

Draft law on ATAD2 / New Bill implementing DAC6

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I) Draft Law on ATAD2

On 8 August 2019, Bill No. 7466 (the “**Bill**”) implementing the Anti-Tax Avoidance Directive (EU) 2017/952 on hybrid mismatches (“**ATAD2**”) into Luxembourg domestic law was published. ATAD2 amends Directive (EU) 2016/1164, which has already introduced a first set of rules targeting certain hybrid mismatches between EU Member States (“**ATAD1**”). ATAD2 extends the scope of ATAD1 hybrid mismatch rules to cover a wider variety of mismatches and mismatches between EU Member States and third countries.

The Bill’s content largely reproduces that of ATAD2. The Bill also provides some useful clarifications, notably on the concept of “acting together”. It is welcome that the Bill also implements ATAD2’s carve-outs. Accordingly, the Bill addresses the four categories of hybrid mismatch arrangements provided for in ATAD2, namely...

Please click [here](#) to read the full newsletter.

II) New Bill implementing DAC6

On 8 August 2019, the Luxembourg Government tabled a new Bill of Law N° 7465 (the “**Bill**”) before the Luxembourg Parliament (Chambre des députés) implementing the so-called “**DAC6**” (EU Directive 2018/822 amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation in relation to reportable cross-border arrangements) into Luxembourg domestic law.

DAC6 requires EU “intermediaries” (or taxpayers) to report cross-border arrangements that strongly present a risk of tax avoidance or abuse. The Bill will enter into force once it is approved by the Luxembourg Parliament. This must be achieved before the end of the year.

Please click [here](#) to read a summary of the main provisions of the Bill

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For any further information please contact us or visit our website at www.elvingerhoss.lu.

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