

**President: Adrian HARRIS**

**Secretary General: Danièle VRANKEN**

**FAIB NEWS distribution, DIGEST and FLASH FAIB (Reminder)**

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**FAIB DIGEST:** a summary of the FAIB News. It is distributed to non-member international associations in Belgium and posted on the homepage of the FAIB website. It keeps non-members updated on the FAIB activities.

**IMPORTANT NOTICE:** as from the first edition of 2019, FAIB Digest will no longer be sent by regular mail for budgetary and data protection reasons. It will be available UPON REQUEST in electronic form. Should you wish to continue reading this Digest, please advise us by email at [faib@faib.org](mailto:faib@faib.org) of the email address to which it should be sent (on a quarterly basis). The paper copy of the full FAIB News will continue to be sent to FAIB members.

**Editorial FAIB President**

*The summer break is now over as Brussels enters into the full swing of things and regulators - both EU and local level - get back down to work. We at FAIB will be continuing to provide our input into ongoing regulatory projects including the draft law on companies and associations.*

*However, there are also non-regulatory issues association managers face: besides recurring issues linked to HR and taxation, one of the more regular headaches is dealing with their bank(s), both for international associations themselves as for their foreign staff.*

*It is for this reason that FAIB has started to work with one of the major banks to draw up guidance documents for its members in areas of concern (e.g. statutes, legal requirements, opening a bank account ....) We will keep members posted.*

Adrian HARRIS

**NEW COMPANIES AND ASSOCIATIONS CODE: HOW WILL IT IMPACT INPAs?**

Over the last year, there have been many rumours about the new companies and associations Code and, more in particular about the fact that the Belgian Federal Government intended to abolish the international non-profit association (hereafter: "INPA") as a legal form. On June 4, 2018, the Belgian Federal Government has filed the bill introducing the new companies and associations Code (hereafter: "New Code"). It results from KOAN Law Firm's assessment of the New Code that the rumours have only been a storm in a tea cup. Indeed, INPAs will not be abolished and that is excellent news.

**Antoine Druetz, Partner, and Alix Degrez, associate, at Koan Law Firm**

**PRESERVATION OF DOCUMENTS AND SOCIAL INFORMATION WITHIN INTERNATIONAL ASSOCIATIONS (AISBL)**

Our association has been running many years: books, invoices, documents are piling up... Our association is moving: what should I take and store in our "archives"? Two common situations that pose the same issue: what are the legal requirements for keeping documents? In what form should I archive them? Where should I keep such documentation? What would be the consequences, if not the sanctions, if I do not?

**A. Douette FAIB / A. Costantini, partner DKW**

**THE NEW UBO REGISTER: WHAT IS THE REAL IMPACT FOR THE NON-PROFIT SECTOR?**

This article addresses the new obligations to be complied with by the non-profit sector following the adoption of the Royal Decree of July 30, 2018 regarding the operational modalities of the UBO register (hereafter: "Royal Decree"). Its purpose is to be a central register administered by the Treasury Administration, accessible via the online platform "My Minfin", that will gather all information regarding the "Ultimate Beneficial Owners" (hereafter: "UBOs") of non-profit associations (hereafter: "NPAs"), international non-profit associations (hereafter: "INPAs") and foundations (hereinafter collectively referred to as "Non-Profit Organisations", abbreviated "NPOs").

**Antoine Druetz, partner and Sakine Yilmaz, junior associate, Koan Law Firm**

**NEW MEMBERS**

- **EFPA**, [www.efpa.eu](http://www.efpa.eu)
- **EPA**, [www.europsy.net](http://www.europsy.net)
- **Alliance of Rail New Entrants**, [www.allrail.eu](http://www.allrail.eu)
- **CLEPA**, [www.clepa.be](http://www.clepa.be)
- **EICF**, [www.eicf.org](http://www.eicf.org)
- **EIDIR – Vasco da Gama**, [www.eidir.org](http://www.eidir.org)
- **HCWH**, <https://noharm-europe.org>

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- Kellen
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- Hilton
- And about our partnership with :
- European Association Awards 2019.

## FAIB Lunch-debate (27.09.2018) – VAT opportunities and/or risks for associations + VAT impact of the new rules of short term rent as of 1 January 2019

An (international) association is qualified as a taxable person according to the VAT law, even when the outgoing transactions are all exempt from VAT (e.g. membership fees) or not subject to VAT (e.g. grants...). This implies that the rules according to the VAT legislation are also applicable to associations. An incorrect application of the VAT rules could on the one hand lead to big financial risks e.g. in case Belgian VAT was charged incorrectly, this VAT + 20% fines + interest could be claimed).

Lore Germonpré, Tax Manager, Deloitte Accountancy

## New requirements when filing extracts for publication of new appointment of directors

The registry of the commercial Court of Brussels has recently modified its position concerning the identity documents requested from newly elected directors of associations. Warning: These recommendations are based on the applicable legal provisions, supplemented by administrative guidelines enacted by the Commercial Court of Brussels. Please note that this memorandum only deals with the administrative guidelines imposed by the Commercial Court of Brussels concerning associations.

Alain Costantini & Julian Delplanche, DKW Law

## News from FAIB

- **Convince colleague(s) to join our membership and ... win a nice prize!** Please check the list of current members accessible on our website to identify associations that are **NOT yet a member of FAIB**, including your own... and send an email to: [dvranken@faib.org](mailto:dvranken@faib.org). If the membership is confirmed, the surprise is yours ....
- Earmark the date for the celebration of the 70<sup>th</sup> anniversary of the FAIB and the 100<sup>th</sup> of the law on INPAs (AISBL/IWZV) on **24 January 2019** in the prestigious Brussels Town hall on the Grand-Place.
- Remember the services offered by the FAIB:
  - Members' News, <https://faib.org/members/members-news/> (members only)
  - The Job Platform, <https://faib.org/job-platform/vacancies/> (all associations) upon request [faib@faib.org](mailto:faib@faib.org) including interns and students.

## FAIB EVENTS

18 OCTOBER 2018

Lunch-debate "Which Insurances for (I)NPAs?" – by Valerie Mot-Dehon, Insurance broker specialised in (I)NPAs. – Venue: to be advised

29 NOVEMBER 2018

Lunch-debate Banks: how to comply with their requirements (statutes, signatures, etc.) and more by and at ING Brussels

13 or 20 DECEMBER

Lunch-debate: Year-in Review by and at Bird&Bird (the "traditional" review of legislation in the pipe-line (past and future) impacting (International) Non-profit Associations.

24 JANUARY 2019

**YEAR-END RECEPTION**  
Focussing on the celebration of two anniversaries: FAIB's 70<sup>th</sup> ... and the law of 1919 on INPAs! Tentative programme on FAIB's website.

21 MARCH 2019

**FAIB GENERAL ASSEMBLY**  
(earmark the date already)

## OTHER EVENTS

28 FEBRUARY – 1<sup>st</sup> MARCH 2019

**European Association Summit:** FAIB plans to tackle the "Reform of the Belgian Companies Code" during its session. More details in due course.

28 MARCH 2019

**European Association Awards**  
Venue - Le Plaza, Brussels



**Federation of European & International Associations established in Belgium**

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