openness and capacity to collaborate with partners from around the world. We have also managed to constantly innovate and reinvent ourselves in order to adapt to an ever-evolving world. It is an ongoing process the ABBL is almost always involved in. It implies anticipating all sorts of regulatory, technological or reputational developments impacting the financial system.

The biggest challenge we currently face is the global fight against climate change. This is why the ABBL supports the sustainable finance roadmap, officially launched in October 2018. It establishes an ambitious vision and makes recommendations to lay down the groundwork to set up a comprehensive and far-reaching sustainable finance strategy for the Grand Duchy. This common strategy, and the potency of its success, is fundamental for the whole financial sector, our clients and, probably humankind. Together with its partners, the ABBL has been driving the sustainable development agenda. I believe banks in Luxembourg and elsewhere will have a major role to play in financing and accompanying the transition to a sustainable economy and I am convinced that banks and their employees will successfully help to shape a more purposeful future.

When talking about the future, one cannot omit to mention another vital issue not only affecting the Luxembourg financial centre but our country as a whole: Brexit. Considerable uncertainty remains regarding the crucial future relationship between the European Union and Great-Britain. Currently, the only fact we are certain of is that the City of London was and will remain a key partner of the Luxembourg financial centre. It is essential to maintain this long-standing and fruitful relationship by keeping strong ties between our countries, irrespective of the results of the Brexit discussions.

Last but certainly not least, I have the honour to chair an association celebrating this year its 80th birthday. Eight decades of existence; a long time packed with historic moments, breathtaking developments, and many challenges overcome. Quite a few remain to be faced. I can assure you, the ABBL team, its Management Board, the Board of Directors and myself will continue to work hard in order to be a reliable and trustworthy partner supporting its members in their efforts to successfully meet their objectives.



**Serge de Cillia**  
CEO

In 2018, the ABBL has continued to accompany its members in a series of important technical dossiers including financial market regulation, banking supervision, compliance or tax-related matters. Through an ongoing exchange with partners, political decision makers and civil servants, here in Luxembourg, at European level or beyond, the ABBL has been systematically following and, where necessary, intervening to foster the interests of its members.

# FOREWORD BY OUR CEO



In recent years a lot of ink has been caused to flow due to regulation. And it will most certainly continue to do so. But we at the ABBL have not lost sight of the fact that regulation is not the only driver of change in our industry. Technological innovation driven changes for instance impact significantly our members' organisations, their customers as well as their employees.

The ever-increasing importance of technology in finance, such as distributed ledger technology or artificial intelligence brings great opportunities and bears great responsibility. With the demand driven use of a rapidly raising number of Internet-based financial services, we have to ensure that trust, the single most important aspect of the relationship with customers, remains intact. Protecting customers is a priority for our members and hence for us. It is therefore one of our primary concerns to accompany our members in all relevant aspects linked to the progression of the digitisation of their business.

Also, in an ecosystem shaped by new technologies and regulation, individuals will have to be creative and innovative to make our members succeed. During the negotiation of the new collective bargaining agreement we have put substantial efforts in an outcome that takes this evolution into account. We have made sure banks will continue to be attractive employers offering adequate working environments as well as suitable vocational development possibilities for its staff.

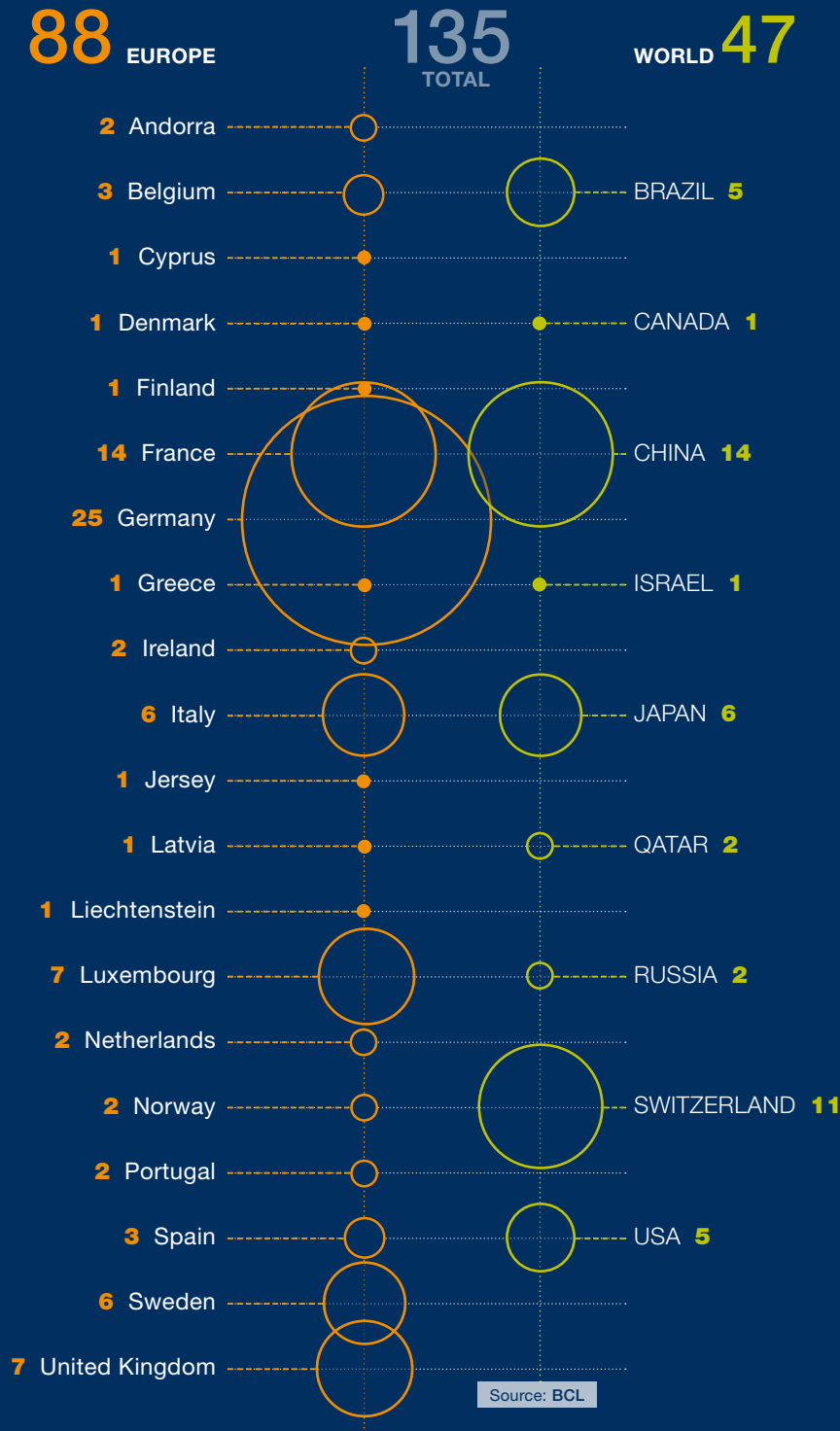
Lifelong learning is the key ingredient for the successful continuity not only of our financial centre but of society as well. This is why the ABBL via its Foundation for Financial Education supports educational projects for all ages and all business and professional sectors in Luxembourg. In order to drive innovation in the banking sector the ABBL will also continue to encourage academic research especially in the field of financial technology.

During its 80 years of existence, one of the key strengths of ABBL has always been to rapidly adapt to shifting environments. Today, changes tend to be manifold, rapid and increasingly disruptive. In the recent past the ABBL has therefore undergone necessary organisational adjustments, rendered necessary by this evolution and allowing to serve our members in the future in the best suited way.

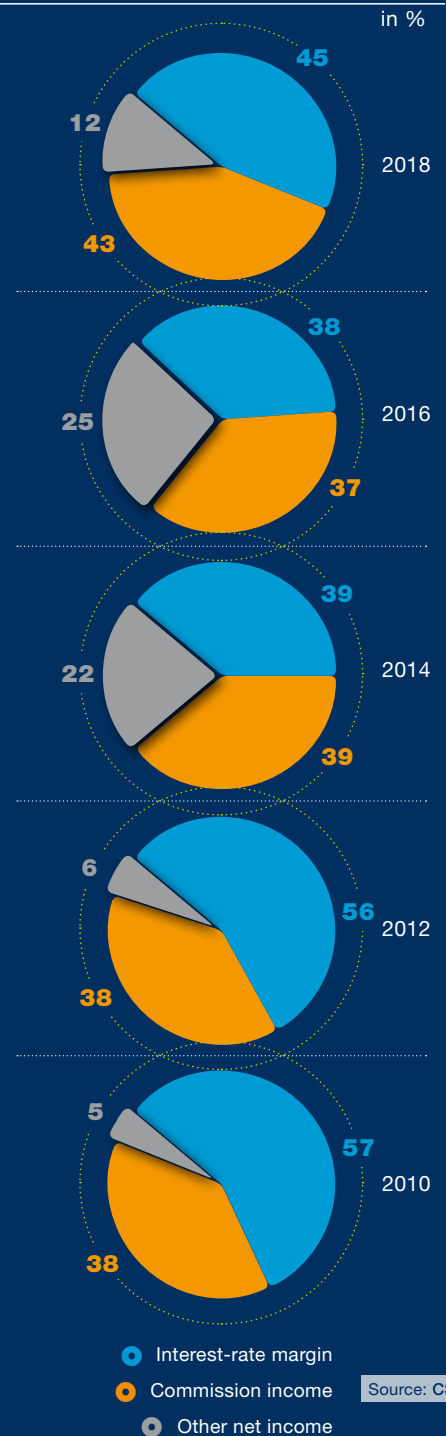
# Banks

STRONG, INTERNATIONAL AND DIVERSIFIED

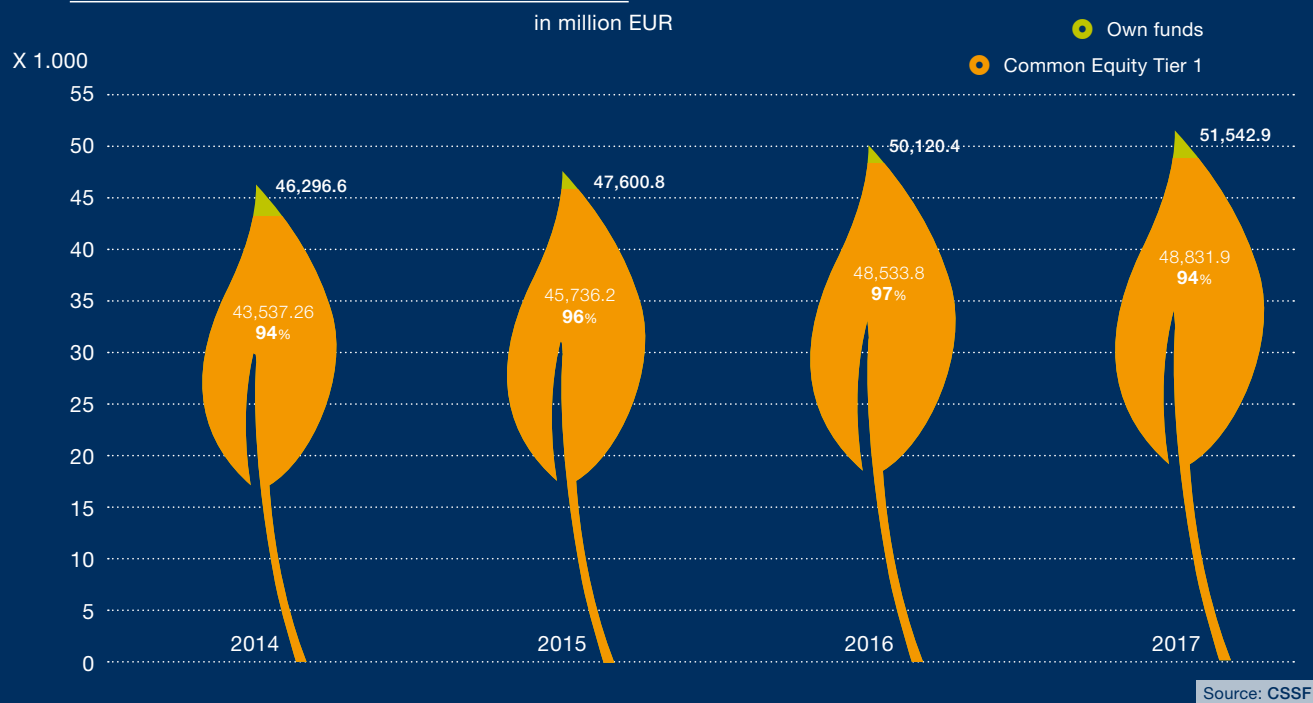
## Number of banks by country of origin



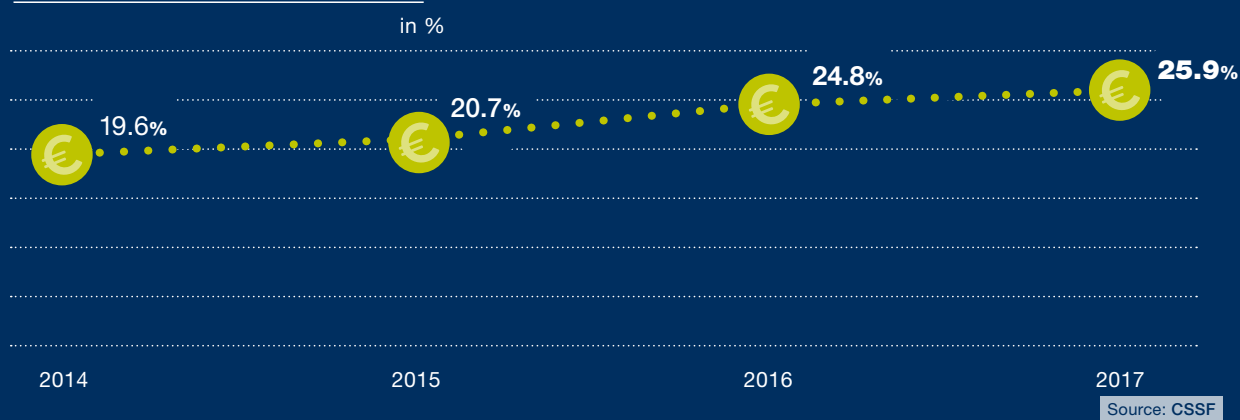
## Source of banking income



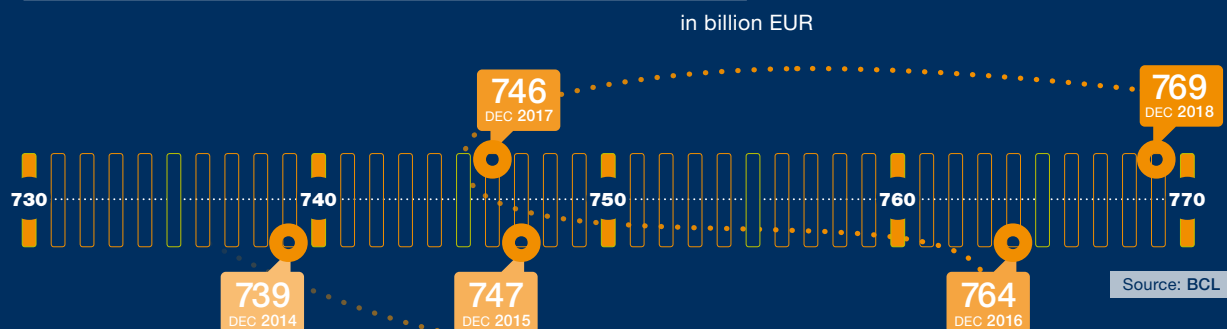
## Total own funds (of which Tier 1)



## Evolution of solvency



## Evolution of banks' balance sheet total

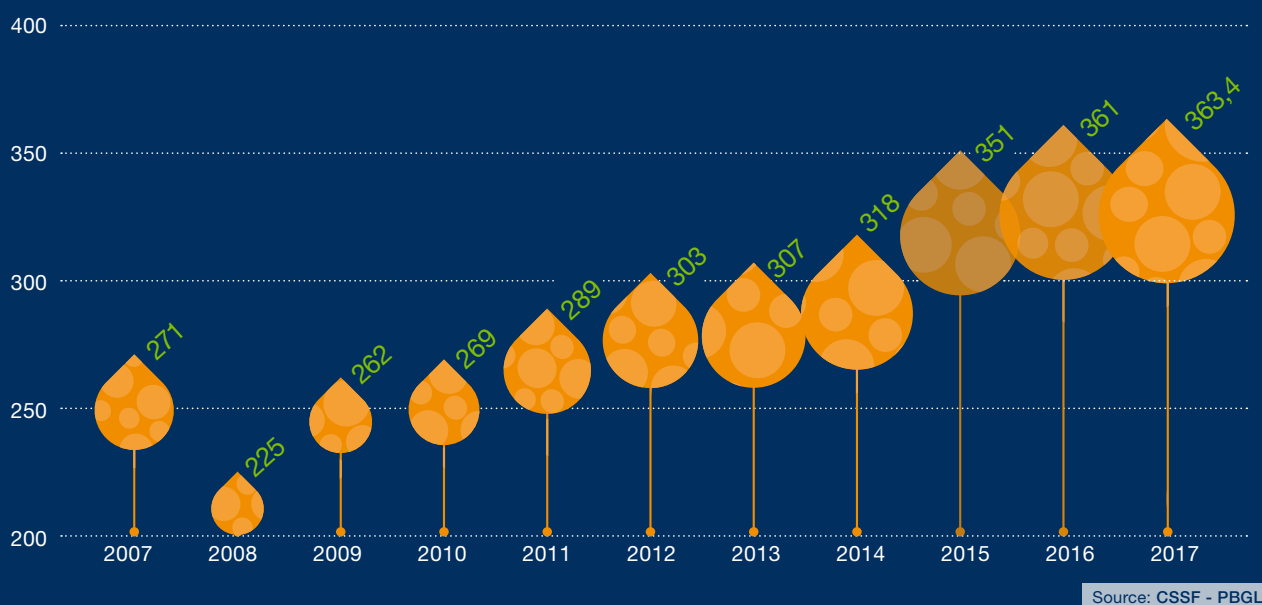


# Private Banking

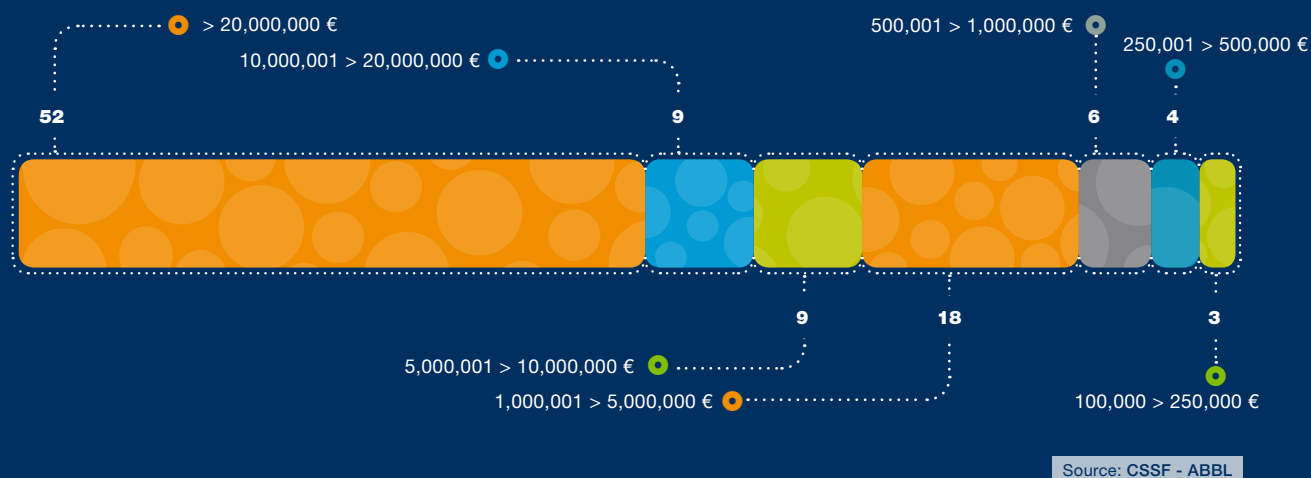
TAILOR-MADE SOLUTIONS FOR INTERNATIONAL CLIENTS

## KEY FIGURES

### Evolution of the Assets under Management (in bln EUR)



### Client Segments according AuM (in %)



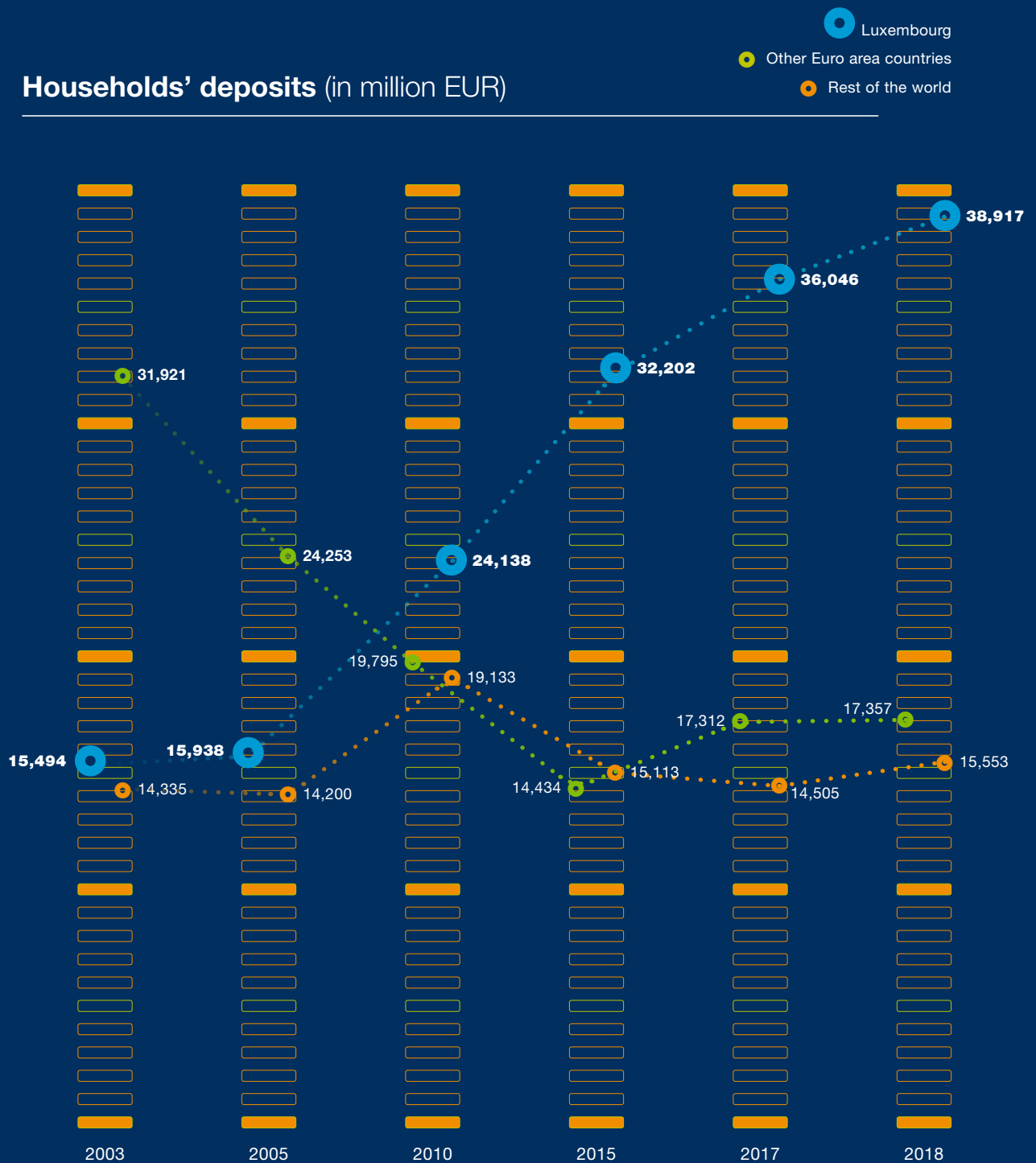
## Geographic origins of assets (in %)



# Retail Banking

WE FINANCE THE ECONOMY

## Households' deposits (in million EUR)



Source: BCL



## Households' loans (in million EUR)

### CONSUMPTION



### REAL ESTATE



### OTHERS



Source: BCL

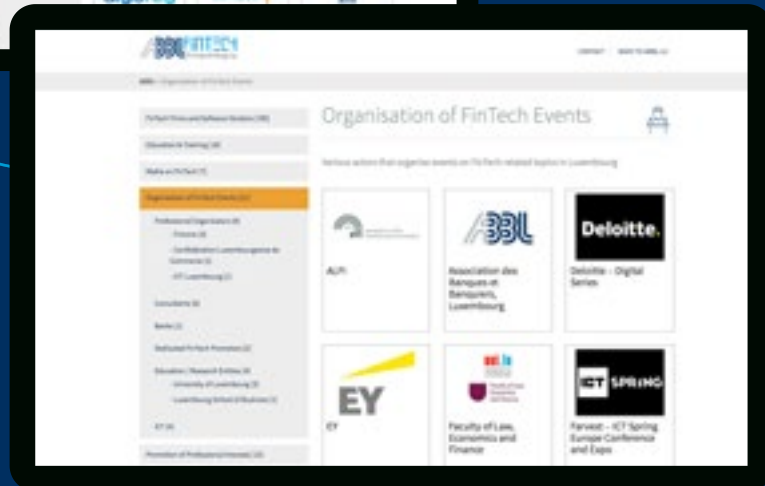
# Digital Banking and Fintech

MOVE FORWARD AND INNOVATE



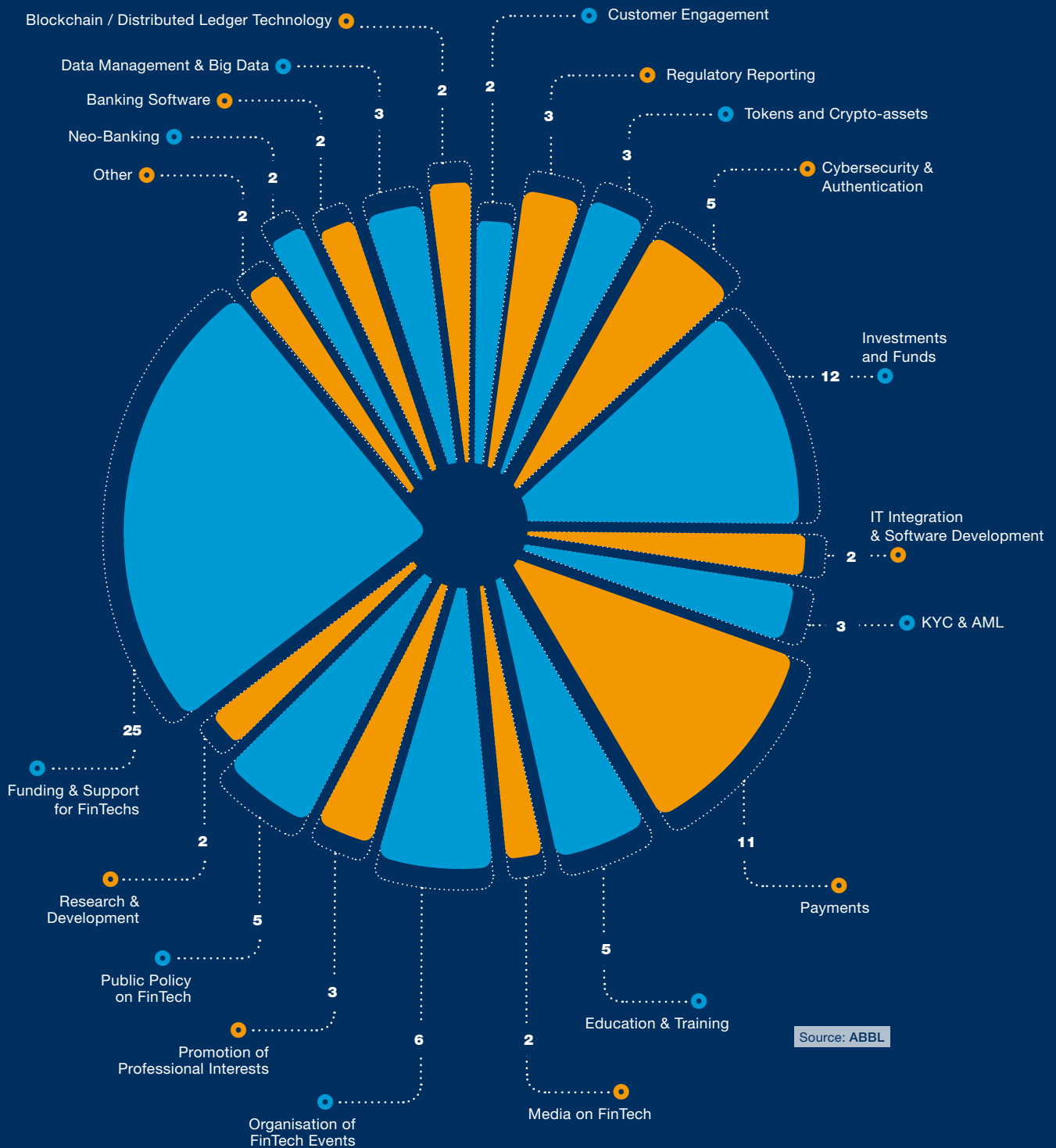
## ABBL'S Fintech Map of Luxembourg

The interactive map is the contribution of the ABBL and its Digital Banking and FinTech Innovation Cluster (DBFI) helping all interested parties to better understand and follow the constantly growing and enhancing FinTech eco-system of Luxembourg.



## Fintech firms and software vendors in Luxembourg (in %)

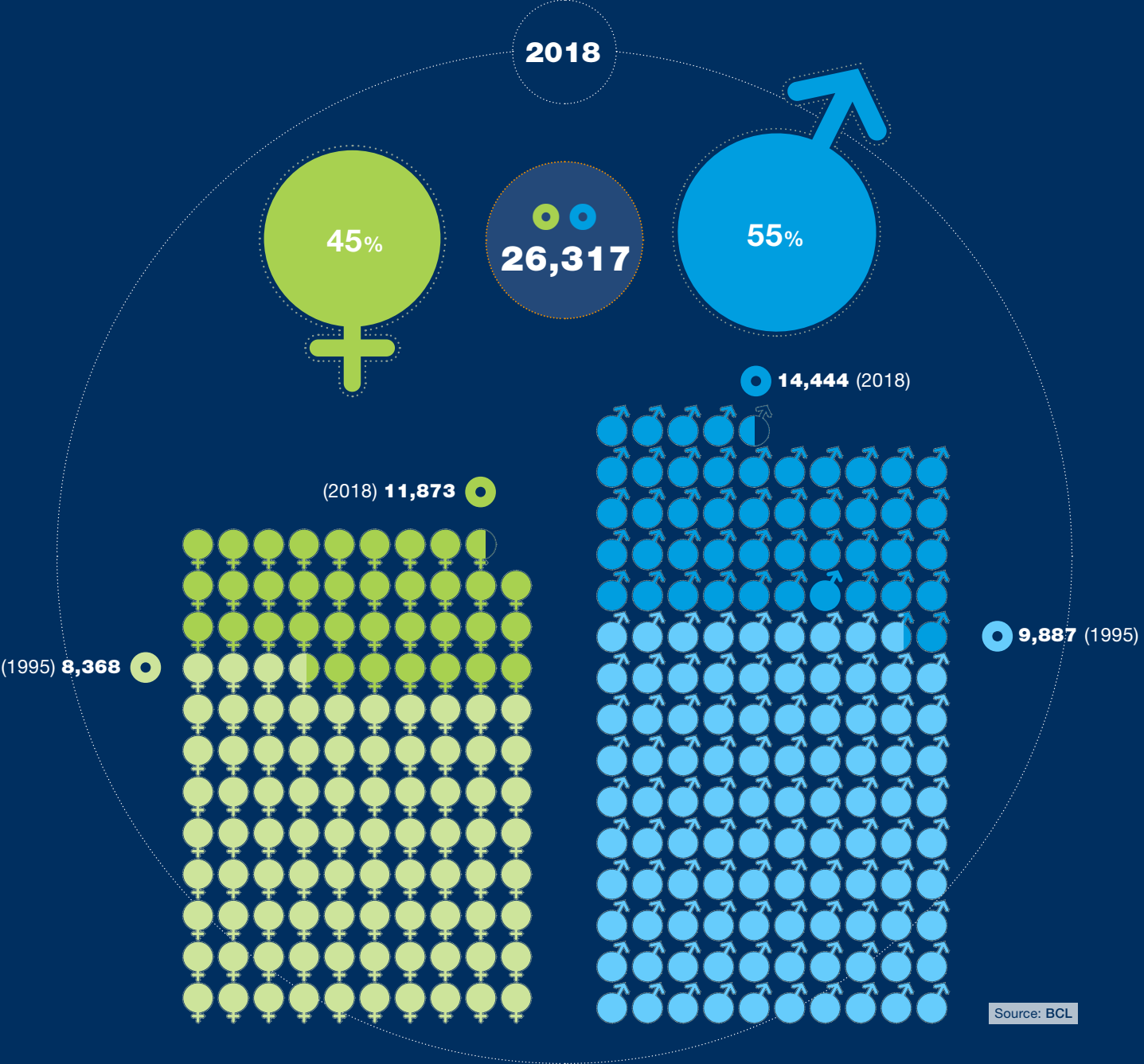
The chart summarizes information about FinTech firms, finance-related software vendors and IT solution providers legally present and commercially active in Luxembourg.

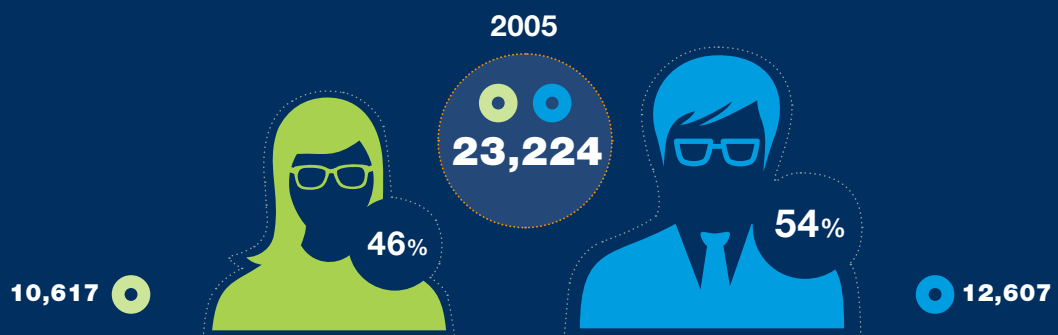
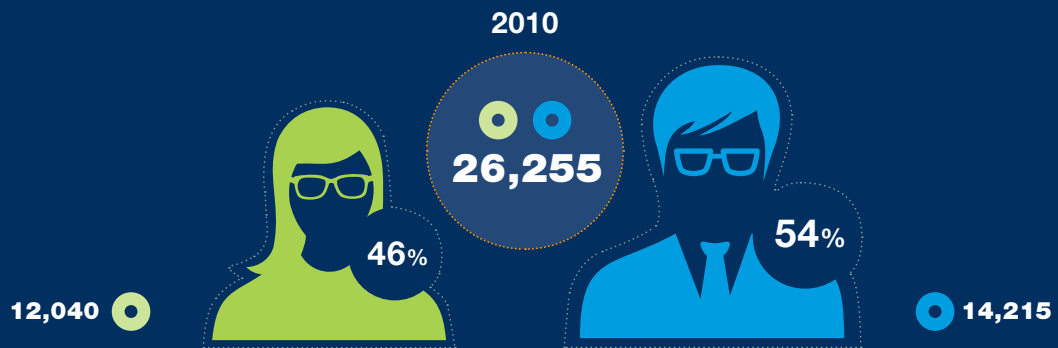
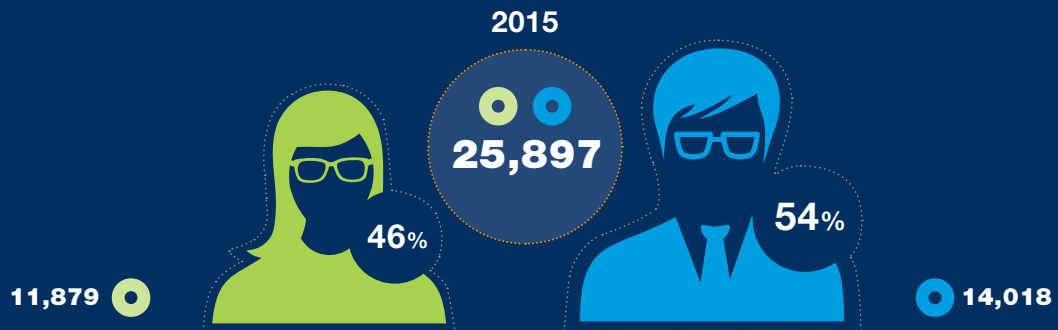


# Employment

SKILLED AND MULTICULTURAL WORKFORCE

## Evolution of total employment in the credit institutions





Source: BCL

# ABBL CLUSTERS



**Private Banking Group  
Luxembourg**

an **ABBL** cluster

Founded in  
**2007**

## BOARD

HEAD **Pierre Etienne**  
Pictet & Cie

VICE-HEADS **François Dacquin**  
BGL BNP Paribas

**Patrick Wagenaar**  
Banque Degroof Petercam

ADVISER IN CHARGE **Fabio Mandorino**

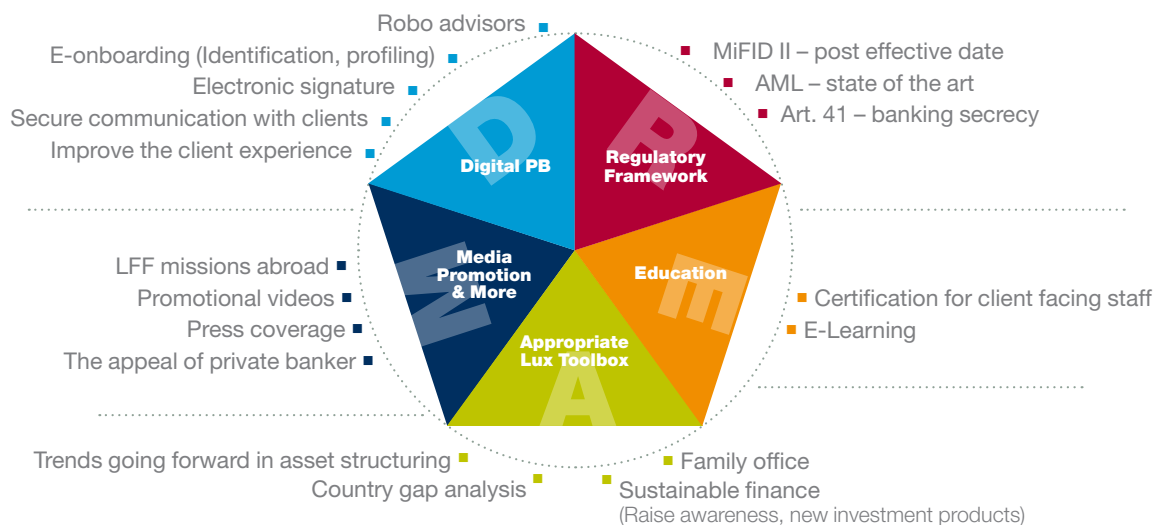
## MISSIONS

- Bring together members of the ABBL who are active in private banking
- Enhance qualifications and professionalism of members active in private banking by promoting standards, practices, ethical and deontological norms, support training appropriate to the profession
- Link with relevant actors that may support its goals in and out of Luxembourg

## 2018 ACTIVITIES

- Publication of the annual CSSF / ABBL Private Banking Survey 2018
- Supporting the promotional efforts of Luxembourg For Finance its missions abroad
- Launch of the ABBL / KPMG study on Digital Private Banking in Luxembourg
- Support the Deloitte study of Independent wealth management in Luxembourg – Perspective on a sector at crossroads

At the beginning of the year 2018, the [Private Banking Group, Luxembourg](#) (PBGL) executive board set up the strategic priorities that will continue to shape the future of the Luxembourg private banking industry in the coming years. The graphic below illustrates the key issues to be addressed.



In June, the PBGL has published the results of the 11<sup>th</sup> edition of the CSSF / ABL Private Banking Survey 2018 (with figures as of end of 2017), showing that 2017 was a stable year for Private Banking in Luxembourg. In particular, the evolution of assets under management of private banks in Luxembourg was stable, growing by 0.7% compared to the previous year. Total assets under management amounted to € 363.4 billion, 35% above the level reached before the 2008 financial crisis.

In terms of geographical origin of assets, the EU remains the main market. Nevertheless, banks are expanding their geographic reach in the rest of Europe as well as beyond Europe, including Latin America and the Middle East.

The Private Banking Survey of 2018 has also highlighted a stabilisation of the market structure. Clients with assets under management of more than € 5 million represent 70% of the total assets.

Overall the evolution of the private banking sector in Luxembourg remains positive, given a number of specific challenges that remain to be solved in order to maintain the competitiveness of private banks in Luxembourg. These challenges can also be opportunities for growth and development.

On 4 December 2018, the PBGL held its annual members' meeting in presence of Claude Marx, Director General at CSSF who gave a keynote speech focusing on the regulator's perspectives on the development of the private banking industry in Luxembourg.



PBGL Annual members' meeting

At the same occasion, KPMG presented the results of the KPMG / ABL study on digital private banking. The study took a deep look at digitisation efforts of private banks in Luxembourg, with particular emphasis on client interaction.



## Retail Banking Cluster Luxembourg

an  cluster

Founded in  
2008

### BOARD

HEAD  
ING **Colette Dierick**

VICE-HEAD **Claude Hirtzig**  
BCEE

ADVISER IN CHARGE **Simone Kayser**

### MISSIONS

- Foster and defend the professional interests of members active in retail banking
- Enhance the qualifications and professionalism of members active in retail banking by promoting standards, practices, ethical and deontological norms; developing training appropriate to the profession
- Link with relevant actors that may support its goals in and out of Luxembourg

### 2018 ACTIVITIES

- Annual CSSF / ABBL Retail Banking Survey 2017 / 2018
- Update on the study regarding the potential setting up of a credit register
- Collection of macroeconomic data on real estate lending in Luxembourg
- Proposal for a directive on representative actions for the protection of the collective interests of consumers
- LuxTrust: review of client experience with LuxTrust devices

In 2018, the [Retail Banking Cluster, Luxembourg](#) (RBCL) focused on the following topics:

#### Law of 13 June 2017 on payment accounts

Some of the provisions of the Law implementing the Payment Accounts Directive of 2014 on payment accounts, came into force in 2018. In order to improve transparency and comparability of fees of key services linked to payment accounts, the following requirements are introduced:

- Payment Service Providers (PSPs), including banks, must make available a glossary of standard terms and definitions to consumers;

- PSPs shall provide consumers with a pre-contractual fee information document and an annual statement of fees;
- Comparison website on the fees related to payment accounts: As from 1 November 2018, a comparison website on the fees related to payment accounts is operated by the CSSF. This website lists the fees charged for services regarding online banking, arranged overdraft, account statement, provision of a credit card and a debit card,

standing order, cash withdrawal, maintenance of the account, direct debit and credit transfer, which are offered by PSPs which are supervised by the CSSF and fulfill certain criteria laid down by the Law.



### Agreement on Student loans

A new agreement on financial aids for higher education has been signed between retail banks and the Ministry of Higher Education.

### Draft law N°7218 on macro-prudential measures regarding residential mortgage loans

The main purpose of the draft law is to complement the legal framework of macro prudential supervision of the systemic risks in the real estate market in Luxembourg. To do this, the draft law enables the CSSF to impose various limits for granting mortgages for residential property located in Luxembourg in case of potential risks to financial stability. The CSSF may only adopt such measures following the recommendation of the Systemic Risk Committee and after consultation with the *Banque Centrale du Luxembourg (BCL)*. The draft law follows an evaluation process made by the European Systemic Risk Board identifying vulnerabilities of the Luxembourg real estate market.

The ABBL issued an opinion on the draft law deploring that no impact assessment has been carried out prior to the draft law to verify the effect and appropriateness of the new measures. In fact, the proposed measures could restrict significantly residential mortgage lending and by that way impacting the construction industry and the national economy in general.

Therefore, the ABBL considers that it is crucial that the text clearly defines the scope and the duration of the measures.

Furthermore, the ABBL considers that, in order to avoid a distortion of competition between national and foreign banks, it is important, that national authorities of other Member States recognize the conditions set up by the CSSF for granting mortgage for properties located in Luxembourg.

### CSSF Circular 18/703 regarding the introduction of a semi-annual reporting of borrower related residential real estate indicators

The purpose of the circular is to collect reliable and conclusive data to enable the CSSF to monitor the residential real estate sector risks at macro-prudential level.

A technical working group was set up by the CSSF with the participation of ABBL member banks active in the domestic real estate market with a view to clarify the scope of the data to be collected and agree on common definitions with respect to the real estate indicators to be collected.

## Corporate Finance, Capital Markets and Cash Management Cluster Luxembourg

an cluster

FOUNDED FOR ENHANCING THE FORMER COMMERCIAL BANKING CLUSTER

Founded in 2014

### BOARD

HEAD **Frank Krings**  
Deutsche Bank

VICE-HEADS **Damien Degros**  
ING

**Thorsten Schmidt**  
NordLB

ADVISER IN CHARGE **Fabio Mandorino**

### MISSIONS

- This Cluster is strategically focused on the central financial and nonfinancial intermediation roles of banks and other financial market intermediaries in the international corporate and wholesale markets, encompassing
- Corporate Finance (also including ESG finance and loan agency)
- Capital Markets (also including covered and green bonds, and ESG investing)
- Cash Management (also including payments and treasury)

### 2018 ACTIVITIES

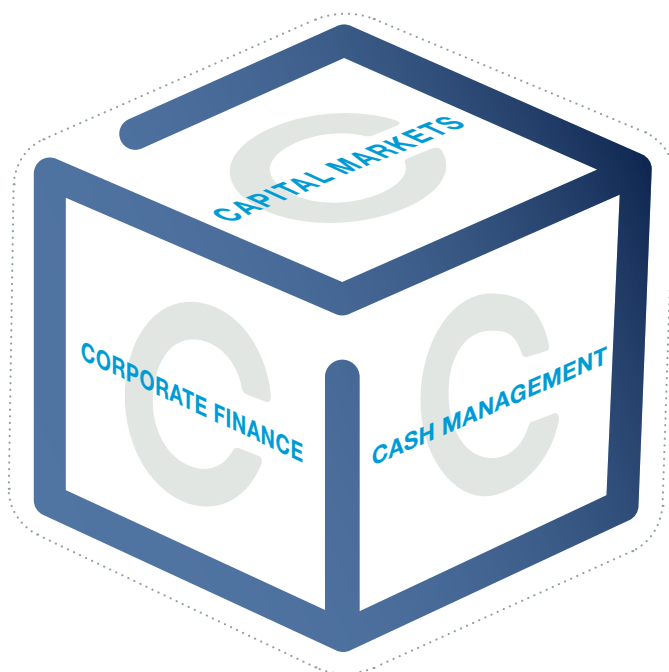
- Comprehensive contribution to the “Corporate Finance” brochure published by Luxembourg for Finance
- Input into the forthcoming transposition of relevant EU directive on Fiduciary activities into national law
- Continued advocacy in relation to the harmonization of the covered bond business across Europe by the European Commission

In 2018, the refocusing and intended rebranding of the Commercial Banking Cluster into [Corporate Finance, Capital Markets and Cash Management Cluster, Luxembourg](#) (Ccube) went hand in hand with the ABBL's agenda of increasing communication and reinforcing trust as well as paving the way to define a vision, set-up a strategy and selecting topics likely to add value to and federate its members.

The Executive Board of the ABBL cluster, entirely dedicated to banks active in corporate and commercial banking including relevant intermediary services decided to enhance the cluster's relevance and strategic ori-

entation by focusing on central financial and non-financial intermediation roles of banks and other financial market intermediaries in the international corporate and wholesale markets.

As a result, 3 main pillars were identified as the backbone of the cluster's activities going forward:



**Corporate Finance**, focusing on among others on risk and maturity transformation, multipartite intermediation, governance and safeguards. The Corporate Finance remit of the cluster shall also include ESG (Environmental, Social and Governance) finance and loan agency.

**Capital Markets**, focusing on e.g. format conversion and fungibility, eligibility assessment, risk management (including hedging), and information intermediation. The Capital Markets remit of the cluster shall also include covered and green bonds, and ESG investing.

**Cash Management**, focusing on e.g. liquidity management and funding, liquidity and payment intermediation. The Cash Management remit of the cluster shall also include payments and treasury.

The Ccube also gave its relevant support in the process of introduction in Luxembourg law of a new type of covered bond "*lettres de gage énergies renouvelables*" that will further strengthen Luxembourg's position as a centre of competence in the field of green finance.

The new law aims at completing the range of products and services available to market participants and reflects the pioneering spirit that Luxembourg has always shown in this area. In particular, the law intends to:

- Create a legal framework with clear criteria and standards that will increase the confidence of potential investors in related products;
- Boost financing of environmental and climate protection projects (including renewable energy, waste, water treatment or e-mobility projects);
- Revitalize the Luxembourg covered bond market.

The Ccube cluster also decided to become the incubator of the ABBL working group entirely dedicated to sustainable finance. The working group was set up to bring together and combine all the professional expertise and experience present in the Luxembourg financial centre for:

- Defining an ABBL global strategy in the field of sustainable finance (identification of priorities and concrete projects);
- Contributing to the work done at European level as well as locally;
- Establishing a platform to share views and opinions;
- Promoting and raising awareness;
- Teaching.



## Digital Banking and FinTech Innovation Cluster Luxembourg

an  cluster



Founded in  
2015

### BOARD

HEAD **Jean Hilger**  
BCEE

VICE-HEADS **Rolf Bachner**  
BNY Mellon

**Jean Diederich**  
Wavestone

ADVISER IN CHARGE **Andrey Martovoy**

### MISSIONS

- Supporting ABBL's members in achieving the digital transformation of their business
- Connecting the traditional Banking world to the FinTech world

### 2018 ACTIVITIES

- Carrying out of events (PSD2/API, FinTech topics, Artificial Intelligence, Digital Transformation)
- Updating the Luxembourg FinTech Map
- Database of reports and opinion papers on Digital Banking and FinTech
- Training courses in cooperation with the House of Training
- Cloud Computing
- Distributed Ledger Technology
- Crypto-assets and ICO

The [Digital Banking and FinTech Innovation Cluster Luxembourg](#) (DBFIL) brings together **50 members** and **8 FinTech firms** interested in exchanging knowledge and ideas on disruptive technologies as well as on how digitalisation and the rise of FinTech may impact the banking sector and the financial services being offered to more and more demanding customers.

The Cluster focuses on the following goals and the respective tasks:

#### To disseminate the knowledge on Digital Banking and FinTech

- DBFIL Cluster organises matchmaking events to facilitate co-operation between ABBL members and selected domestic and foreign FinTech firms. Each event is usually devoted to a specific topic, for instance:

KYC, AML, Digital Onboarding, Payments, Blockchain, Robo-Advisors, Digital Investments, PSD2 and Open Banking. The ABBL invites representatives of regulators and supervisors to these events to exchange views on specific digital banking and FinTech subjects;

- The ABBL is explaining to its members why Luxembourg is a good location for the establishment of innovation facilities in Luxembourg. On 19 April 2018, DBFIL Cluster organised the event “National and European Funding for Digital Transformation in Financial Services” bringing together Luxembourg Ministry of Economy, Luxinnovation and the European Investment Bank to inform bankers and FinTech firms about different supporting mechanisms available in Luxembourg for innovation;
- DBFIL Cluster is monitoring national and international FinTech landscapes. The Cluster gets in touch with those FinTech firms that could become relevant to its members. During these exchanges the ABBL collects essential information feeding the FinTech Map of Luxembourg ([www.fintechmap.lu](http://www.fintechmap.lu)) and to organize workshops;
- The Cluster organises [workshops](#) on specific digital banking and FinTech topics aimed at bringing tangible outcomes. By the moment, 26 Workshops on GDPR & Technology, KYC, AML, Digital Onboarding, FinTech Partnerships, PSD2 and API were successfully conducted. The first set of workshops on GDPR resulted in the development of respective [FAQs](#) made available online;

- New edition of vocational [training courses](#) “Banking in Transition: Embracing Technological Disruption” covering such areas as Blockchain, Data Analytics, Marketing Automation, Robo Advice, Digital Finance, Customer Lifecycle Management, GDPR, PSD2, Cloud Computing, and Digital Future of Retail, Wealth Management, Private Banking and Fund Industry was developed and scheduled for Autumn 2018 in cooperation with the House of Training;
- An interactive [FinTech Map of Luxembourg](#) was developed providing a non-exhaustive overview of the vibrant and growing FinTech Ecosystem of Luxembourg including the list of FinTech firms and software vendors, funding sources, incubators, facilitators, educators, mass media, policy makers and other stakeholders;
- A database of legislative acts and opinion papers on Digital Banking and FinTech as well as a database of foreign and domestic innovative solution providers are available for DBFI members.

### To influence, explain and cooperate with the regulators in Luxembourg and at the European Union level on the subjects that matter to the member community

- DBFIL Working group “Big Data / Data Analytics” in cooperation with the National Commission for Data Protection (CNPd) developed the discussion paper “*The impact of the GDPR Regulation on Big Data and Data Analytics Projects at Financial Institutions*” and shared it with all ABBL members on 7 May 2018;
- DBFIL Working Group “Distributed Ledger Technology” (DLT) has worked on a discussion paper to be presented to the CSSF;
- Task Force “Cloud Computing” was set up to cooperate with the CSSF on this important subject in the context of [CSSF circular 17/654 “IT outsourcing relying on a cloud computing infrastructure”](#);
- DBFIL Cluster in cooperation with the CSSF conducted a study on Outsourcing KYC/AML tasks to specialised third party providers. The results of the survey were shared with the members;

- DBFIL Cluster launched a discussion on the establishment of a regulatory reporting hub in Luxembourg. Respective [conference](#) with the participation of the [Austrian National Bank](#), the [Banque Centrale du Luxembourg](#), the [CSSF](#) and the [Luxembourg Stock Exchange](#) was conducted in 2017 and triggered further reflections on this topic;

- DBFIL Cluster is also present at the European level by contributing to three taskforces at the [European Banking Federation](#): Blockchain Technologies, Cloud and Outsourcing. Members of the DBFI Cluster were invited to provide their inputs to a number of EBF's position papers and also to demonstrate their DLT proof of concepts to the representatives of the [European Central Bank](#).

### To be an impactful actor in the Digital Banking and FinTech ecosystem of Luxembourg

- The Fondation ABBL pour l'éducation financière and the University of Luxembourg signed an agreement and launched a 4-year research project on Distributed Ledger Prototype and Data Analytics for KYC Processes. ABBL members volunteered to pilot the proof of concept including the [Banque et Caisse d'Epargne de l'Etat](#) and [BNY Mellon Luxembourg](#). The software is under ongoing development, guided by regular meetings with the ABBL pilot members. The first phase of prototype development has been completed and the second stage is under way;

- The ABBL introduced its [FinTech Service Pack](#) for FinTech startups allowing them to get connected with ABBL members and to contribute to shaping of the future banking and financial services in Luxembourg. By the moment, 8 firms joined ABBL's FinTech Service Pack;

- DBFIL Cluster regularly updates and disseminates the list of banks interested in working with foreign and domestic FinTech firms wishing to open a bank account in Luxembourg;
- Currently, DBFIL Cluster is developing a set of actions that would help ABBL members to attract highly qualified IT talents.





an cluster

Founded in  
2014

## BOARD

HEAD **David Claus**  
BNY Mellon

VICE-HEADS **Frédéric Pérard**  
BNP Paribas Securities  
Services

**Eric Guerrier**  
Pictet & Cie

ADVISER IN CHARGE **Gilles Walers**

## MISSIONS

- Foster and defend the professional and strategic interests of banks active in depositary and custody services
- Develop policy and market guidelines for the depositary and custody industry
- Reference point for interactions on depositary and custody activities with authorities and other actors of the depositary ecosystem

## 2018 ACTIVITIES

- Foster and defend the professional and strategic interests of banks active in depositary and custody services
- Develop policy and market guidelines for the depositary and custody industry
- Reference point for interactions on depositary and custody activities with authorities and other actors of the depositary ecosystem

In 2018, the [Depositary Banking Cluster Luxembourg](#) (DBCL) focused primarily on three topics: the drafting of industry guidance, the interaction with authorities and auditors, as well as industry education:

■ The DBCL, in close cooperation with the ABBL/ALFI Depositary Banking Forum (DBF) which regroups stakeholders both from ABBL and ALFI, has further been working throughout 2018 on drafting a set of policy guidelines aiming at setting market standards in fields of oversight, in-bank assets and other assets. With the work on these guidelines having well advanced throughout 2018, the first set of recommendations on oversight has been issued in 2018, providing for the long-needed guidance for the market. The two other policy guidelines will be issued in the course of 2019, with the preparatory drafting work being almost finalised. In that respect, it is further worth to note that the ABBL DBCL

has also been working on a separate set of guidelines in the field of Look-Through and Control, which should be issued in the first quarter of 2019;

■ Secondly, the DBCL Executive Board has also acted a reference for interaction on the practicalities of depositary activities vis-à-vis authorities and auditors. With more stringent auditing and regulatory requirements, depositary banks are facing varying obligations to provide information and evidence their processes. The DBCL has taken it upon itself to engage in discussions with the relevant counterparties to ensure streamlined requirements throughout the Luxembourg market. Other activities in this respect

include regular interactions with the CSSF, notably through a thorough representation in the CSSF Depositary Commission, as well as participation in a number of industry consultations both at Luxembourg and European level;

■ Finally, in regard of educational requirements, the DBCL has engaged discussions in 2018 to professionalise the training offered to depositary banking staff and, together with the House of Training, will work on a dedicated set of trainings to ensure the quality and competitiveness of the Luxembourg depositary banking world.



## Market Infrastructures Cluster Luxembourg

an  cluster

Founded in  
2015

### BOARD

HEAD **Robert Scharfe**  
Luxembourg Stock Exchange

VICE-HEAD **Marc Robert-Nicoud**  
Clearstream International

ADVISER IN CHARGE **Gilles Walers**

### MISSIONS

- Foster and represent the professional interests of Luxembourg market infrastructures as well as members active in the securities settlement and the post-trade chain
- Defend and promote the specific activities of operators of market infrastructures
- Develop policy and market guidelines on the specific issues relevant to market infrastructures
- Enhance the cooperation between market infrastructures and market participants as well as the representation of market infrastructures' interests with the relevant public national, European and international authorities

### 2018 ACTIVITIES

- Foster and represent the professional interests of Luxembourg market infrastructures as well as members active in the securities settlement and the post-trade chain
- Defend and promote the specific activities of operators of market infrastructures
- Develop policy and market guidelines on the specific issues relevant to market infrastructures
- Enhance the cooperation between market infrastructures and market participants as well as the representation of market infrastructures' interests with the relevant public national, European and international authorities

The 2018 agenda of the [Market Infrastructures Cluster Luxembourg](#) (MICL) focuses primarily on the current regulatory environment by addressing, amongst others, the following topics:

- [Central Securities Depositories Regulation](#) (CSDR), including the settlement discipline discussions as well as mandatory buy-ins;
- the revision of the [European Market Infrastructure Regulation](#) (EMIR), namely regarding CCP supervision;
- the [Markets in Financial Instruments Regulation](#) (MiFIR) and its impact on market structure through, notably, the introduction of a new type

of trading facility (Organised Trading Facility – OTF);

- the [Securities Financing Transactions Regulation](#) (SFTR);
- the corporate actions processing elements set out in the [Second Shareholders' Rights Directive](#) (SHRD 2), as well as
- the evolution of the [Target2](#) environment, including Target2 and Target2 Securities.

Other important topic of discussion discussed among the members of the Market Infrastructure Cluster related to the market recognition of sustainable finance and impact investing as well as the digitalisation of market infrastructures and the challenges and opportunities posed to the market in regard of new technologies.



# ABBL/ALFI EU REPRESENTATIVE OFFICE

## PREPARING FOR BREXIT AND ACTIVELY CLOSING THE LEGISLATIVE CYCLE

Looking back at 2018 if there has been one file that was ever present, it has been Brexit. It soon became clear that the access to the City of London would be limited to the narrow corridor of third country equivalence decisions unilaterally granted by the European Commission. This has been the main theme of ABBL's public affairs focus by providing directly and indirectly input to the debate and to the authorities from a Luxembourg banking perspective. At the time of writing these lines in January 2019, it is still unclear what kind of Brexit is going to happen on 29 March 2019, if at all.

In the meantime, the European Commission, the European Supervisory Authorities, national governments and regulators as well as the financial sector have been stepping up their no-deal preparations. In parallel the ABBL has been implementing its advocacy adaptation for the post-Brexit period.

On the public affairs side, ABBL has been the whole year through increasingly active on the structural changes that the review of the regulations on the European Supervisory Authorities would bring. Indeed, as suggested by the European Commission, national competent authorities would have to hand over significant powers to the

European level. ABBL accompanied the file through the finding of the position of the European Parliament as well as gearing up to the Council position in view of trilogue negotiations.

Another file that has been keeping the public affairs team busy is the banking package and the risk reduction measures through the legislative process in the European Parliament, the Council and more recently the inter-institutional negotiations.

On the financial markets side, ABBL's public affairs activities have been focused on the three sustainable finance legislative proposals brought forward by the Commission in Spring as well as on [EMIR](#) (refit and third countries aspects). ABBL has also engaged in advocacy on the Commission's covered bonds initiative.

On the Payments side, the [PSD 2](#) as well as the Dynamic Currency Conversion (DCC) and crossborder payments have kept the public affairs side busy. Active monitoring on fintech was a recurring theme as well.

In legal matters, the [Anti-Money laundering V Directive](#) (AML V) was a topic at the beginning of the year as well as assignments of claims and security ownership not to mention insolvency law.

To close on tax matters, the [Financial Transaction Tax \(FTT\)](#) has been cooking on through the whole of 2018 until a new franco-german initiative emerged that gave the enhanced co-operation procedure a new impetus. To be followed. The Commission's expected measure on the use of qualified majority in taxation finally surfaced in the form of a communication whose take-up by the next Commission will be watched very closely.

Looking into 2019 it will be a year of closing legislative files by March 2019 in time for the May European elections that will bring forward a new Parliament. The Commission will also change its political leadership to take up the baton at the beginning of November.

The year 2019 will with these institutional changes not be one of new legislative initiatives, but one of political tone setting for the next 5 years to come. In the current political environment, this is not a detail.



Brexit preparedness on our website [www.abbl.lu](http://www.abbl.lu)

# TECHNICAL & REGULATORY MATTERS

## FINANCIAL MARKETS

2018 was evidently marked by the upcoming withdrawal of the United Kingdom (UK) from the European Union (EU), which has led to many questions in financial markets as to the future strategy and positioning of the European financial markets and Luxembourg's place therein, as well as the efficiency of the European regulatory framework.

Against this background, the European legislator seized the opportunity to reinvigorate its efforts in the implementation of the [Capital Markets Union \(CMU\)](#). With the stated objective of the CMU being (i) the enhancement of growth financing (notably through a better access by small and medium companies to the financial markets), (ii) the development

of long-term financing sources which are notably required for infrastructure projects, (iii) more efficient European capital flows, and (iv) the reduction of funding and capital costs. European financial markets participants, and banks in particular, have answered the European legislator's call for participation in the efforts surrounding the building of a Capital Markets Union in Europe. Most notably and in close cooperation with its members, the European Banking Federation (EBF), in close cooperation with its members (including the ABBL), has launched in 2018 its "*Vision for Financing the Europe of Tomorrow*". The ABBL has actively participated in the different workstreams leading to the publication of the vision paper, which outlines a clear pathway

on how the European banking sector will make sure to fulfil its role in a future European society:

- Ensure that European bank-financing continues to meet the needs of European companies to grow and generate jobs;
- Increase market-based financing, as a complement to bank finance, to serve economic growth while also providing greater opportunities for banks engaged in capital markets/investment banking business;
- Increase and diversify opportunities for individuals as users of financial services to invest, whether through banks or markets;
- Enhance solutions that improve the sustainability of bank- and market-based financing, and
- 2019 will see the works in regard of (i) making the CMU a reality and (ii) banks playing their significant role in financing growth in Europe and Luxembourg continue and even increase.

The second major point of interest in 2018 was the entry into force of the [MiFID II framework](#) on 3 January 2018, which has unquestionably kept ABBL members busy over the course of the first year of implementation in terms of operational, practical and legal efforts required to achieve compliance. The ABBL MiFID II Handbook providing practical guidance and interpretations on 21 topics identified by ABBL members as particularly important in their implementation efforts has proven its usefulness and is now in the process of being updated to reflect important legislative updates, such as, most notably, the publication and entry into force of the Luxembourg transposition framework.

Significant efforts have also been provided by the ABBL members in terms of training their staff through the myriad of training programs that exist in the market, including the duly [CSSF-accredited MiFID II modular training by House of Training](#) in cooperation with the ABBL. The efforts will be pursued throughout 2019 and the ABBL will continue to assist its members in their compliance efforts.

Already on the regulatory agenda in 2017, the [Benchmarks reform](#), with its most prominent European version in the form of the European Benchmark Regulation, is beginning to show its real face, with the significant impacts the reform will have on the functioning of the markets and the compliance efforts required from market participants. This is why the ABBL has not only set up a specific technical working group with its members but is also actively promoting awareness among its members. These educational efforts have led to the elaboration of an action plan for the benchmarks reform which will start to roll out as of 2019

and will see a number of actions being undertaken to ensure the maturity of the Luxembourg market when it comes the various reforms turning definitely live.

Last but not least, the Luxembourg financial markets have acknowledged the trends of time in the form of sustainable finance and impact investing. Significant efforts by the ABBL and its members have not only led to a strategic positioning of the Luxembourg market, but also to reflections on the Luxembourg tool box when it comes to new products and meeting new client expectations. In that sense, 2019 promises to be an exciting year in the financial markets.

## BANKING SUPERVISION

### Risk Reduction Measures

The European Commission has released on 23 November 2016 a new legislative package amending both the current banking prudential and resolution frameworks, i.e.:

- The Capital Requirements Regulation (CRR) and Directive (CRD4), which were adopted in 2013 and which spell out prudential requirements for institutions and rules on governance and supervision of institutions;
- The Bank Recovery and Resolution Directive (BRRD) and the Single Resolution Mechanism Regulation (SRMR), which were adopted in 2014 and which spell out the rules on the recovery and resolution

The EU Directive 2017/2399 on the creditors' hierarchy amending the BRRD has been officially published on 29 December 2017 by means of a "fast track" procedure. It is requiring Member States to create a new class of 'non-preferred' senior debt, eligible to meet the Total loss-absorbing capacity (TLAC) subordination requirement. This 'non-preferred' sen-

ior debt will rank in insolvency above own funds instruments and subordinated liabilities, but below other senior liabilities.

In Luxembourg, the law transposing the EU Directive has been published in the Memorial on 31 July 2018. This law amends the Law of 18 December 2015 on the failure of credit institutions by creating a new class of senior non-preferred debt instruments, which are eligible to meet the forthcoming TLAC/MREL requirement. The ABBL welcomes this achievement, which is beneficial to the Luxembourg banking community.

On 4 December 2018, the EU Council and the European Parliament endorsed a political agreement on substantial parts of the Risk Reduction Measures package. Several amendments reflecting the priorities of the ABBL were endorsed by the EU legislators, e.g.:

- Enhancing the proportionality of rules for applying simplified methods on counterparty credit risk and market risk;

- Introducing in the CRR the definition of small and non-complex institutions, which become eligible to alleviated reporting and disclosure requirements;

- Amending the requirement for third-country banking groups having two or more institutions in the EU to establish an Intermediate EU Parent Undertaking (EU IPU), e.g. removing the automaticity of the requirement and raising the qualitative threshold of EUR 30 billion;

- Recognizing in the BRRD the specificities of deposit-funded banks for the calibration of the Minimum Requirements on Eligible Liabilities (MREL).

Since January 1st, 2019, residual negotiations and technical legal work on the Risk Reduction Measures package are being finalised under the Romanian Presidency of the Council. The publication of the package in the official journal of the EU is expected in the coming months.

## Revision of the European Banking Authority (EBA) guidelines on outsourcing

The EBA has published on 22 June 2018 a consultation on revised Guidelines on outsourcing arrangements, which aims at establishing a more harmonized framework for outsourcing arrangements of all financial institutions in the scope of the EBA's action. The draft Guidelines notably provide a definition of outsourcing and specify the criteria to assess whether or not an outsourced activity, service, process or function (or part of it) is critical or important. The subject is all the more relevant that outsourcing is a long-standing practice in the banking industry, which contributes to the efficiency and to the competitiveness of banks' business models. Outsourcing indeed helps banks focus on their core business and gives them access to skills and services that are not available in house. The ABBL strongly believes that regulation should strike the right balance between necessary safeguards preserving the integrity of outsourcing institutions, and the required flexibility to adapt to a fast-moving economic and technological environment.

In its response to the consultation, the ABBL has addressed the following issues:

- The proposed definition of outsourcing is extremely broad and risks encapsulating many activities performed by third parties on behalf of regulated institutions as outsourcing.
- Requirements on due diligence, risk assessment of outsourcing arrangements (e.g. concentration risk), exit strategies make little sense in the context of intra-group outsourcing. Therefore, they should be significantly alleviated and respect the principle of proportionality.
- Banking activities subject to supervisory authorization can be outsourced to a service provider located a third country, subject to the existence of Memoranda of Understanding (MoUs) between supervisors. In order to prevent disruption of current business practices, the form and the magnitude of the cooperation agreements or MoUs should not be prescriptive and existing outsourcing arrangements should be subject to a grandfathering clause or to a three years transitional period.

EBA was expected to release the final guidelines in March 2019.

## Review of the European Supervisory Authorities (ESAs)

On 20 September 2017, the European Commission adopted a draft proposal for a regulation that would amend the regulations on EBA, EIOPA, ESMA, EuVeCa, EuSEF, MiFIR, ELTIF, benchmarks and prospectuses. The review in itself had been scheduled in the original ESA regulations and was preceded by a Commission consultation. The Commission proposal aims at strengthening and further integrating financial supervision by:

- Giving the ESAs new supervisory competences;
- Enhancing the ESAs' coordination powers;
- Amending the governance of the ESAs;
- Introducing a new funding system where banks and other market participants would directly contribute to the ESAs' budget.

In light of recent cases of money laundering involving some EU banks, the Commission has proposed in September 2018 further amendments to the EBA regulation, which become part of the ESAs review package. The Commission proposed to give to the EBA an explicit and comprehensive mandate to ensure that risks of

money laundering are properly incorporated in the supervisory strategies and practices of national authorities in charge of anti-money laundering.

On several occasions, the ABBL has voiced its concerns on the Commission proposal, notably regarding the governance of the ESAs and their new powers on outsourcing / delegation of material activities to third countries' entities. Indeed, there is no proven deficiency in the European supervisory framework that would justify the far-reaching approach adopted by the Commission.

The ECON Committee of the European Parliament has reached a compromise position in January 2019, while the Council is still negotiating under the Romanian Presidency. It remains unclear if a final agreement between the EU Parliament and the Council is feasible before the European elections in May 2019.

## Basel IV

The final Basel IV reform agreed on 7 December 2017 entails the following modifications to the prudential framework:

- A revised standardized approach for credit risk, which will improve the risk sensitivity of the existing approach;

- Revisions to the internal ratings-based approach for credit risk, where the use of the most advanced internal model approaches for low-default portfolios will be limited;

- Revisions to the Credit Valuation Adjustment (CVA) framework, including the removal of the internal model approach and the introduction of a revised standardized approach;

- A revised standardized approach for operational risk, which will replace the existing standardized approaches and the advanced measurement approaches;

- Revisions to the measurement of the leverage ratio and a leverage ratio buffer for G-SIBs which will take the form of a Tier 1 capital buffer set at 50% of a G-SIB's risk-weighted capital buffer; and

- An aggregate output floor, which will ensure that banks' risk-weighted assets (RWAs) generated by internal models are no lower than 72.5% of RWAs as calculated by the Basel III framework's standardized approaches. Banks will also be required to disclose their RWAs based on these standardized approaches.

Implementation of the Basel IV rules will be required in 2022. This includes the Fundamental Review of the Trading Book (FRTB) rules, which represents a delay from 2019. There is a phase-in period for the 72.5% output floor from January 1, 2022 until January 2027. The standards are considered minimums and jurisdictions may choose to adopt more conservative standards.

The EU Commission has launched in 2018 a consultation on the Basel IV package aiming at gathering views on the potential impact on the EU banking sector and the wider economy, as well as to highlight possible implementation challenges. The implementation of Basel IV in the EU will require amendments to current banking regulations, in particular the Capital Requirements Regulation (CRR). Before considering such amendments, the Commission will carry out a thorough impact assessment, in accordance with its Better Regulation agenda.

The EU Commission has also mandated the EBA via a call for advice to conduct a comprehensive impact assessment of the Basel IV new rules on a large sample of banks. The deadline set to EBA is 30 June 2019.

## LEGAL & COMPLIANCE

Throughout 2018, the ABBL's Legal and Compliance team monitored a wide range of European and national debates:

### Anti-money laundering (AML): the Law of 13 February 2018 and the risk-based approach

[The Law of 13 February 2018](#) transposes some of the provisions relating to the professional obligations and powers of the supervisory authorities as contained in the [AML IV Directive](#) as well as implementing Regulation (EU) 2015/847 on information accompanying the transfers of funds. The highlights of the Law have been described in [CSSF circular 18/684](#) published on 13 March 2018.

The Law notably adapts the definition of "beneficial owner" by distinguishing three categories of beneficial owners with their unique identification requirements, namely the beneficial owners of (i) companies (ii) fiduciary contracts and trusts and (iii) legal entities such as foundations and legal arrangements similar to trusts. Regarding companies' beneficial owners, the Law now allows professionals to designate as beneficial owner, as the case may be and in very specific circumstances, any natural person holding the position of senior manager within the corporate entity.

On top of this, the Law enacts the core principle of "risk-based approach" whereby professionals have to take appropriate steps to identify and assess the risks of money laundering ("ML") and terrorist financing ("TF") they are confronted to, taking into account risk factors such as those related to their customers, countries geographic areas, products, services, transactions or delivery channels.

This specific topic of risk assessment was addressed on 11 December 2018 at the first annual joint CSSF & ABBL compliance conference on anti-ML/combating TF, which gathered prominent speakers from the Luxembourg authorities (the "*Commission de Surveillance du Secteur Financier*" and the "*Cellule de Renseignement Financier*"), together with banks' representatives.

As required by the AML IV Directive, the Ministry of Finance released on 20 December the [national risk assessment](#) of ML and TF, describing the inherent threats in this regard and identifying the Luxembourg inherent sectoral vulnerabilities. In the same vein, the CSSF released on 20 December 2018 [circular 18/702](#) on the developments regarding the fight against ML/TF in the private banking sector. This circular notably recalls

the ML/TF threats related to private banking's clients while emphasising relevant mitigation measures.

Finally, the Law added new obligations on professionals concerning adequate internal management requirements, particularly related to the establishment of effective and proportionate policies, controls and procedures to mitigate/manage the risks of ML/TF, including raising the ML/TF awareness of the staff through appropriate training.

The ABBL Legal and Compliance team was involved throughout 2018 in active discussions with the CSSF on several issues stemming out of the Law, with the aim for ABBL members to best apply the obligations arising out of the Law. With a view to coordinate and evaluate national policies and strategies to prevent ML/TF, a [Ministerial Regulation of 16 November 2018](#) created a national committee for the prevention of ML/TF, which requires representatives of the ABBL to participate to its meetings.



## Registries of Beneficial Owners

The ABBL widely examined and commented on two draft laws aiming to set up the registries of beneficial owners of companies and trusts. To begin with, [the draft Law N°7217](#) paving the way for the registry of companies' beneficial owners was adopted on 18 December 2018 by the Luxembourg Chamber of Deputies.

The draft Law will create a register of beneficial owners ("BOs") of corporate and legal entities including for instance public/private limited companies, partnerships, not for profit associations, foundations and civil companies together with Luxembourg branches of foreign companies and UCITS. The "BO" is any natural person who ultimately owns or controls a legal entity through direct or indirect ownership of a sufficient percentage of the shares or voting rights or ownership interest in that entity, or through control via other means. Alternatively, if such person cannot be identified and under specific circumstances, the BO shall be the individual holding the position of senior manager.

The registered entities will have to make available specific information on their own BOs in a dedicated registry (the "*Registre des Bénéficiaires Effectifs*", a.k.a. "RBE"). The RBE will be managed by the Luxembourg Business Registers.

The obligation to report BOs may also rest in the agents ("*mandataires*") of the registered entities, a term that the Law unfortunately does not define. The electronic modalities of transmission/update of the information to be transmitted to the RBE as well as the costs and required supporting documentation engaged should be detailed in a future Grand-Ducal Regulation.

With regard to the register of trusts, the original [draft Law N°7216](#) was split in two parts in the summer of 2018: one with reference to the information to be obtained and retained by trustees prescribing the relevant information trustees ("*fiduciaires*") of Luxembourg fiduciary arrangements, according to the Law of 27 July 2003 regarding fiduciary contracts, shall obtain and keep as regards the beneficial owners of such fiduciary arrange-

ments (draft Law N°7216A). [The Law of 10 August 2018 on the information to be obtained and retained by trustees](#) pertaining thereto was published in the "*Memorial*" on 21 August 2018.

[The draft Law N°7216B](#) establishing the register of trusts ("*fiducies*") was still being discussed at the Chamber of Deputies, bearing in mind that the legislative process was put on hold due to the legislative elections.

## The fifth anti-money laundering Directive (AML V)

[The AML V Directive](#) (UE 2018/843) entered into force on 9 July 2018. The numerous novelties that are being introduced by this Directive have yet to be transposed into Luxembourg law. Yet, the Directive provides EU Financial Intelligence Units (FIUs) and supervisory authorities with enhanced powers, making sure that the latter will have adequate financial, human and technical resources to perform their functions.

One may associate the forthcoming new legal features of the AML V Directive with a key term: transparency. As a matter of fact, centralised



automated mechanisms such as central electronic data retrieval systems to identify in a timely manner the holders of bank and payments accounts will have to be launched, especially with a view to allow FIUs to perform their investigation efficiently, whilst the access to the future registry of companies' beneficial owners will be granted to the public at large, which may nonetheless raise privacy concerns.

Among others, enhanced customer due diligence measures will have to be applied when professionals engage in transactions involving high risk third countries. Additionally, payment services providers will have to take into due consideration the new thresholds related non-reloadable payment instruments for business and clients due diligence purposes, having also noted that the AML V Directive will impose on the Luxembourg legislator to issue and keep up to date a list indicating the exact functions which should qualify as prominent public functions.

## Data Protection

[The General Data Protection Regulation \(UE 2016/679\)](#) ("GDPR") entered into force on 25 May 2018 and introduced a new paradigm: for entities processing the personal data of natural persons to be able to prove that they comply with the core rules of the GDPR (a.k.a. the "accountability" principle). In brief, financial stakeholders acting as controllers/processors should be able to demonstrate to their clients and the CNPD, as the case may be, that they notably apply the principles of legitimacy, clearly defined purpose, necessity, proportionality and fairness towards the personal data processed. Furthermore, they must provide individuals with enhanced transparency and stringent IT security requirements.

To help its members overcome the challenges arising out of the GDPR, three guidelines with different scopes were drafted by the ABBL and presented during a conference held on 7 May 2018 "[Surfing the Wave of the GDPR](#)" with representatives of the CNPD. The guidelines were drafted thanks to dedicated working groups of the ABBL and the involvement of

the CNPD, namely "*Steps forward in implementing the GDPR*", "*Practical guide for the application of the GDPR in employment relationships*" and "*Big data and data analytics working group*."

As the former Luxembourg Law dated 2 August 2002 concerning the protection of individuals with regard to the processing of personal data was repealed because of the GDPR, the Luxembourg legislator had to draft a new Law which would confer new powers to the CNPD. [The Law of 1 August 2018](#) establishing the National Commission for Data Protection and the implementation of Regulation (EU) 2016/679 supplements the GDPR by adopting new provisions where the GDPR so allows, for instance in the employment context according to its article 88, as well as adapting the law of the CNPD to award it new powers necessary to carry out its tasks effectively.

The CNPD hence disposes of new investigative powers and can notably get access to all personal data processed by the controllers/processors together with obtaining all relevant

information pertaining thereto, notify legal entities of a potential breach of the GDPR, limit or forbid a processing of personal data. Administrative fines of up to 20 million euros or 4% of the total worldwide annual turnover of the concerned entity may apply in case of infringements of the GDPR.

With regard to the surveillance being undertaken at the workplace, such processing may only be executed in accordance of the lawfulness grounds of article 6 of the GDPR. Prior to any of such processing, the employee needs to be informed. The employer also has to give prior information to the *Comité mixte*, or failing that, to the staff delegation, or, failing that, to the labour inspection (*Inspection du Travail et des Mines – ITM*).

The prior information should include a detailed description of the purpose of the foreseen processing, the implementation methods of the surveillance system and, as the case may be, the retention period or the criteria for the retention of the data. In addition, the information has to include a formal

commitment of the employer to use the data exclusively for the explicitly foreseen purposes.

The staff delegation, or, failing that, the concerned employees, may submit a request for prior opinion to the CNPD within 15 days following the prior information received by the employer. The CNPD shall respond to the submitted request in the month of the request. The request has a suspensive effect during this period. Finally, the concerned employees have the right to complain to the CNPD. The complaint is no valid reason for a dismissal.

## Inactive Accounts

The Draft Bill on inactive accounts aims to set a legal framework applicable to unclaimed assets specifying the legal obligations to be complied with by banks notably regarding the consignment to be made with the *Caisse de Consignation* (CDC).

The main features are as follows:

- The banks have to implement measures to prevent accounts to become inactive;
- The CSSF has to be provided with an annual reporting regarding inactive accounts;
- For inactive accounts there is a legal obligation for banks to consign unclaimed assets with the CDC; however, the CDC may refuse consignment, notably when the legal conditions are not fulfilled or when the information provided prove to be incomplete or inaccurate.
- Non-compliance with the consignment obligations might lead to administrative and/or criminal sanctions;
- Transitional provisions enabling banks to comply with their obligations depending on the accounts inactivity period are provided.

## TAXATION

### Tax transparency and tax compliance

Tax transparency remains a dynamic topic and ABBL has provided a continued support to its members in the implementation of tax transparency standards (including the OECD Common Reporting Standard), notably by reflecting the latest developments at both international and domestic levels into its guidance and by ensuring a follow-up of implementation issues with the Luxembourg tax authorities.

Luxembourg was subject in 2018 to a Review by the Global Forum on Transparency and Exchange of Information for Tax Purposes as regards the exchange of information on demand. In this context, the ABBL was invited to articulate the point of view of the banking sector. Topics discussed with the assessment team included, in addition to practical points of attention under the exchange of Information on demand, access to beneficial owner information, Common Reporting Standard (CRS) implementation and ABBL initiatives to foster tax transparency and compliance.

We expect work on tax transparency to continue over the course of the year 2019 with notably the transposition into the domestic legislation by 31 December 2019 of the newly adopted DAC6 Directive ([Council Directive EU 2018/822](#)). This Directive requires “intermediaries” (including in some cases financial institutions), or, where applicable, “relevant taxpayers” to report information on certain “cross-border arrangements”. We are currently working on the elaboration of guidance regarding the implementation of the rules at hand from a banking perspective.

Finally, as a corollary to the commitments set out in the ICMA Charter and in the ABBL Code of Conduct to foster the client’s compliance with the tax legislation of their country of residence, ABBL has provided continued support to its members with respect to the administration of foreign tax schemes relating to investment income, notably by raising awareness of relevant foreign tax legislations such as the new Belgian tax on securities accounts.

### Luxembourg VAT grouping regime

Following the repeal of the Luxembourg provisions relating to the VAT exemption of services supplied by independent groups of persons (IGPs), we have welcomed the release of the Law of 6 August 2018 pertaining to the implementation of a VAT grouping regime in Luxembourg based on article 11 of the EU VAT Directive ([Council Directive 2006/112](#)). The introduction of a VAT grouping regime into Luxembourg legislation echoes a long-standing demand of the ABBL.

### Points of attention for 2019

Looking into 2019, ABBL is looking forward to further monitoring current international trends towards the (re)definition of taxing competences among jurisdictions and the resulting impact on members’ operations. These notably relate a wider definition of the notion of “Permanent Establishment” which has already been observed under the MLI (Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting) and, at Luxembourg level, through the new Double Tax Treaty Luxembourg – France signed on 20 March 2018. To be noted are also recent international initiatives related to the taxation of digital economy, in particular the planned introduction of digital services tax(es) at European level.

## PAYMENTS

### PSD2

The Anti-Tax Avoidance Directive laying down rules against tax avoidance practices that directly affect the functioning of the internal market (Council Directive 2016/1164) was transposed into the Luxembourg legislation by [Law of 21 December 2018](#). The transposition of this new Directive into domestic legislation calls for a proper monitoring of its impact on corporate tax liabilities of banks operating in Luxembourg, considering the commitment in the current coalition agreement to contain the effective level of taxation of corporate taxpayers for the period 2019 - 2023.

We are looking forward to discussing with the Government a series of targeted measures referring to tax-related provisions of the current coalition agreement. These include, besides broader proposals to be defined at the level of PROFIL and of the UEL, incentives for digital investments and green finance, an adaptation of the corporate tax framework to the IFRS (International Financial Reporting Standards) and a better alignment of corporate income tax and municipal business tax.

The [Law of 20 July 2018](#) relating to Payment Services, transposing PSD 2 (Directive (EU) 2015/2366) entered into force on 29 July 2018.

The Law extends the actual legal framework for payments to three new regulated entities respectively the Account Information Services (AIS), the Payment Initiation services (PIS) and the Payment Instrument Issuer Service Providers (PIISP). The Law is also broader in scope since it covers intra-EEA payment transactions in non-EEA currencies, as well as payment transactions in any currency where the payment service provider of the payer or of the payee is not a member of the EEA.

To help members comply with this law, many working sessions were organized at ABBL with its payment expert members to have common positions on interpretations and recommendations.

In this regard, a first version of a PSD2 guide for payment service providers has been draft and published on the ABBL Membernet.

This version will continue to be updated with, among others, topics such as Regulatory Technical Standards and Strong Customer Authentication and Common and Secure Communication under PSD2.

The ABBL continues to support the community to be prepared for the upcoming deadlines respectively the 14<sup>th</sup> March for their dedicated inter-face to be ready for testing by PISPs and AISPs and the 14<sup>th</sup> September to fully comply with PSD2's Regulatory Technical Standard (RTS).

## TRUST AND CYBERSECURITY

### Instant Payments

In an economy becoming “real-time”, consumers expect ever easier and faster services including payments services. With the spread of smartphones and e-commerce, the digitalisation of the economy allows and is creating a demand for the acceleration of payments. Customers make their internet purchases from anywhere, from any device and more importantly anytime and instantly 24/7/365.

In Europe, more and more providers are or will be able very soon, in 2019 and 2020, to offer an instant payment service to their customers. Our neighbour countries are not an exception as well as Luxembourg.

ABBL aims to contribute to the wide development of instant payment in Luxembourg for the benefit of consumers and service providers.

For this purpose, a working group of banking experts in payments is currently identifying key actions, issues and timelines for the instant payment roll-out.

Financial services are completely dependent on reliable and secure information and communication systems and must apply procedures ensuring the availability, integrity and confidentiality of customer data as well as business processes.

The progressive digitalisation of the interactions with customers requires a technical and operational environment where trust is key to all participants, be they financial service providers or customers.

Finally, financial sector ICT systems are and will become even more prominent targets for hackers and criminals. This is amplified by the high complexity of modern ICT systems and the increasing number of providers contributing to the new value chains. Regularly, customers of banks become victims of phishing attacks, Trojan infections or other electronic traps while using online banking services provided to them.

The intensification, their ingeniousness and the increasing complexity of the applied attack mechanisms observed over the last years are a big challenge to the banking community.

The banking community has to define comprehensive measures to handle security issues that may arise from such attacks and has to keep customers’ confidence in banking systems in general and in online and/or mobile servicing channels in particular at a high level.

This is achieved by the setting up of the ABBL Trust & Cybersecurity Technical Committee (TCS TC) that liaises with relevant public authorities and agencies such as the SMILE (CASES, CIRCL, C3), Police Grand-Ducale, SRE, HCPN, CSSF and BCL etc. and the financial services providers, members of ABBL.

# ABBL PROJECTS

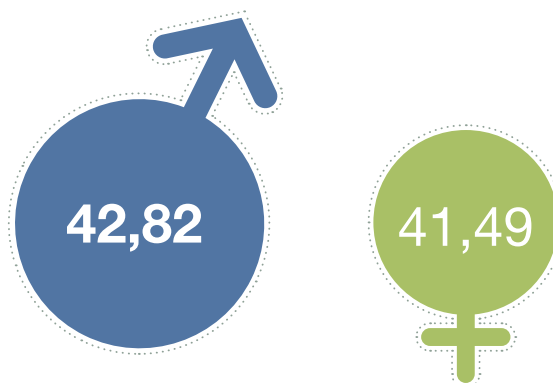
## EMPLOYERS' AFFAIRS

### Social study of the banking sector

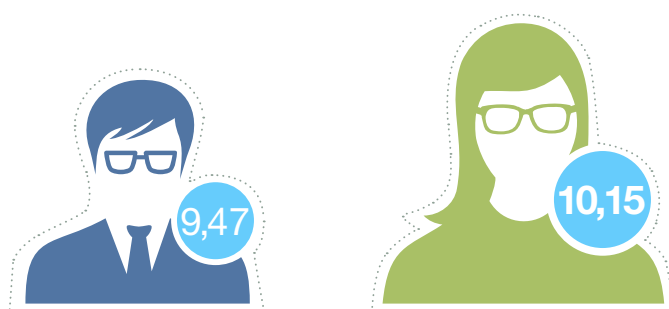
68.8% of the member banks took part in the annual study on the social situation of the banking sector, representing 82.2% of the staff of the sector.

The study is therefore highly representative and enables the ABBL a detailed insight into the evolution of social questions of the banking sector.

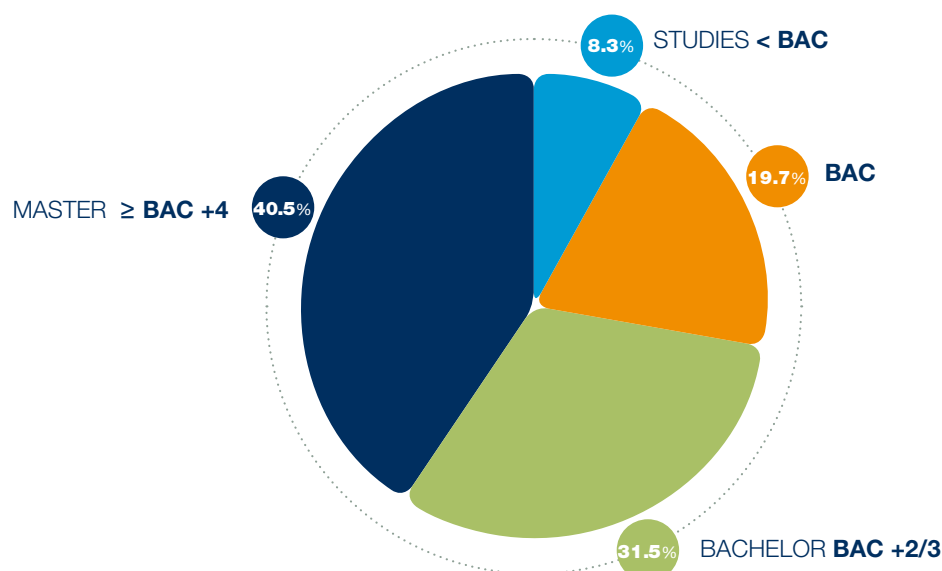
### AVERAGE AGE (IN YEARS) - 2017



### AVERAGE YEARS OF SERVICE (IN YEARS) - 2017



### DISTRIBUTION BY LEVEL OF STUDIES - 2017



## COLLECTIVE BARGAINING AGREEMENT FOR BANK EMPLOYEES 2018-2020

In July 2018, the ABBL, the ALEBA, the OGBL and the LCGB signed finally, after 18 months discussion, a complete new collective bargaining agreement (CBA). The new agreement is adapted to a rapidly changing sector, clearer and more transparent and financially more attractive.

In light of the significant modifications and the far-reaching impact of these changes, the CBA will be implemented in its entirety over a period of three years.

The new agreement is focusing on **4 main topics**:

### Classification and remuneration

The new CBA presents, inter alia, a new well-defined and patent matrix of competencies. Pursuant thereto, the former group 1 – 6 classification will disappear by 2020 and be replaced by a revised group classification running from A - D. Each employee will hence be categorised in one of these 4 new groups in light of his function and role.

The main driver for salary evolution will be the acquisition, development and use of competences. An annual envelope of 1% will be granted and allocated to employees who have demonstrated new competences. The elements of seniority and loyalty will be rewarded via a new single mechanism, called the loyalty bonus, which is expressed in % of the monthly salary.

### Organisation of working time

The new CBA introduces a shorter reference period of 4 months and provides an additional half day of leave for employees as from the age of 45 years as well as more favourable special leave days.

### Training

The continuous evolution of jobs in the banking sector puts a significant emphasis on employability and training criteria, which were at the centre of the CBA discussions. Accordingly, there is a consensus between the involved parties to increase the training budget to 1.5% as from 2019.

The new CBA grants the right to every employee to get an individual development plan as well as gain access to training offers discussed during the yearly evaluation between the employee and his manager. The identified and validated training needs have to be assessed during the following year via the most appropriate way (traditional training, e-learning, mentoring, coaching, ...).

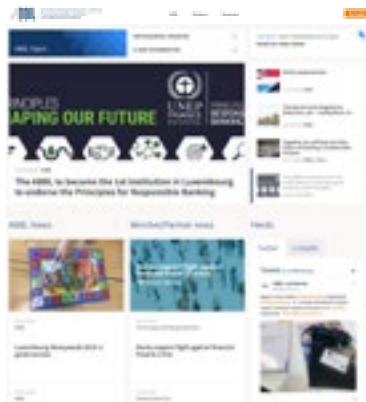
### Well being

The CBA puts a strong focus on the prevention of psycho social risks.



Signature of the Collective Bargaining Agreement 2018-2020





Légende

## ABL COMMUNICATION

- The ABL publishes a weekly newsletter (The ABL Spotlight) (2,370 subscribers) and a monthly newsletter (2,511 subscribers)
- The ABL is present on Twitter (3,875 followers) and LinkedIn (4,844 followers)

- 40,392 views each month on the ABL corporate website
- 126 interviews have been granted to the press on various topics in 2018

PERSON IN CHARGE WITHIN  
THE ABL SECRETARIAT **Philipp von Restorff**

## FINANCIAL EDUCATION

- For the fourth time, the ABL and the *Fondation ABL pour l'Education Financière* have organised Luxembourg's national money week ("Woch vun de Suen").

Initiated in 2014 by the European Banking Federation (EBF), the annual Money Week aims to raise public awareness about financial behaviour. During the Luxembourg Money Week, the ABL has decided to focus on the needs of school children aged between 10 and 12 (cycle 4).

The main aim is to provide children with basic knowledge enabling them to manage their personal finances and to protect themselves against future financial difficulties. To achieve this goal, our association, in collaboration with volunteers from our members' organisations, has used the financial education game "Eurodeo de la

Conso". The objective of the game is to manage a budget by handling various expenses such as school fees, unexpected bills, daily expenses, etc.

Partners of the Luxembourg Money Week 2018:

- Banque et Caisse d'Epargne de l'Etat, Luxembourg
- Banque Internationale à Luxembourg S.A.
- Banque Raiffeisen
- BGL BNP Paribas
- Commission de Surveillance du Secteur Financier (CSSF)
- ING Luxembourg
- Ministère des Finances
- Ministère de l'Education nationale, de l'Enfance et de la Jeunesse

- Société Générale Bank & Trust
- UBS Europe SE, Luxembourg Branch

- The Luxembourg Bankers' Association (ABL), in collaboration with the [Luxembourg Chamber of Commerce](#), has launched "**One Minute in Finance**", a series of short videos on financial and banking related knowledge.

2 videos has been released in 2018

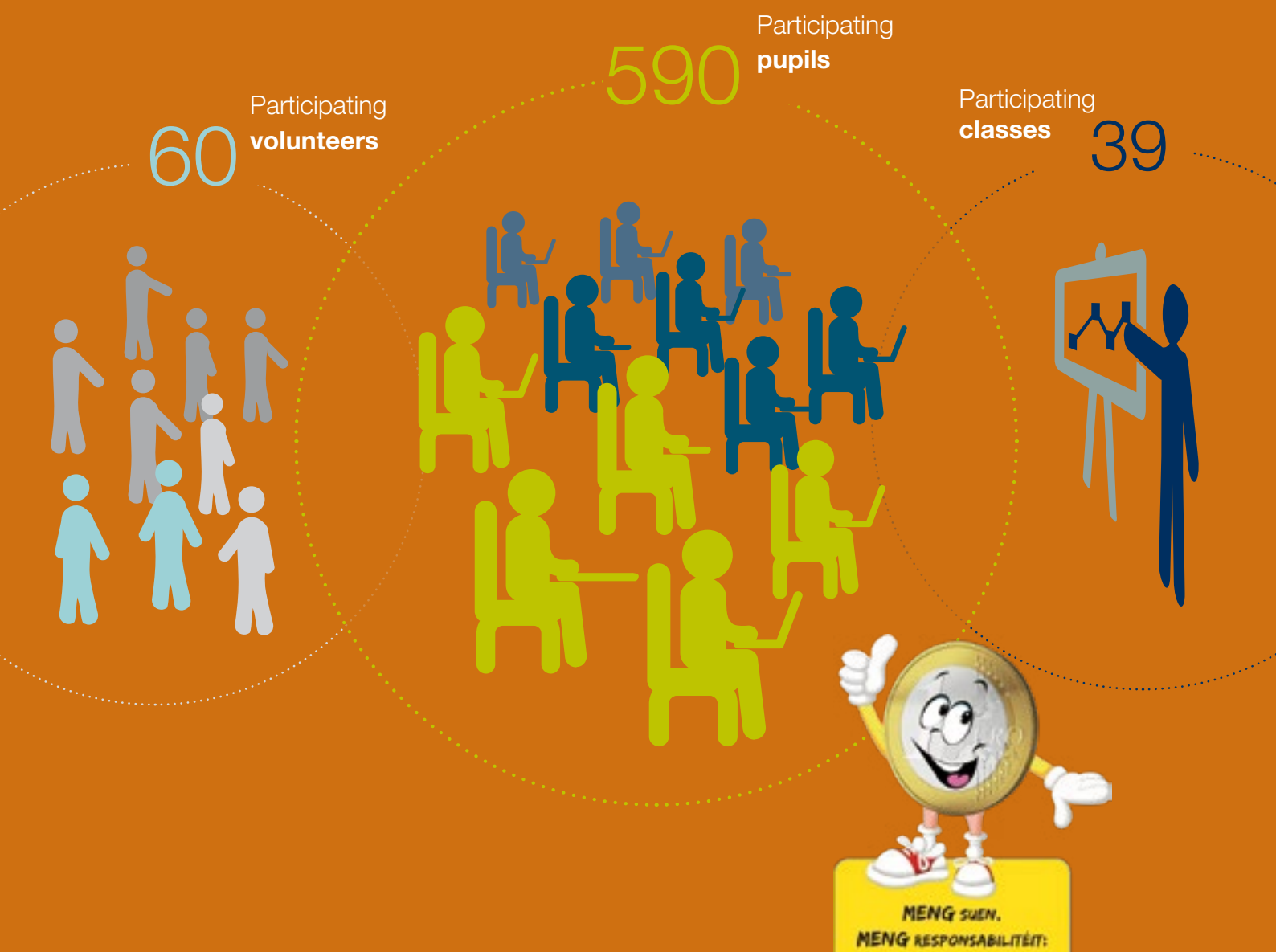
PERSON IN CHARGE WITHIN  
THE ABL SECRETARIAT **Jessica Thyron**

### Figures

In 2018, a total of 590 pupils, 39 classes and 60 volunteers have participated in the "Woch vun de Suen" organised in 2018 from 12 to 16 March.



## D'Woch vun de Suen 2018 in figures



## ABBL PUBLICATIONS

The following documents were published by the ABBL in the course of 2018:

- ABBL CRS-related Frequently-Asked Questions (March 2017)
- ABC Vun de Suen (March 2018)
- ABBL Facts & Figures 2017 (April 2018)
- ABBL Annual Report 2017 (April 2018)
- GDPR and Human Resources – A practical Guide (May 2018)
- Steps forward in Implementing the General Data Protection Regulation (May 2018)
- Big Data and Data Analytics Working Group (May 2018)
- CSSF - ABBL Annual Private Banking Survey (June 2018)
- Acquisition d'un logement – Conseils pratiques (octobre 2018 – in collaboration with the Ministry of Housing and the “Chambre des Notaires”)



Video Banks and FinTech in Luxembourg: Stronger Together

### ABBL Videos

- Luxembourg: the cross-border [centre](#) of expertise for your private wealth
- [Banks and FinTech in Luxembourg: Stronger Together](#)

PERSON IN CHARGE WITHIN THE ABBL SECRETARIAT **Philipp von Restorff**

## CORPORATE SOCIAL RESPONSIBILITY (CSR)

In 2018, the ABBL was awarded the "Entreprise Socialement Responsable" (socially responsible company) label for the third time by the INDR ("Institut National pour le Développement Durable et la Responsabilité des Entreprises"). This label is doubly important for the ABBL, not only for itself as an association with around 40 employees, but also for the entire banking and financial sector represented by the ABBL. Indeed, the ABBL is committed to a responsible conduct of the financial sector as a whole in Luxembourg. This is also what the members of the ABBL are committed to in signing the new collective bargaining agreement which states: "The institutions, in collaboration with the staff delegation, commit to improve any corporate social responsibility measures".



Awarding of the "Entreprise Socialement Responsable" label

### ABBL's 2018 CSR achievements

In line with its CSR strategy and with its CSR 2018 action plan, ABBL performed, among others, the following internal and external CSR-related actions during the year 2018.

## INTERNAL ACTIONS

### CSR - Governance

- Endorsement of the UNEP FI Principles for Responsible Banking;
- Signature of the "Vision Zero" Charter;
- IMS membership and participation to various working groups (Mobility Kirchberg, Single-use plastics, ...);
- Review of all internal procedures and creation of a global handbook of internal procedures;
- Participation to the working group of the Ministry of Foreign Affairs on human rights, contribution to the human rights Luxembourg action plan, creation of a training on finance and human rights in cooperation with the House of training.

### CSR - Social

- Participation to the Relais pour la Vie;
- Creation of a rest room;
- Creation of a solidary library;
- First aid trainings;
- Solidarity Day;
- Diversity Day;
- Participation to the Business Run;
- Health check-up for employees aged 40 or older, with cardiac stress tests for employees over 50;
- Ergonomic work position check-up by a specialist, and new working chairs bought for the employees;
- Discovery session of yoga and organisation of yoga sessions once a week for the employees;
- Flu vaccination offered annually to all employees;
- Training on road safety.

### CSR - Environment

- Carbon footprint impact study of daily journeys and international trips;
- CO2 Compensation for 2 major events with myclimate.lu: General meeting 2018 and Chairman's dinner 2018.

# LATEST DEVELOPMENTS IN BANKING AND FINANCIAL LAW

## LUXEMBOURG LAW

### ONGOING LEGISLATIVE PROCESS

#### Draft laws

**Draft law N°7401** on measures regarding the financial sector in case of withdrawal from the United Kingdom of Great Britain and Northern Ireland of the European Union amending:

1. the amended law of 5 April 1993 on the financial sector
2. the amended law of 10 November 2009 on payment services
3. the amended law of 17 December 2010 relating to undertakings for collective investment
4. the amended law of 12 July 2013 on alternative investment fund managers
5. the amended law of 7 December 2015 on the insurance sector
6. the amended law of 18 December 2015 on the failure of credit institutions and certain investment firms

*Introduced on 31 January 2019*

**Draft Law N°7395** on the implementation of financial restrictive measures and repealing the Law of 27 October 2010 implementing United Nations Security Council Resolutions as well as acts adopted by the European Union concerning prohibitions and restrictive measures in financial matters in respect of certain persons, entities and groups in the context of the combat against terrorism financing

*Introduced on 15 January 2019*

**Draft Law N°7390** approving (...)

1. the Convention **between the Government of the Grand Duchy of Luxembourg and the Government of the French Republic for the avoidance of double taxation and the prevention of tax evasion and tax fraud** with respect to taxes on income and on wealth, and the Protocol thereto, done at Paris on March 20, 2018

*Introduced on 4 December 2018*

**Draft Law N°7373** on the limitation of the scope of certain rights and obligations under the General Data Protection Regulation and:

1. implementing, in the field of financial sector and insurance supervision, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and the free movement of such data, and repealing Directive 95/46/ EC (General Data Protection Regulation)
2. amending the amended law of 23 December 1998 establishing a Financial Sector Supervisory Commission
3. amending the amended law of 7 December 2015 on the insurance sector

*Introduced on 22 October 2018*

**Draft Law N°7372** on institutions for occupational retirement provision and:

1. Transposing Directive (EU) 2016/2341 of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (recast) and
2. Modifying:
  - (a) the amended law of 13 July 2005 on occupational retirement provision in the form of an open-end savings company (SEPCAV) and a savings and pension association (ASSEP)
  - (b) the amended Law of 13 July 2005 on the activities and supervision of institutions for occupational retirement provision
  - c) the amended law of 7 December 2015 on the insurance sector

*Introduced on 12 October 2018*

*Opinion of the Chamber of Employees, 10 December 2018*

*Opinion of the Chamber of Civil Servants and State Employees, 12 December 2018*

**Draft Law N°7363 amending the amended Law of 1 August 2001 on the circulation of securities**

*Introduced on 27 September 2018*

*Opinion of the Council of State, 13 November 2018*

*Opinion of the Chamber of Commerce, 3 December 2018*

**Draft Law N°7356 amending the Criminal Code to transpose Directive (EU) 2017/541** of the European Parliament and of the Council of 15 March 2017 on the fight against terrorism and replacing Council Framework Decision 2002/475 / JHA and amending Council Decision 2005/671/JHA

*Introduced on 6 August 2018*

*Opinion of the judicial authorities, released on 4 December 2018*

*Opinion of the Council of State, 5 February 2019*

**Draft Law N°7348 on inactive accounts, inactive safes and unclaimed insurance contracts amending:**

1. the amended law of 23 December 1998 establishing a financial sector supervisory commission
2. the amended law of 7 December 2015 on the insurance sector

*Introduced on 6 August 2018*

*Opinion of the Chamber of Commerce, 3 December 2018*

**Draft Law N°7349**

1. implementing Regulation (EU) N°345/2013 of the European Parliament and of the Council of 17 April 2013 on European venture capital funds
2. implementing Regulation (EU) N°346/2013 of the European Parliament and of the Council of 17 April 2013 on European social entrepreneurship funds
3. implementing Regulation (EU) 2015/760 of the European Parliament and of the Council of 29 April 2015 on European Long-term Investment Funds
4. implementing Regulation (EU) 2017/1131 of the European Parliament and of the Council of 14 June 2017 on money market funds

5. implementing Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) N°1060/2009 and (EU) N°648/2012

6. amending the amended law of 5 April 1993 relating to the financial sector

*Introduced on 6 August 2018*

*Opinion of the Chamber of Commerce, 29 January 2019*

**Draft Law N°7333 approving the multilateral convention to implement tax treaty related measures to prevent Base Erosion and Profit Shifting**, signed in Paris on 7 June 2017

*Introduced on 3 July 2018*

*Opinion of the Chamber of Commerce, 26 September 2018*

*Opinion of the Council of State, 13 November 2018*

**Draft Law N°7328 on prospectuses for securities**

1. Implementing Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market and repealing Directive 2003/71/EC
2. repealing the amended law of 10 July 2005 on prospectuses for securities

*Introduced on 29 June 2018*

*Opinion of the Chamber of Commerce, 3 December 2018*

*Opinion of the Council of State, 22 January 2019*

**Draft Law N°7216B setting up a register of trusts ("fiducies")**, transposing article 31 of Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorism financing, amending Regulation (EU) N°648/2012 of the European Parliament and of the Council and repealing Directive 2005/60/EC of the European Parliament and of the Council and Directive 2006/70/EC of the Commission

*Introduced on 29 June 2018 by way of transformation of draft Law N°7216*

*Complementary opinion of the Chamber Commerce, 10 July 2018*

**Draft Law N°7314** transposing Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 on **measures to ensure a common high level of security of networks and information systems in the Union** and amending

1. the amended law of 20 April 2009 establishing the State Information Technology Centre
2. the law of 23 July 2016 establishing a High Commission for National Protection

*Introduced on 6 June 2018*

*Opinion of the Council of State, 10 July 2018*

*Opinion of the Chamber of Trades, 29 August 2018*

*Change of name and Governmental amendments introduced on 2 October 2018*

*Opinion of the Chamber of Commerce, 14 November 2018*

*Supplementary opinion of the Council of State, 27 November 2018*

**Draft Law N°7250** implementing, in tax matters, the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 **on the protection of natural persons with regard to the processing of personal data and on the free movement of such data**, and repealing Directive 95/46/EC amending

1. the amended general tax law of May 22, 1931 ("Abgabenordnung")
2. the amended law of 29 March 2013 on administrative cooperation in the field of taxation
3. the law of 18 December 2015 on the Common Reporting Standard (CRS)
4. the law of July 24, 2015 relating to FATCA

*Introduced on 23 February 2018*

*Opinion of the National Commission for Data Protection, 29 March 2018*

*Opinion of the Chamber of Civil Servants and State Employees, 23 April 2018*

*Opinion of the National Commission for Data Protection, 29 April 2018*

*Opinion of the Council of State, 8 May 2018*

*Opinion of the Chamber of Commerce, 8 May 2018*

*Opinion of Chamber of Employees, 19 June 2018*

**Draft Law N°7223** amending the Law of 25 November 2014 providing for the **procedure applicable to the exchange of information on request regarding tax matters**

*Introduced on 19 December 2017*

*Opinion of the Chamber of Civil Servants and State Employees, 6 February 2018*

*Opinion of the Chamber of Trades, 20 February 2018*

*Opinion of the Chamber of Employees, 27 February 2018*

*Opinion of the Chamber of Commerce, 8 March 2018*

*Opinion of the Council of State, 26 June 2018*

*Governmental amendments of 3 December 2018*

*Supplementary Opinion of the Council of State, 22 January 2019*

*Amendments adopted by the Finance and Budget Committee, 31 January 2019*



**Draft Law N°7218** on macro-prudential measures regarding residential mortgages and amending the amended law of 5 April 1993 on the financial sector and the law of 1 April 2015 establishing a systemic risk committee and amending the amended law of 23 December 1998 on the monetary statute and the Central Bank of Luxembourg

*Introduced on 6 December 2017*

*Opinion of the European Central Bank, 19 February 2018*

*Opinion of the Chamber of Employees, 27 February 2018*

*Opinion of the Chamber of Commerce, 2 March 2018*

*Opinion of the Luxembourg Consumers' Union, 15 March 2018*

*Opinion of the Council of State, 20 March 2018*

*Opinion of the National Commission for Data Protection, 29 March 2018*

*Opinion of the Chamber of Trades, 13 April 2018*

**Draft Law N°6936** on amendments to

1. the amended Law of 15 June 2004 relating to the **investment company in risk capital (SICAR)**
2. the amended Law of 13 February 2007 relating to the **specialised investment funds**
3. the amended Law of 17 December 2010 on **undertakings for collective investment**
4. the amended Law of 12 July 2013 relating to **alternative investment fund managers**

*Introduced on 18 January 2016*

*Opinion of the Chamber of Commerce, 25 April 2016*

*Opinion of the Council of State, 21 June 2016*

**Draft Law N°6763** amending the Criminal Procedure Code and the Law of 30 May 2005 as amended **on the protection of privacy in the electronic communications sector**

*Introduced on 7 January 2015*

*Opinion of the Luxembourg Public Prosecutor, 3 February 2015*

*Opinion of the Chamber of Commerce, 13 February 2015*

*Opinion of the Diekirch Public Prosecutor, 13 February 2015*

*Opinion of the Supreme Court of Justice, 19 February 2015*

*Opinion of the Luxembourg Magistrate's Office, 19 February 2015*

*Opinion of the National Commission for Data Protection, 19 June 2015*

*Opinion of the Council of State, 10 July 2015*

*Opinion of the Advisory Committee on Human Rights of the Grand Duchy of Luxembourg, 22 July 2015*

*Opinion of the General Public Prosecutor, 29 July 2015*

*Opinion of the Luxembourg Bar Association, 13 October 2015*

**Draft Law N°6595** on the **patrimonial foundation**

*Introduced on 22 July 2013*

*Opinion of the Council of State, 29 April 2014*

*Amendments adopted by the Finance and Budget Committee, 5 June 2014*

*Supplementary opinion of the Council of State, 7 October 2014*

*Amendments adopted by the Finance and Budget Committee, 3 November 2014*



## **Draft Law N°6539 on business preservation and modernisation of bankruptcy law**

*Introduced on 1 February 2013*

*Opinion of the District Court of Luxembourg, 14 March 2013*

*Opinion of the State Prosecutor in Luxembourg, 18 March 2013*

*Opinion of the State Prosecutor in Diekirch - Dispatch of the State Prosecutor in Diekirch to the State Attorney General, 18 March 2013*

*Opinion of the Chamber of Employees, 23 April 2013*

*Opinion of the District Court of Diekirch, 30 May 2013*

*Opinion of the General Public Prosecutor, 28 June 2013*

*Opinion of the Luxembourg Bar Association, 8 August 2013*

*Opinion of the Luxembourg Association of Chartered Accountants, 3 October 2013*

*Opinion of the Chamber of Trades, 10 October 2013*

*Opinion of the Chamber of Commerce, 2 December 2013*

*Opinion of the Chamber of Civil Servants and State Employees, 13 October 2014*

*Opinion of the National Commission for Data Protection, 20 November 2015*

*Opinion of the Council of State, 1 December 2015*

*Amendments proposed by the Legal Committee, 5 March 2018*

*Opinion of the Luxembourg Institute of Registered Auditors, 18 May 2018*

*Supplementary opinion of the Chamber of Employees, 19 June 2018*

*Supplementary opinion of the National Commission for Data Protection, 16 July 2018*

## **Draft Law N°6054 on non-profit associations and foundations**

*Introduced on 10 June 2009*

*Opinion of the Luxembourg Institute of Registered Auditors, 21 September 2009*

*Opinion of the Luxembourg Association of Chartered Accountants, 12 October 2009*

*Joint opinion of various associations, 21 October 2009*

*Opinion of the Chamber of Employees, 10 November 2009*

*Opinion of the National Council for Foreigners, 24 November 2009*

*Opinion of Union Saint Pie X, 14 January 2010*

*Joint opinion of the Chamber of Commerce and the Chamber of Trades, 5 March 2010*

*Joint opinion of the Greenpeace Foundation, the Hëllef fir d'Natur Foundation and the ÖkoFonds Foundation, 11 March 2010*

# GLOSSARY

<p><b>A</b> <b>ABBL</b> The Luxembourg Bankers' Association</p> <p><b>ACA</b> Association of the Insurance and Reinsurance companies</p> <p><b>AIF</b> Alternative Investment Fund (within the meaning of the AIFM Directive)</p> <p><b>AIFM</b> Alternative Investment Fund Manager (within the meaning of the AIFM Directive)</p> <p><b>AIFM Directive</b> Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on alternative investment fund managers</p> <p><b>AIS</b> Account Information Services (context PSD2)</p> <p><b>ALFI</b> Association of the Luxembourg Fund Industry</p> <p><b>AML Law</b> Luxembourg of 12 November 2004 (as amended) on the fight against money laundering and terrorism financing</p> <p><b>AML/CTF</b> Anti-Money Laundering and Counter-Terrorism Financing</p> <p><b>Anti-Tax Avoidance Directive</b> Directive 2016/1164 of 12 July 2016 laying down rules against tax avoidance practices that directly affect the functioning of the internal market</p> <p><b>API</b> Application Programming Interface</p>	<p><b>C</b> <b>CESR</b> Committee of European Securities Regulators (replaced by ESMA)</p> <p><b>CFC</b> Controlled Foreign Corporation</p> <p><b>CJEU</b> Court of Justice of the European Union</p> <p><b>CNPD</b> Commission Nationale pour la Protection des Données</p> <p><b>CSSF</b> Commission de Surveillance du Secteur Financier, the Luxembourg financial sector supervisory authority</p> <p><b>CRD</b> Capital Requirements Directives 2006/48/EC and 2006/49/EC</p> <p><b>CRD III</b> Directive 2010/76/EU amending the CRD regarding capital requirements for the trading book and for resecuritisations, and the supervisory review of remuneration policies</p> <p><b>CRR/CRD IV Package</b> Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC and Regulation (EU) N°575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms, and amending Regulation (EU) N°648/2012</p> <p><b>CRS</b> Common Reporting Standard</p> <p><b>CSR</b> Corporate Social Responsibility</p>	<p><b>DCC</b> The Dynamic currency conversion (DCC) is a process service allowing cardholders to pay for or withdraw money in their home currency when conducting transactions in a different currency abroad. This service is generally offered by third-party operators rather than by card issuers.</p> <p><b>DLT</b> Distributed Ledger Technology</p> <p><b>E</b> <b>EBA</b> European Banking Authority</p> <p><b>ECB</b> European Central Bank</p> <p><b>EMIR</b> European Market Infrastructure Regulation</p> <p><b>EPC</b> European Payments Council</p> <p><b>EU</b> European Union</p> <p><b>F</b> <b>Financial Sector Law</b> Luxembourg law of 5 April 1993 on the financial sector (as amended)</p> <p><b>Firm</b> Credit institutions (within the meaning of the CRR/ CRD IV Package and the Financial Sector Law) and relevant investment firms (within the meaning of MiFID II and the Financial Sector Law)</p> <p><b>FIU</b> Financial Intelligence Unit</p> <p><b>G</b> <b>GDPR</b> General Data Protection Regulation - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC</p>
<p><b>B</b> <b>BCBS</b> Basel Committee on Banking Supervision</p> <p><b>BCL</b> Banque Centrale du Luxembourg</p> <p><b>BEPS</b> Base Erosion and Profit Shifting</p>	<p><b>D</b> <b>DBFI</b> Digital Banking and FinTech Innovation Cluster</p>	<p><b>K</b> <b>KID</b> Key Information Document (within the meaning of the PRIIPs KID Regulation) that aims at helping investors understand the key features of their proposed packaged retail and insurance-based investment products</p>

## KIID

Key Investor Information Document (within the meaning of the UCITS Directive that aims at helping investors understand the key features of their proposed UCITS investment

## KYC

Know Your Customer

## I IGP

Independent Groups of Persons

## M MiFID I

Directive 2004/39/EC of the European Parliament and of the Council dated 21 April 2004 on markets in financial instruments, amending Council Directive 85/611/EEC and 93/6/EC and Directive 2000/12/EC of the European Parliament and of the Council, and repealing Council Directive 93/22/EEC

## MiFID II

Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast)

## MiFID II Framework

MiFID II, MiFIR and the relevant delegated regulations, technical standards and opinions

## MiFID II Delegated Directive

Commission Delegated Directive (EU) 2017/593 of 7 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to safeguarding of financial instruments and funds belonging to clients, product governance obligations and the rules applicable to the provision or reception of fees, commissions or any monetary or non-monetary benefits

## MiFID II Delegated Regulation

Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organisational requirements and operating conditions for investment firms and defined terms for the purposes of that Directive

## MiFIR

Regulation (EU) N°600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012

## N NCA

National Competent Authority

## O OECD

Organisation for Economic Co-operation and Development

## P PFS

Professional of the Financial Sector other than a credit institution and subject to CSSF supervision in accordance with the Financial Sector Law

## PIS

Payment Initiation Services (context PSD2)

## PRIIPs KID Regulation

Regulation (EU) N°1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurancebased investment products

## PRIIPs Delegated Regulation

EU Commission Delegated Regulation (EU) 2017/653 of 8 March 2017, supplementing the PRIIPs KID Regulation by laying down regulatory technical standards (RTS) with regard to the presentation, content, review and revision of KIDs and the conditions for fulfilling the requirement to provide such documents

## PSD2

Payment Services Directive 2 Directive 2015/2366/ EU of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/ EC

## PSP

Payment Service Provider

## R R&D

Research and Development

## REMIT

Regulation on Wholesale Energy Market Integrity and Transparency

## RTS

Regulatory Technical Standards (context PSD2)

## S SECT

SEPA Credit Transfers

## SDD-Core

SEPA Direct Debit – Core scheme

## SDD B2B

SEPA Direct Debit - Business to Business scheme

## SEPA

Single Euro Payments Area

## SFTR

Securities Financing Transaction Regulation

## SSR

Short Selling Regulation

## T TPP

Third Party Provider

## U UCITS Directive

Directive 2009/65/EC of 3 July 2009 of the EU Parliament and of the Council on the coordination of laws, regulations and administrative provisions relating to UCITS (as amended)

## UCITS V Directive

Directive 2014/91/EU of the European Parliament and Council of 23 July 2014 amending Directive 2009/65/EC as regards depositary functions, remuneration policies and sanctions

## UCITS V Delegated Regulation

Commission Delegated Regulation (EU) 2016/438 of 17 December 2015 supplementing the UCITS Directive with regards to obligations of depositaries

## V VAT

Value-Added Tax



WHO WE ARE

**ABBIL**

# TABLE OF CONTENTS

WHO WE ARE	56
WHAT WE DO	56
OUR NETWORK	59
OUR STRUCTURE	60
Fondation ABBL pour l'éducation financière	61
Fondation House of Training	61
Our Clusters	62
Banking Clusters	62
Non-banking Clusters	63
Our Technical Committees	64
LIST OF MEMBERS AND RELATED MEMBERS	65
OUR BACKGROUND	68
Former Chairmen of the ABBL	70
Chairmanship	71
Management Board	72
Senior Management	72
Teams	72
Chairmanship and Management board	77
Working together in the best interest of the Luxembourg financial centre	77
ABBL General Assembly 2018	78
HOW TO BECOME A MEMBER	79
HOW TO BECOME A FINTECH SERVICE USER	80

# WHO WE ARE

## WHO WE ARE

Established in 1939, the Luxembourg Bankers' Association (ABBL) is the oldest and largest professional association in the financial sector, representing the majority of financial institutions as well as regulated financial intermediaries and other professionals established in Luxembourg, including lawyers, consultants and auditors working in or for the financial sector.

Reflecting the diversity of the Luxembourg financial centre, the ABBL federates and fosters the interests of its members and acts as the voice of the entire sector at both national and international level.

The ABBL is truly representative of the diversity of the Luxembourg financial centre. Besides banks, our members include consultants, lawyers, auditors, the Luxembourg Stock Exchange, Infrastructures, Payment institutions, Electronic Money institutions as well as other financial sector professionals and financial professions.

## WHAT WE DO

The ABBL provides its members with the intelligence, resources and services they need in order to operate in a dynamic financial market and in an increasingly complex regulatory environment. ABBL members thus have a long-established and influential association working in their interests and representing them at the highest levels both in Luxembourg, as well as in Europe.

We also provide our members with a platform to discuss key industry issues and to define common strategies for the entire Luxembourg financial sector.

### Represent

The ABBL represents its members' interests and actively participates in all relevant national and international bodies and committees, including the Haut Comité de la Place Financière, the Luxembourg Financial Supervisory Authority (CSSF), the Luxembourg Central Bank (BCL), the Luxembourg employers' association UEL, the Economic and Social Council, Luxembourg social security institutions, ICTLuxembourg, XBRL Luxembourg, various EU expert groups, the European Banking Federation, the European Covered Bond Council, the European Payments Council.

Given that, today, the majority of financial sector regulations originate from EU institutions, we have a **Representative Office in Brussels**, which actively supports our EU lobbying efforts and monitors EU regulatory developments. The ABBL is registered in the EU Transparency Register. Our European Affairs team closely follows regulatory developments, interacts with policy makers and standard setters and represents the interests of the ABBL's members in Brussels.

As a founding member of [Luxembourg for Finance](#) (LFF), we fully support the promotion and branding efforts for the Luxembourg financial centre and its many business lines.

Through our proposals and initiatives we have been a **driving force in the development of the financial centre over the last decades**. And we are committed to continue doing so in the future.

## Analyse

**The ABBL monitors and keeps its members informed and up-to-date about the latest legal and regulatory developments as well as new technologies impacting their business.**

We anticipate political, economic, financial and social developments in Europe and in Luxembourg. In doing so, **we formulate opinion papers and proposals** on legislation, taxation and banking regulation at national, European and international levels.

The ABBL, via its Clusters, Technical Committees, Forums, Committees and Working Groups, provides technical and strategic input for the benefit of its members and the Luxembourg financial industry as a whole. As such, we act as a think tank for the entire sector and as a platform where members can discuss industry issues and exchange best practices.

## Assist & Advise

### RECOMMENDATIONS AND GUIDELINES

The ABBL assists and advises its members in the implementation of rules, regulations and standards. We develop professional recommendations and guidelines for our members, such as a Code of Conduct and a Vademecum on anti-money laundering.

### TECHNICAL ASSISTANCE

**We provide assistance to our members in technical matters.** The ABBL, for instance, creates and manages SEPA Creditor Identifiers on behalf of banks, assigns IBAN bank codes in line with the regulatory guidelines, develops various technical standards for payment initiation and payment reporting (XML 20022) and is actively involved in promoting the XBRL reporting standard.

The ABBL also provides an environment of trust and confidence in the context of security of payment systems and instruments that encourages the exchange of sensitive information between members in case of threats on IT infrastructures.

### SOCIAL AND LABOUR AFFAIRS

**As an employers' association, we assist our members in all social and labour matters.**

We represent the financial sector at the level of the Tripartite, the [Luxembourg Economic and Social Council](#) (CES), the Luxembourg social security institutions or the [Luxembourg employers' federation](#) (UEL).

On behalf of our members, we negotiate working and remuneration conditions in the financial sector with trade unions, via a collective bargaining agreement.

### TRAINING

**Through the 'House of Training', a joint venture between the ABBL and the Chamber of Commerce, we provide dedicated and specialised professional education courses for employees in the financial sector.**

In order to underline its continuous ambition to support financial education, the ABBL has established in September 2016 a foundation for financial education, the [Fondation ABBL pour l'éducation financière](#).

## HEALTH & SAFETY

**We were a founding member and still are the largest stakeholder of the financial sector health care service, the [ASTF](#).** Our members are entitled to the services of the ASTF, which is more customeroriented and less expensive than the national health care service.

## PROMOTION & COMMUNICATION

We also help our members in their own promotional and development activities and in the positioning within their Group.

**As part of our press relations and communication activities, we represent and act as the voice of the banking and finance sector in the national and international media.**

Through our website we offer our members an additional communication channel to publish their press releases, announce their events and post job offers.

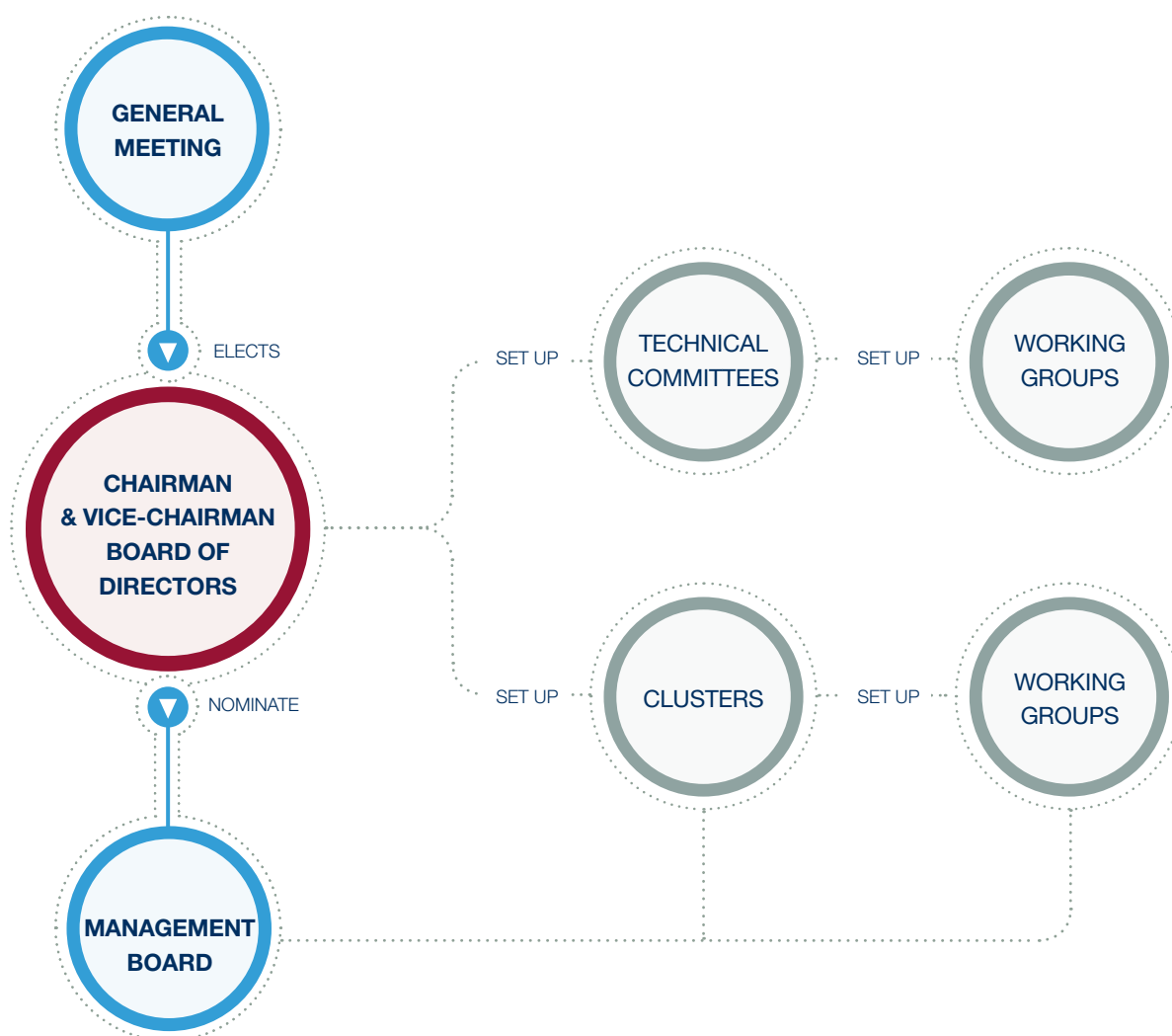




# OUR NETWORK



# OUR STRUCTURE



## GENERAL MEETING

The annual General Meeting is the ABBL's highest body. It approves the annual accounts and budget and elects the Board of Directors, the Chairman and the Vice-Chairman.

## BOARD OF DIRECTORS

The Board of Directors determines the strategic and political priorities of the association. The Board is composed of the CEOs of the 6 largest contributors to the association's budget, the representatives of the geographical groupings and the Heads of the business line clusters.

## CHAIRMAN AND VICE-CHAIRMAN

The ABBL Chairman and Vice-Chairman are directly elected by the General Meeting. The Chairman is the official spokesperson of the association and personally monitors all strategic issues of relevance to the organisation.

## MANAGEMENT BOARD

The Management Board advises the Board of Directors and takes care of the follow-up of decisions taken by the General Meeting and the Board of Directors. The Management Board, chaired by the CEO of the association, is in charge of the day-to-day management of the association.



## FONDATION ABBL POUR L'ÉDUCATION FINANCIÈRE

### Board of Directors

**Serge de Cillia**

CEO of the ABBL, Chair

**Guy Hoffmann**

Chairman of the ABBL, Vice-Chair

**Claude Marx**

General Director of the CSSF (Treasurer)

**Pierre Etienne**

Head of the ABBL Private Banking Group, Luxembourg

**Jean Hilger**

Head of the ABBL Digital Banking and FinTech  
Innovation Cluster, Luxembourg

**Luc Neuberg**

Chairman of ALRIM

**Stéphane Pallage**

President of the University of Luxembourg

**Léon Diederich**

Premier Conseiller of the Ministry of Education



HOUSE OF TRAINING  
YOUR GATEWAY TO SUCCESS

## FONDATION HOUSE OF TRAINING

### Board of Directors

**Fernand Ernster**

(Co-Chairman)

**Karin Scholtes**

(Co-Chairman)

**Serge de Cillia**

(Vice-Chairman)

**Carlo Thelen**

(Vice-Chairman)

**Luc Henzig**

(Member)

# OUR CLUSTERS

ABBL clusters represent major banking and financial business lines in Luxembourg. They are composed of committed and high-level representatives of our mem-

bers who discuss key strategic issues in their respective field of activity. Clusters can set up working groups to deal with specific topics in more detail.

## BANKING CLUSTERS



### THE PRIVATE BANKING GROUP, LUXEMBOURG (PBGL)

Regroups member banks active in Private Banking and Wealth Management

Customer base: HNWI /UHNWI clients, families or senior managers working for multi-nationals, internationally exposed and mobile entrepreneurs



### THE RETAIL BANKING CLUSTER, LUXEMBOURG (RBCL)

Regroups member banks active in retail financial services

Customer base: private individuals, micro-enterprises and SMEs in Luxembourg and the Greater Region



### THE CORPORATE FINANCE, CAPITAL MARKETS AND CASH MANAGEMENT CLUSTER (C³)

The Cluster is strategically focused on the central financial and nonfinancial intermediation roles of banks and other financial market intermediaries in the international corporate and wholesale markets, encompassing



### THE DEPOSITARY BANKING CLUSTER, LUXEMBOURG (DBCL)

Regroups member banks active in the depositary and custodian business services

The Depositary Banking Cluster is part of the ABBL/ALFI Depositary Bank Forum. The Cluster represents the ABBL in the Forum



### THE DIGITAL BANKING AND FINTECH INNOVATION CLUSTER, LUXEMBOURG (DBFI)

The Digital Banking and FinTech Innovation Cluster aims at raising awareness, giving advice and supporting banks and traditional financial actors in achieving their digital transformation by using disruptive technologies and business models within an appropriate innovation-promoting regulatory framework

## NON-BANKING CLUSTERS



### THE MARKET INFRASTRUCTURES CLUSTER, LUXEMBOURG (MICL)

The Market Infrastructures Cluster aims at representing and promoting securities market infrastructures' interests from a regulatory perspective as well as through their harmonized development in support of the financial centre of Luxembourg



### THE LAW FIRMS CLUSTER

The Law Firms Cluster regroups firms which have a strong focus on legal activities in the areas of banking and capital markets

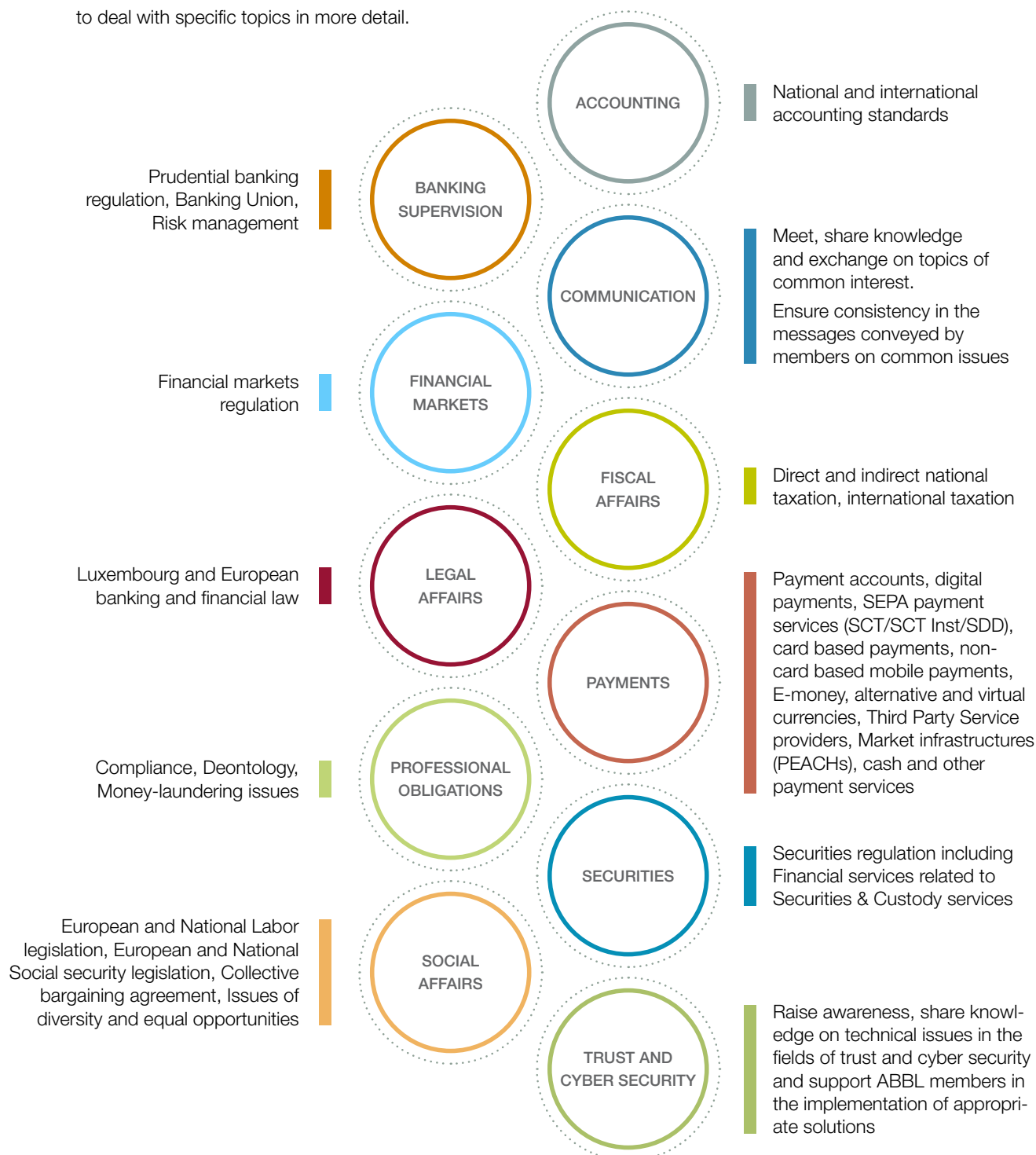


### THE CONSULTANTS/AUDITORS CLUSTER

This Consultants/Auditors Cluster regroups members who are consultants or auditors and have a strong focus on consulting or audit activities in the areas of banking and capital markets and European banking and financial law

## OUR TECHNICAL COMMITTEES

Technical Committees handle issues relevant to their respective areas of expertise and give advice to the Management Board and the Board of Directors. Technical Committees are composed of highly qualified and experienced representatives of our members. Technical Committees can set up working groups and task forces to deal with specific topics in more detail.



# LIST OF MEMBERS AND RELATED MEMBERS

(AS OF 1 APRIL 2019)

## A CATEGORY A UNIVERSAL BANKS, COVERED BONDS ISSUING BANKS, PUBLIC BANKS

ABLV Bank Luxembourg S.A.	BGL BNP Paribas S.A.
Advanzia Bank S.A.	BPER Bank Luxembourg S.A.
Agricultural Bank of China (Luxembourg) S.A.	Brown Brothers Harriman (Luxembourg) S.C.A.
Allfunds Bank International S.A.	CA Indosuez Wealth (Europe)
Andbank Luxembourg	Caixa Geral de Depósitos, Succursale de Luxembourg
Banca March, S.A., Luxembourg Branch	Catella Bank S.A.
Banco Bradesco Europa S.A.	China Construction Bank (Europe) S.A.
Bank GPB International S.A.	China Everbright Bank (Europe) S.A.
Bank Julius Baer Europe S.A.	China Merchants Bank Co., Ltd., Luxembourg Branch
Bank of China Limited Luxembourg Branch	Citco Bank Nederland N.V., Luxembourg Branch
Bank of Communications (Luxembourg) S.A.	Citibank Europe plc, Luxembourg Branch
Bankinter Luxembourg S.A.	Clearstream Banking
Banque BCP S.A.	COMMERZBANK Finance & Covered Bond S.A.
Banque de Commerce et de Placements S.A., Luxembourg Branch	Compagnie de Banque Privée Quilvest S.A.
Banque de Luxembourg	Credem International (Lux) S.A.
Banque de Patrimoines Privés	Credit Suisse (Luxembourg) S.A.
Banque Degroof Petercam Luxembourg S.A.	Danske Bank International S.A.
Banque et Caisse d'Epargne de l'Etat, Luxembourg	DekaBank Deutsche Girozentrale Luxembourg S.A.
Banque Hapoalim (Luxembourg) S.A.	Delen Private Bank Luxembourg S.A.
Banque Havilland S.A.	DEPFA Pfandbrief Bank International S.A.
Banque Internationale à Luxembourg S.A.	Deutsche Bank Luxembourg S.A.
Banque J. Safra Sarasin (Luxembourg) SA	DNB Luxembourg S.A.
Banque Raiffeisen	DZ PRIVATBANK S.A.
Banque Transatlantique Luxembourg S.A.	East-West United Bank S.A.
BEMO Europe - Banque Privée	Edmond de Rothschild (Europe)
	EFG Bank (Luxembourg) S.A.
	Eurobank Private Bank Luxembourg S.A.

European Depositary Bank S.A.	Novo Banco S.A., Succursale de Luxembourg
Fideuram Bank (Luxembourg) S.A.	PayPal (Europe) S.à r.l. et Cie, S.C.A.
Fortuna Banque s.c.	Pictet & Cie (Europe) S.A.
Freie Internationale Sparkasse S.A.	POST Finance
Hauck & Aufhäuser Privatbankiers AG, Niederlassung Luxemburg	Rakuten Europe Bank S.A.
HCOB Securities S.A.	RBC Investor Services Bank S.A.
HSBC France, Luxembourg Branch	RCB Bank Ltd, Luxembourg Branch
Industrial and Commercial Bank of China (Europe) S.A.	RiverBank S.A.
ING Luxembourg	Royal Bank of Scotland International Limited, Luxembourg Branch (The)
Internaxx Bank S.A.	Skandinaviska Enskilda Banken S.A.
Intesa Sanpaolo Bank Luxembourg S.A.	SMBC Nikko Bank (Luxembourg) S.A.
J.P. Morgan Bank Luxembourg S.A.	Société Générale Bank & Trust
John Deere Bank S.A.	State Street Bank Luxembourg S.C.A.
KBL European Private Bankers S.A.	Sumitomo Mitsui Trust Bank (Luxembourg) S.A.
Keytrade Bank Luxembourg S.A.	Svenska Handelsbanken AB (Publ), Luxembourg Branch
Landesbank Baden-Württemberg, Luxembourg Branch	The Bank of New York Mellon S.A./N.V., Luxembourg Branch
Lombard Odier (Europe) S.A.	UBS EUROPE SE, Luxembourg Branch
Mediobanca International (Luxembourg) S.A.	UniCredit Bank AG Luxembourg Branch
Mirabaud & Cie (Europe) S.A.	UniCredit International Bank (Luxembourg) S.A.
Mitsubishi UFJ Investor Services & Banking (Luxembourg) S.A.	Union Bancaire Privée (Europe) S.A.
Mizuho Trust & Banking (Luxembourg) S.A.	VP Bank (Luxembourg) SA
Natixis Wealth Management Luxembourg	Wüstenrot Bausparkasse AG, Niederlassung Luxembourg
Nomura Bank (Luxembourg) S.A.	
NORD/LB Luxembourg S.A. Covered Bond Bank	
Nordea Bank S.A.	
Northern Trust Global Services SE	



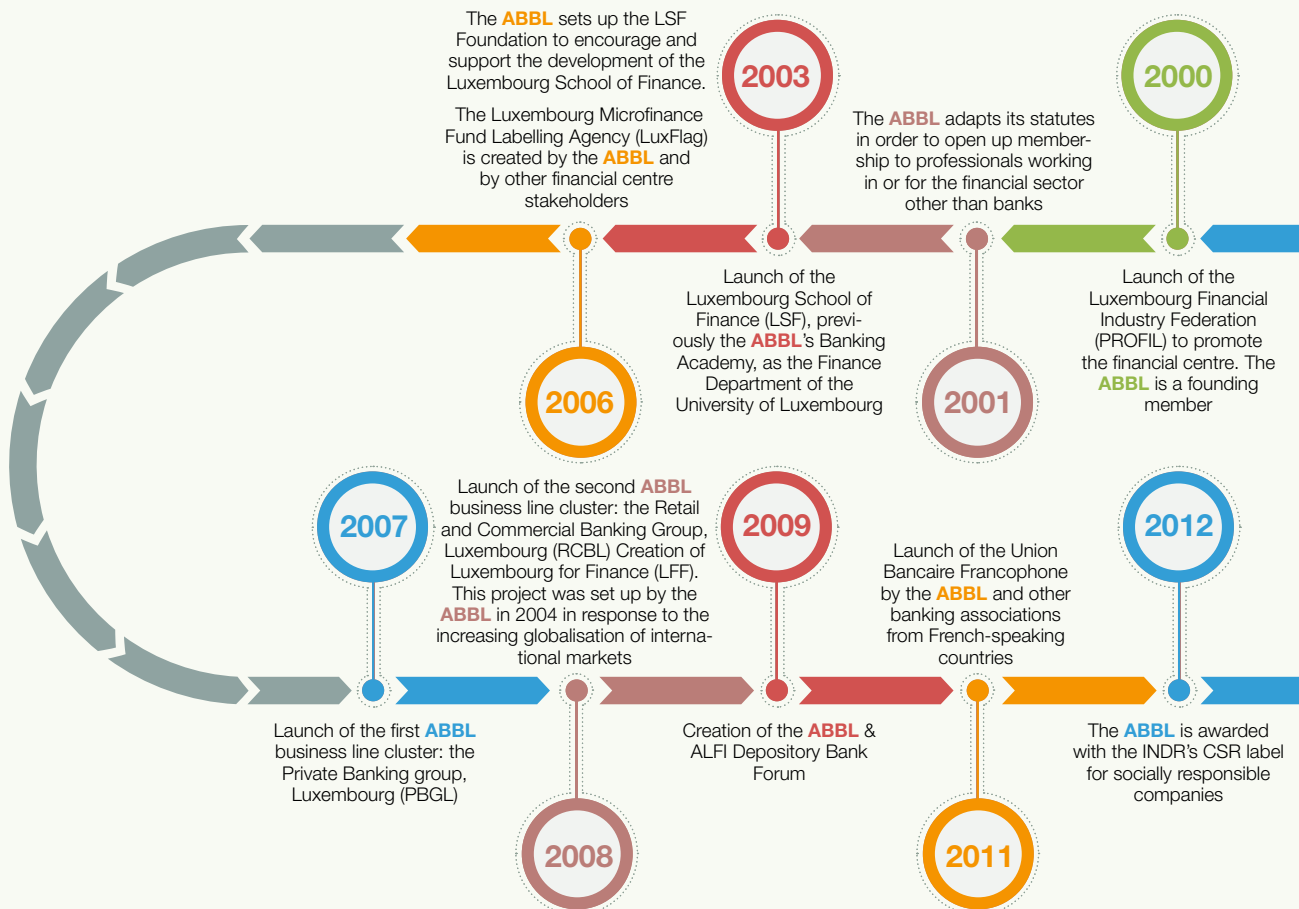
**B**
**CATEGORY B OTHER FINANCIAL SECTOR  
PROFESSIONALS, FINANCIAL PROFESSIONALS**

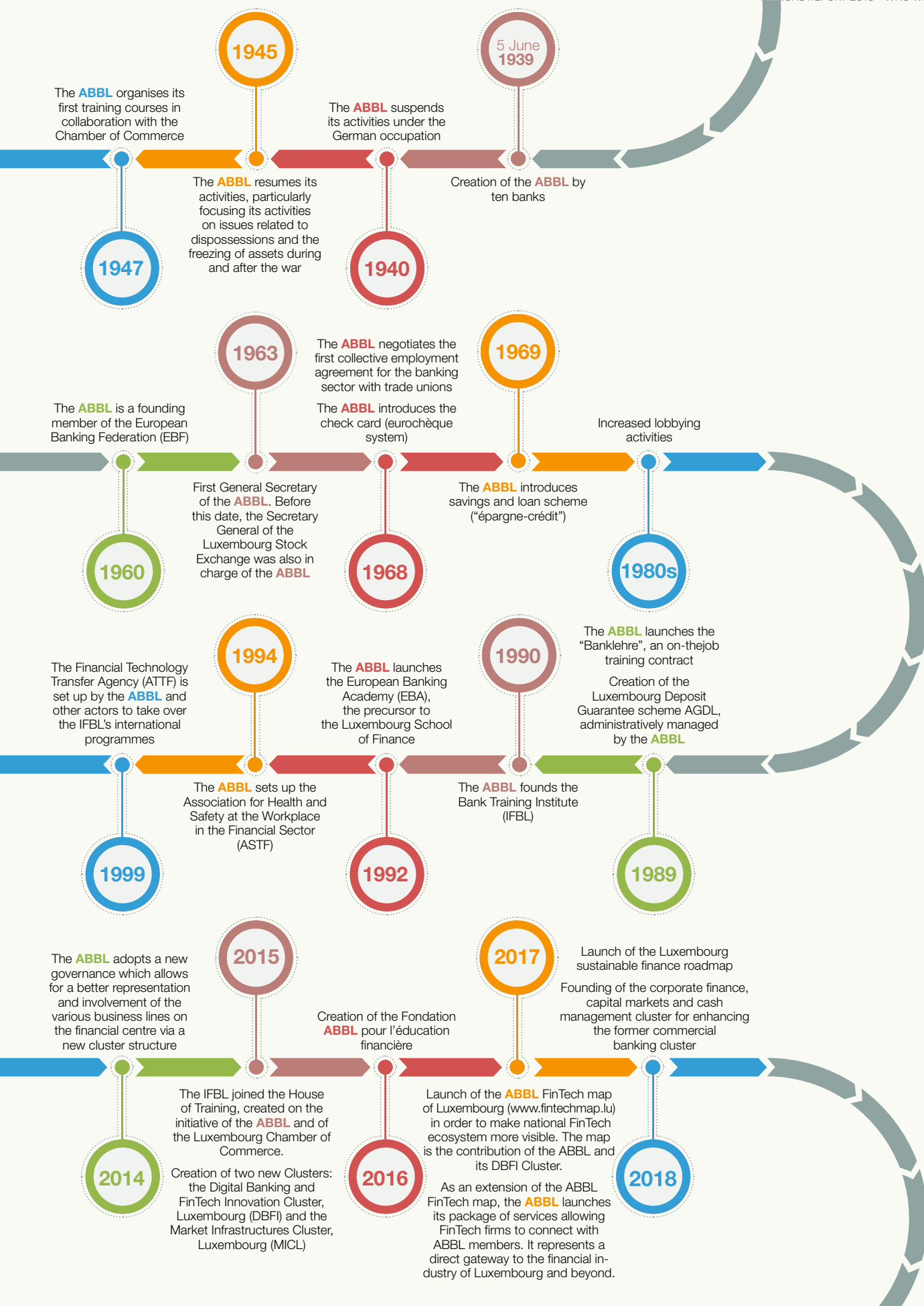
Amazon Payments Europe S.C.A.  
BOS Wealth Management Europe S.A.  
Bourse de Luxembourg  
CapitalatWork Foyer Group S.A.  
Chambre de Commerce du Grand-Duché de Luxembourg  
CYBERServices Europe S.A.  
Eurizon Capital S.A.  
LuxCSD S.A.  
LuxTrust S.A.  
Payconiq International S.A.  
SIX Payment Services (Europe) S.A.  
Sopra Banking Software Luxembourg  
Union Investment Luxembourg S.A.

**C**
**CATEGORY C ACTIVITIES ANCILLARY  
TO THE FINANCIAL SECTOR**

AAllen & Overy S.C.S.  
Arendt & Medernach S.A.  
ATOZ S.A.  
Avaloq Luxembourg S.à r.l.  
Baker & McKenzie Luxembourg  
BDO  
BearingPoint Luxembourg S.à r.l.  
Bonn & Schmitt  
Clifford Chance S.C.S.  
Deloitte General Services S.à r.l.  
DLA Piper Luxembourg S.à r.l.  
Elvinger Hoss Prussen, société anonyme  
EY  
Grant Thornton Tax & Accounting S.A.  
GSK Luxembourg S.A.  
KPMG Luxembourg, Société Coopérative  
Linklaters LLP  
Loyens & Loeff Luxembourg S.à r.l., Avocats à la Cour  
NautaDutilh Avocats Luxembourg S.à r.l.  
PricewaterhouseCoopers, Société coopérative  
Schiltz & Schiltz S.A.  
WAVESTONE Luxembourg  
Wildgen S.A.  
zeb

# OUR BACKGROUND





# FORMER CHAIRMEN OF THE ABBL

## THE VOICE OF LUXEMBOURG BANKING SINCE 1939



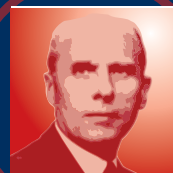
**MAX LAMBERT**  
1945-1948



**CARLO TURK**  
1948-1953



**JEAN D'HUART**  
1953-1959 / 1964-1969



**JEAN-JACQUES WELBES**  
1959-1964 / 1969-1973



**MARCEL SCHLEDER**  
1973-1975 / 1981-1984



**GEORGES ARENDT**  
1975-1977 / 1979 (acting)



**ALBERT DONDELINGER**  
1977-1979



**CONSTANT FRANSENS**  
1979-1981



**REMY KREMER**  
1984-1988



**JEAN KRIER**  
1988-1992



**CHARLES RUPPERT**  
1992-1995



**PAUL MEYERS**  
1995-2000



**FRANÇOIS MOES**  
2000-2004



**JEAN MEYER**  
2005-2010



**ERNST WILHELM CONTZEN**  
2010-2014



**YVES MAAS**  
2014-2018

---

## CHAIRMANSHIP



**Guy Hoffmann**  
Chairman  
since 2018



**Yves Maas**  
Vice-Chairman  
since 2018

## MANAGEMENT BOARD



**Serge de Cillia**

CEO  
Head of the  
Management Board



**Catherine Bourin**

Member of the  
Management Board



**Camille Seillès**

Secretary General & Member  
of the Management Board

## SENIOR MANAGEMENT



**Marc Hemmerling**

General Counsel -  
Digital Banking,  
FinTech & Payments

## TEAMS

### EUROPEAN AFFAIRS



**Antoine Kremer**

Head of European Affairs



**Aurélie Cassou**

Senior Adviser



**Elona Morina**

Trainee

## TEAMS

### BANKING REGULATION



**Gilles Pierre**  
Head of Banking Regulation

### INTERNATIONAL AFFAIRS



**Benoît Cerfontaine**  
Adviser to the CEO  
& International Affairs

### DEPOSITORY BANKING, MARKET INFRASTRUCTURES, LAW FIRMS, CONSULTANTS & AUDITORS CLUSTERS



**Gilles Walers**  
Legal Adviser

### PRIVATE BANKING, CORPORATE FINANCE, CAPITALMARKETS AND CASH MANAGEMENT CLUSTERS & SUSTAINABLE FINANCE



**Fabio Mandorino**  
Adviser

### RETAIL BANKING & CONSUMER PROTECTION



**Simone Kayser**  
Adviser

### DIGITAL BANKING & FINTECH INNOVATION CLUSTER



**Andrey Martovoy**  
Adviser

### BANKING TECHNOLOGIES & PAYMENTS



**Antoine Van den Bulcke**  
Adviser



## TAX



**Laétitia Carroz**  
Adviser

## LEGAL & COMPLIANCE



**Cristelle  
Cervellati-Bretnacher**  
Legal Adviser



**Prune Delvalle**  
Legal Officer



**Jonathan Hug**  
Senior Legal Adviser



**Fabienne Lang**  
Adviser - Social Security



**Julien Leroy**  
Senior Legal Adviser

## COMMUNICATION



**Philipp von Restorff**  
Head of Communication



**Jessica Thyron**  
Adviser - Communication  
& Financial Education



**Jérôme Kete**  
Officer - Communication



## MARKETING & BUSINESS DEVELOPMENT



**Sarah Odru**  
Adviser

## MANAGEMENT SUPPORT



**Ghislaine Mercatoris**  
Executive Assistant

## HUMAN RESOURCES



**Myriam Sibenaler**  
Head of Human Resources

## IT SUPPORT



**Olivier Pemmiers**  
Head of Information Technologies



**Carlo Fonseca**  
Senior Adviser - Information Technologies

## ACCOUNTING & ADMINISTRATION



**Doris Cavallaro**  
Head of Accounting



**Elisângela Furtado**  
Assistant - Accounting



**Carole Bertemes**  
Officer - Administration & Accounting

## SECRETARIAT



**Nadja Pfleger**

Office Manager - Corporate  
Secretariat



**Sophie Poekes**

Assistant - Secretariat



**Annick Rollinger**

Assistant - Secretariat



**Perrine Schuler**

Assistant - Secretariat

## RECEPTION DESK



**Chantal Hoffmann**

Assistant -  
Reception desk



**Sabine Nickels**

Assistant -  
Reception desk



**André Rumpf**

Assistant -  
Reception desk

## FACILITY MANAGEMENT & SUPPORT



**Piero Ruscitti**

Supervisor -  
Facility Management



**Jean Schmitz**

Technical Agent -  
Facility Management

## WORKING TOGETHER IN THE BEST INTEREST OF THE LUXEMBOURG FINANCIAL CENTRE



Chairmanship and Management Board



Event dedicated to the Chinese banks present in Luxembourg



## MEETING WITH MEMBERS



ABBL General Assembly 2018



New ABBL Board April 2018



ABBL Chairman's dinner 2018



# HOW TO BECOME A MEMBER



## WHO CAN JOIN THE ABBL?

Banks, regulated financial intermediaries, as well as other professionals working in or for the financial sector in Luxembourg, including lawyers, consultants, solution providers and auditors.

### HOW TO JOIN THE ABBL?

Your Application for membership to the ABBL must be submitted in writing to the Chairperson. Admission is decided by the ABBL Board of Directors. Together with your application, you will need to submit a number of standard corporate documents.

We would be pleased to assist you in applying for membership: just fill in the form on our website at <http://www.abbl.lu/en/become-member>.

### BE PART OF OUR COMMUNITY, JOIN THE ABBL!

For any additional information, just email us at [mail@abbl.lu](mailto:mail@abbl.lu) or call us at (+352) 46 36 60-1.

# HOW TO BECOME A FINTECH SERVICE USER

## SUBSCRIBE FOR ABBL'S SERVICE PACK FOR FINTECH FIRMS

If you are interested in getting connected with ABBL members represented by banks, payment institutions, electronic money institutions, consultants, law firms and financial sector professionals, wish to exchange with established actors and peers, and eager to contribute to the shaping of the future banking and financial services, just fill in the form and one of our consultants will contact you shortly.

### WHO CAN SUBSCRIBE FOR ABBL'S FINTECH SERVICE PACK?

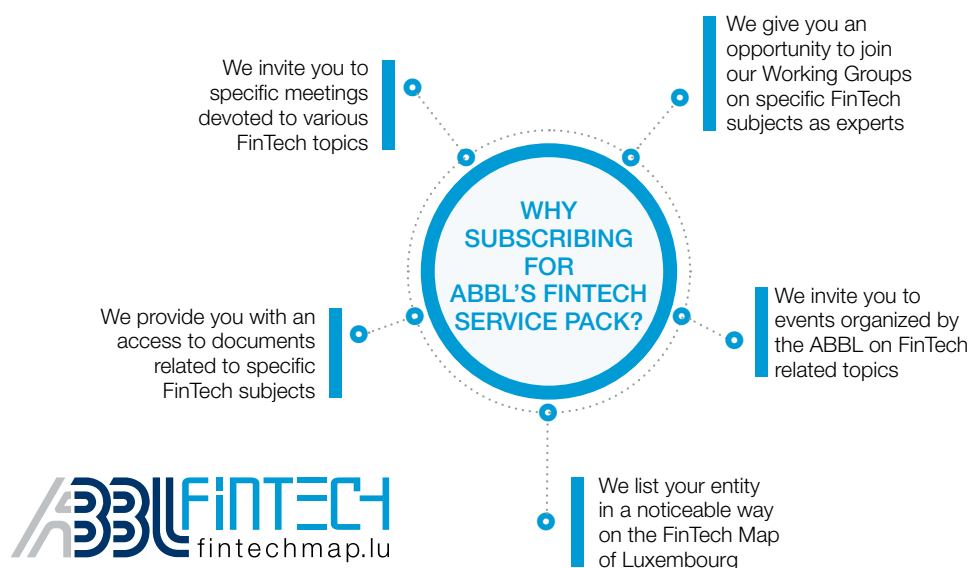
Any entity operating in Financial Technology (FinTech) sector, legally present in Luxembourg, not supervised by the CSSF, employing no more than 10 employees and having no more than EUR 2 million of revenues annually can apply for the Service Pack.

### HOW TO JOIN THE ABBL?

Applications for ABBL's FinTech Service Pack are submitted in writing and electronically to the Head of Digital Banking and FinTech Innovation (DBFI) Cluster of the ABBL. The DBFI Executive Board approves the application. Together with your application you will need to submit a few standard certificates.

### WHY SUBSCRIBING FOR ABBL'S FINTECH SERVICE PACK?

Subscription for [ABBL's FinTech Service Pack](#) is a unique professional and networking opportunity representing an exciting and direct connector to the financial industry of Luxembourg:



[www.fintechmap.lu](http://www.fintechmap.lu)





**DIGITAL BANKING  
& FINTECH**  
MOVE FORWARD  
AND INNOVATE



**BANKS**  
STRONG,  
INTERNATIONAL  
AND DIVERSIFIED



**RETAIL BANKING**  
WE FINANCE  
THE ECONOMY



**EMPLOYMENT**  
SKILLED AND  
MULTICULTURAL  
WORKFORCE



**PRIVATE BANKING**  
TAILOR-MADE  
SOLUTIONS FOR  
INTERNATIONAL  
CLIENTS



**ABBL A.s.b.l.**

12, rue Erasme | L-1468 Luxembourg

P.O. Box 13 | L-2010 Luxembourg

Tél.: (+352) 46 36 60-1

Fax: (+352) 46 09 21

Email: [mail@abbl.lu](mailto:mail@abbl.lu)

For more information,  
visit our website at:

[www.abbl.lu](http://www.abbl.lu)

and follow us on:

