

# LIECHTENSTEIN

## 1. Company law

*The Persons and Companies act dates 1926 (as amended from time to time). The Foundation Act is fully integrated in the Persons and Companies Act and contains the full set of legal provisions for the Foundation without cross references.*

## 2. Types of company:

### (a) type of company preferred for international transactions:

*Company limited by shares (joint stock corporation) – “Aktiengesellschaft”.*

### (b) shareless companies:

*Establishment and Trust Enterprise (Trust reg) are the most commonly used forms. The “Gesellschaft mit beschränkter Haftung (GmbH) – a legal form widely used in the neighbour countries Austria, Germany and Switzerland (similar to the US LLC) is available, but is less popular than the Establishment and the Trust Enterprise. The latter two legal forms, of purely Liechtenstein coinage, are extremely versatile.*

## 3. Capital requirements:

*Foundation, Establishment, Trust Enterprise: CHF30.000 or EUR30.000 or USD30.000. Company limited by shares: CHF50.000 or EUR50.000 or USD50.000.*

## 4. Costs to incorporate, excluding government fees:

*Depends on individual agreement with the service provider.*

## 5. Annual fees paid to authorities:

*Annual fees or the like to be paid to the government are not known.*

## 6. Taxation rates applied to companies generally:

*Profit is taxed at a rate of 12.5% (proportional tax rate, irrespective of profits and distribution); minimum tax CHF1.200 per year, irrespective of legal form. Value Added Tax (VAT): Liechtenstein companies are exempt from VAT provided they have no domestic turnover. “Domestic” embraces the common Swiss/Liechtenstein economic area. VAT is generally around 8%.*

### (a) the taxation of companies in 2 (a)

*See above.*

## 7. Minimum members:

*At least two.*

## 8. Registered office:

*No, but a local “representative” is required to provide the physical address for postal delivery especially for the Liechtenstein authorities. The office is usually maintained by the local professional’s fiduciary company.*

## 9. Must a director/ secretary be resident?

*Yes, one board member must be a citizen of an EEA state, must fulfil certain educational requirements and have his/her permanent office*

*within Liechtenstein. Certain Liechtenstein companies are authorised to act as resident board members.*

**10. Are Corporate Directors allowed?**

*Yes. However, for Foundations there is a limitation: The Foundation Council has to consist of at least two members who need to be independent from each other.*

**11. Meetings:**

*Required for Establishment and Trust Enterprise if commercially active, always required for a Company Limited by Shares and The Gesellschaft mit beschränkter Haftung.*

**12. Is an annual return files with details of directors and members?**

*No*

**13. Must financial statements of a company be audited?**

*Yes, for commercially active Establishments and Trust Enterprises, Companies Limited by Shares and the Gesellschaft mit beschränkter Haftung.*

**14. Are annual accounts filed with annual returns?**

*If accounts are to be produced and audited, they have to be filed together with an annual tax return with the Tax Department.*

**15. Is migration of companies permitted?**

*No.*