



HALSEY GROUP^{Srl}

**PROFESSIONAL SERVICES
FOR COMPANIES**



Scope and legal regime

The société de gestion de patrimoine familial (Private wealth management company) has been created by the law dated 11 May 2007 (the "SPF Law ") with the objective of creating a favourable framework for the family wealth management by qualifying shareholders which are either:

- Individuals acting in the management of their private wealth, or
- Patrimonial entities (e.g. trusts, private foundations) acting exclusively in the interest of private wealth of individuals;
- Intermediaries holding shares in the SPF on a fiduciary basis or in a similar capacity, on behalf of qualifying shareholders.

The activity of the SPF is strictly limited to the acquisition, holding and disposal of financial assets. The assets in which the SPF can invest include shares, bonds and other debt instruments, cash but also investments in structured products, derivatives as well as put/call options on securities, indexes and currencies.

The SPF cannot engage in commercial activity. It may hold participations in other companies, but only to the extent that the SPF does not involve itself in the management of these companies. It is also not allowed to render any kind of services or to grant interest-bearing loans even to companies in which it holds participation.

Tax aspects

The SPF benefits from a subjective tax exemption and is thus not subject to corporate income tax, municipal business tax, net worth tax and dividend withholding tax.

The SPF is however subject to a 0.25% subscription tax to be declared and paid quarterly to the Administration de l'Enregistrement et des Domaines (minimum annual taxation of EUR 100 and maximum annual taxation of EUR 125,000).

The SPF does not benefit from the Luxembourg double tax treaty network.

Given its specific and limited purpose, the SPF is not to be considered as a taxable person for VAT purposes (with no right to deduct input VAT).

Each year, the domiciliation agent, a licensed independent auditor or an expert-comptable must certify:

- that the SPF is held only by qualified investors;
- that the SPF respected its obligations as a paying agent with respect to the withholding tax on interest.

Accounting aspects

The SPF is subject to the same accounting rules as the other Luxembourg commercial companies.



153 -155, rue du Kiem
L-8030 Strassen
Luxembourg
T +352 22 60 22
F +352 22 42 52
office@halsey-group.com
www.halsey-group.com

Services offers by Halsey Group

HALSEY has been established in Luxembourg for more than 20 years and has licenses from the "Commission de Surveillance du Secteur Financier" (CSSF), the Luxembourg Regulator, to provide domiciliation, fund administration and other corporate services. We provide a fast and reliable service to many private investors, leading institutions, major international corporations and private equity firms.

HALSEY offers its clients an extensive range of high quality services in connection with Luxembourg financial companies both at the time of incorporation and throughout the life of the company:

- Company formation
- Administrative and accounting
- Corporate secretarial
- Fund administration
- Company management
- Assistance in setting-up own offices & management of client staff

The objective of this fact sheet is to provide the reader with a general view of relevant aspects relating to the SPF. No action shall be taken without prior consultation with Halsey Group, as this document alone cannot cover all aspects relating to the incorporation and administration of the SPF. Finally, please note that this document is provided for information purposes only and should not be understood as legal or fiscal advice.

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