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**Business registers in EU countries**

Luxembourg

This page provides you with information regarding the options available for consulting the Luxembourg Trade and Companies Register (registre de Commerce et des Sociétés - RCS).

#### **History of the establishment of the national register**

##### **When was it created?**

The register of companies, which only covered natural persons, was created by the law of 23 December 1909 establishing a register of companies. In 1972 and under the impetus of European legislation, a business register was set up. In 1987, these two registers were merged into a single register, the **Trade and Companies Register**. Since 2003, this register has operated under the authority of the Minister for Justice and its management is entrusted to the economic interest grouping, LUXEMBOURG BUSINESS REGISTERS.

##### **When was it digitised?**

The digitisation of the Trade and Companies Register started in 2006 and was completed in 2007. The Trade and Companies Register is now fully searchable and only available electronically.

##### **What legislation currently applies?**

the amended law of 19 December 2002 on the trade and companies register and on accounting and annual accounts;

the amended Grand-Ducal Regulation of 23 January 2003 implementing the law of 19 December 2002 on the register of trade and companies and on accounting and annual accounts;

the amended ministerial regulation of 27 May 2016 laying down the criteria for the presentation and form of documents intended for publication in the Electronic Compendium of Companies and Associations (*Recueil électronique des sociétés et associations*).

##### **What information does the trade register provide?**

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##### **Who has the right to access the register?**

The Trade and Companies Register is public.

##### **What information does the trade register contain?**

##### **What kind of data is stored? (entities listed in the public register, insolvency information, financial reports, etc.)**

Entities that are obliged to register in the Trade and Companies Register are:

traders who are natural persons;

commercial companies;

economic interest groupings and European economic interest groupings;

branches created in the Grand Duchy of Luxembourg by companies governed by commercial and civil law, economic interest groupings and European economic interest groupings, governed by the law of another State;

companies governed by civil law;

non-profit associations and foundations;

pension savings associations;

agricultural associations;

public establishments of the State and the municipalities;

mutual insurance associations;

special limited partnerships;

mutual funds and securitisation funds;

mutual societies.

The information stored in the Trade and Companies Register is all set down by law and depends on the legal form of the entity concerned.

Broadly speaking, two types of information are collected:

legal data (name, address of the registered office, capital, identity of legal representatives, financial year, information on a court decision, etc.);

financial data (annual accounts).

##### **What documents are filed/stored? (Files, collection of documents, articles of association, minutes of general meetings, etc.)**

Only the documents prescribed by law are filed with the Trade and Companies Register. The list of documents to be filed depends on the legal form of the entity concerned.

All the documents filed for a registered entity are included in an electronic file specific to the entity, and kept at the Trade and Companies Register.

As such, the Trade and Companies Register keeps the following documents (non-exhaustive list):

the constitutive and amending deeds of the articles of association;

the coordinated articles of association;

minutes or extracts of minutes concerning changes of registered office, agents, partners, persons responsible for auditing the accounts;

extracts of court decisions affecting an entity registered in the Trade and Companies Register;

accounting documents;

deeds or extracts of deeds pronouncing the dissolution of the registered entity;

draft terms of mergers, etc.

##### **How can I search (and what search criteria are available)?**

**In person**

The trade and companies register can be consulted directly on the website of the [Trade and Companies Register](#), which is entirely electronic. However, for people who do not have the necessary computer equipment, a physical office is available in Luxembourg, where you can carry out searches on a dedicated computer.

#### On the register's website

Files can be searched and viewed on the website of the [Trade and Companies Register](#) (RCS) via the 'services offered' menu and 'search for an RCS file'. In order to view the filed documents, the user must log in to the website, with or without creating a personal account.

#### What search criteria are available?

Public searches are done by registration number or by name of the entity concerned.

#### How can I obtain documents?

##### Free of charge?

Documents filed with the Trade and Companies Register are available free of charge. When consulting a file, the filed document is accessed by simply clicking on the corresponding PDF icon.

##### For a fee?

Extracts, certificates or certified copies issued by the Trade and Companies Register administrator are available for a fee.

#### How can I obtain an extract from the register, a certified copy or a transcript of documents?

Extracts and certificates can be ordered on the website, via the [services offered](#) menu.

A certified copy of a filed document can be ordered by consulting the electronic file of the entity concerned and ticking the 'certified' box, which is located next to the PDF icon for viewing the filed document.

#### Registration procedure

##### How do I start the registration procedure (how do I submit applications to the register, certification of documents, type of documents to be attached)?

###### In person

The Trade and Companies Register has a helpdesk open to anyone who needs something from the Register. An officer of the Trade and Companies Register administrator will then take care of the electronic procedures with the person. This service requires a prior appointment.

###### Online

Any steps taken at the Trade and Companies Register require login to the Trade and Companies Register website.

in order to log in for filing/registration purposes, a luxtrust or eIDAS certificate is required and a user account must be created. Once logged in, the user must choose the 'electronic filing' menu to start the process.

#### How are registration applications processed?

Once the user has finalised their filing/registration application, the Trade and Companies Register administrator will carry out a brief legal check of the application, within 3 days of receipt. This check consists of verifying the consistency of the various pieces of information submitted and checking that all the required information has been transmitted and that there is a legal basis for filing or registering the submitted information/document.

If the application is incomplete or erroneous or does not comply with the law, it is returned to the user for verification and rectification.

#### Legal effects of registration

##### Effect of registration on third parties in accordance with Article 17 of Directive (EU) 2017/1132

A deed or piece of information is published by filing it with the Trade and Companies Register, followed by its publication in the Official Journal, i.e. the Electronic Compendium of Companies and Associations (*Recueil électronique des sociétés et associations* - RESA). Once filed with the Trade and Companies Register, the information is accessible on the Trade and Companies Register website. Publication in RESA takes place within 15 days of filing and in practice usually on the day of filing.

Deeds or extracts of deeds can only be invoked against third parties from the day of their publication in the RESA, unless the company can prove that these third parties had prior knowledge of them. Third parties may nevertheless invoke deeds or extracts of deeds not yet published. Where a transaction takes place before the sixteenth day following the date of publication, these deeds and extracts of deeds are not enforceable vis-à-vis third parties that can demonstrate that they had no way of knowing about them.

#### Differences between registration and publication

In the event of a discrepancy between the text filed and the text published in the Electronic Compendium of Companies and Associations, the latter is not enforceable against third parties. However, third parties themselves may invoke it, unless the company can demonstrate that they were in fact aware of the text filed.

Following a reform in 2016 when the administrator of the Trade and Companies Register became the administrator of the Electronic Compendium of Companies and Associations, there is no longer any risk of discrepancies between the text filed and the text published.

#### Who is responsible for the accuracy of the registered information?

Requests for access to, or rectification or limitation of, processing operations for which the administrator of the Trade and Companies Register is a subcontractor and for which the Minister of Justice is data controller must be addressed to the Luxembourg Business Registers (at the following e-mail address [helpdesk@lbr.lu](mailto:helpdesk@lbr.lu), or by post to G.I.E. LUXEMBOURG BUSINESS REGISTERS, for the attention of the Data Protection Officer, L-2961 Luxembourg), which will forward them to the Data Protection Officer of the Ministry of Justice.

The information contained in the trade and companies register is kept for 20 years from the deletion of the registered entity's file, in accordance with the applicable legal and regulatory provisions.

The person who has made a filing is responsible for the accuracy of the information contained in the filing.

#### Data protection principles

##### Procedures relating to the data subject's rights regarding the publication and storage of their personal data

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The information contained in the trade and companies register is kept for 20 years from the deletion of the registered entity's file, in accordance with the applicable legal and regulatory provisions.

#### Contact information

Office address	Postal address	Opening hours
14, rue Erasme L-1468 Luxembourg	Luxembourg Business Registers L-2961 Luxembourg	Office: Monday to Friday, 9.00 to 12.00 and 13.30 to 16.00

Tel: (+352) 26 428-1  
Fax: (+352) 26 42 85 55

Telephone helpdesk: Monday to Friday from  
8.00 to 17.30

E-mail: [helpdesk@lbr.lu](mailto:helpdesk@lbr.lu)

#### Useful links

Website of [Luxembourg Business Registers](#)

Portal of the [Trade and Companies Register](#)

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