

## Translation of Liechtenstein Law

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**Law**

of 10 November 2023

**on the minimum taxation of large enterprise groups (GloBE Act)**

I hereby grant My consent to the following resolution adopted by Parliament:<sup>1</sup>

**I. General provisions**

## Article 1

*Object*

1) This Act governs the minimum taxation of multinational enterprise groups and large domestic groups by collecting the following top-up taxes on domestic constituent entities:

- a) a top-up tax in the form of a "Qualified Domestic Minimum Top-up Tax" (Liechtenstein top-up tax);
- b) a top-up tax according to the "Income Inclusion Rule" (IIR top-up tax); and
- c) a top-up tax according to the "Undertaxed Payments Rule" (UTPR top-up tax).

2) This Act further governs the implementation of the automatic exchange of GloBE information between the Principality of Liechtenstein and partner jurisdictions under international agreements that provide for

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<sup>1</sup> Report and Motion of the Government No. 65/2023, Statement of the Government No. 96/2023

the automatic exchange of GloBE information (hereinafter "applicable agreements").<sup>2</sup>

3) This Act shall be subject to provisions of the applicable agreement that differ in any particular case.<sup>3</sup>

## Article 2

### *Applicable law*

1) Unless otherwise provided for in this Act, the Global Anti-Base Erosion Model Rules (Pillar Two) of the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting of 14 December 2021<sup>4</sup> (the GloBE Model Rules) shall apply.

2) When applying the GloBE Model Rules, Liechtenstein is deemed an "implementing jurisdiction".

## Article 3

### *Definitions and designations*

1) For the purposes of this Act, the following definitions apply:

- a) "group" means a "Group" as defined in Articles 1.2.2 and 1.2.3 of the GloBE Model Rules;
- b) "multinational enterprise group" means an "MNE Group" as defined in Article 1.2 of the GloBE Model Rules;
- c) "large domestic group" means a group as defined in subparagraph (a) whose constituent entities are all located in Liechtenstein;
- d) "entity" means an "Entity" as defined in Article 10.1.1 of the GloBE Model Rules;
- e) "constituent entity" means a "Constituent Entity" as defined in Article 1.3.1 of the GloBE Model Rules;
- f) "domestic constituent entity" means a constituent entity that is deemed to be located in Liechtenstein under the GloBE Model Rules;
- g) "consolidated financial statements" means "Consolidated Financial Statements" as defined in Article 10.1.1 of the GloBE Model Rules;

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<sup>2</sup> Article 1(2) inserted by LGBl. 2025 No. 588.

<sup>3</sup> Article 1(3) inserted by LGBl. 2025 No. 588.

<sup>4</sup> The GloBE Model Rules are published on the website of the Fiscal Authority at [www.stv.liv.li](http://www.stv.liv.li).

- h) "taxpayers" means constituent entities for which a top-up tax is allocated and collected in accordance with this Act;
- i) "GloBE Information Return" means a return to be filed on the basis of an applicable agreement in accordance with Article 8.1 of the GloBE Model Rules;<sup>5</sup>
- k) "GloBE information" means information from GloBE Information Returns;<sup>6</sup>
- l) "partner jurisdiction" means a state or territory with which Liechtenstein has agreed to exchange GloBE information automatically and which the Government has included in the list referred to in Section 8(1)(a)(ii) and (b)(iii) of the Multilateral Competent Authority Agreement on the Exchange of GloBE Information (GIR MCAA);<sup>7</sup>
- m) "Reporting Constituent Entity" means a constituent entity located in a state or territory which is obliged, under the domestic law of that state or territory, to file a GloBE Information Return.<sup>8</sup>

2) The designations of persons used in this Act shall be understood to mean all persons regardless of their gender, unless the designations expressly refer to a specific gender.

## II. Minimum taxation of large enterprise groups<sup>9</sup>

### A. Liechtenstein top-up tax<sup>10</sup>

#### Article 4

##### *Scope*

1) The Liechtenstein top-up tax within the meaning of Article 10.1.1 of the GloBE Model Rules applies to domestic constituent entities of a multinational enterprise group or a large domestic group whose ultimate parent entity has had annual revenue in its consolidated financial

<sup>5</sup> Article 3(1)(i) inserted by LGBl. 2025 No. 588.

<sup>6</sup> Article 3(1)(k) inserted by LGBl. 2025 No. 588.

<sup>7</sup> Article 3(1)(l) inserted by LGBl. 2025 No. 588.

<sup>8</sup> Article 3(1)(m) inserted by LGBl. 2025 No. 588.

<sup>9</sup> Title preceding Article 4 amended by LGBl. 2025 No. 588.

<sup>10</sup> Title preceding Article 4 inserted by LGBl. 2025 No. 588.

statements of at least EUR 750 million in at least two of the four fiscal years immediately preceding the tested fiscal year.

2) Joint ventures and constituent entities of joint ventures as referred to in Article 6.4 of the GloBE Model Rules are also subject to the Liechtenstein top-up tax.

3) Repealed<sup>11</sup>

## Article 5

### *Computation*

1) Subject to paragraphs 2 and 4, the Liechtenstein top-up tax is computed mutatis mutandis in accordance with Articles 5.1 to 5.6 of the GloBE Model Rules; the related special rules of the GloBE Model Rules also apply mutatis mutandis.

2) The following in particular applies to the computation referred to in paragraph 1:

- a) The Liechtenstein top-up tax shall not be deducted in the computation in accordance with Article 5.2.3 of the GloBE Model Rules.
- b) The Liechtenstein top-up tax is collected in full on the constituent entity concerned, regardless of the ownership interest of the ultimate parent entity.
- c) The accounting standard applied for the consolidated financial statements of the ultimate parent entity shall be used to determine the tax base.
- d) Joint ventures and constituent entities of joint ventures shall be treated as if they were a separate multinational enterprise group or a large domestic group.

3) The minimum rate for computing the Liechtenstein top-up tax shall be 15%.

4) Notwithstanding paragraphs 1 to 3, the Liechtenstein top-up tax owed shall be set to zero:

- a) in the first five years of the initial phase of the international activity of the multinational enterprise group within the meaning of Article 9.3.2 of the GloBE Model Rules, provided that no top-up tax is applied abroad in respect of Liechtenstein constituent entities;

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<sup>11</sup> Article 4(3) repealed by LGBl. 2025 No. 588.

- b) in the first five years from the first day of the fiscal year in which the large domestic group originally comes within the scope of this Act.

#### Article 6

##### *Allocation and collection*

1) If the domestic constituent entities of a multinational enterprise group or a large domestic group have designated one or more domestic constituent entities for the allocation and collection of the Liechtenstein top-up tax, the Liechtenstein top-up tax shall be allocated to and collected from that entity or those entities. All domestic constituent entities shall be jointly and severally liable for the Liechtenstein top-up tax.

2) If no domestic constituent entity within the meaning of paragraph 1 has been determined, the Liechtenstein top-up tax shall be allocated to and collected from the individual domestic constituent entities based on the amount of the Liechtenstein top-up tax resulting from a calculation made on the basis of the separate financial statements of those constituent entities. For this purpose, the adjusted covered taxes, the GloBE income and the excess profit shall be determined for each constituent entity on the basis of the separate financial statements in accordance with the GloBE Model Rules.

3) Paragraphs 1 and 2 apply mutatis mutandis to domestic joint ventures and domestic constituent entities of joint ventures.

### **B. IIR and UTPR top-up tax<sup>12</sup>**

#### Article 7

##### *Scope*

1) The IIR top-up tax within the meaning of Articles 2.1 to 2.3 of the GloBE Model Rules shall apply to domestic parent entities of a multinational enterprise group or a large domestic group, with the share of the IIR top-up tax attributable to them in respect of low-taxed constituent entities of the group, provided that their ultimate parent entity has had annual revenue in its consolidated financial statements of at least EUR 750 million in at least two of the four fiscal years immediately preceding the tested fiscal year.

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<sup>12</sup> Title preceding Article 7 amended by LGBl. 2025 No. 588.

2) The UTPR top-up tax within the meaning of Articles 2.4 and 2.5 of the GloBE Model Rules shall apply to domestic constituent entities of a multinational enterprise group, with the share of the UTPR top-up tax attributable to Liechtenstein in respect of foreign low-taxed constituent entities, provided that their ultimate parent entity has had annual revenue in its consolidated financial statements of at least EUR 750 million in at least two of the four fiscal years immediately preceding the tested fiscal year.

#### Article 8

##### *Computation*

1) Subject to paragraph 3, the IIR and UTPR top-up tax are computed in accordance with Articles 5.1 to 5.6 of the GloBE Model Rules; the related special rules of the GloBE Model Rules also apply.

2) The minimum rate for computing the IIR and UTPR top-up tax is 15%.

3) Notwithstanding paragraph 1, if the conditions set out in Article 5(4)(a) and (b) are met, the IIR top-up tax owed in relation to domestic constituent entities shall be set to zero.

#### Article 9

##### *Allocation and collection*

1) The IIR top-up tax shall be allocated to the domestic parent entities in accordance with the GloBE Model Rules and collected from them.

2) If the domestic constituent entities of a multinational enterprise group have designated one or more domestic constituent entities for the allocation and collection of the UTPR top-up tax, the UTPR top-up tax shall be allocated to and collected from that entity or those entities. All domestic constituent entities shall be jointly and severally liable for the UTPR top-up tax.

3) If no domestic constituent entity within the meaning of paragraph 2 has been determined, the UTPR top-up tax shall be allocated to and collected from the domestic constituent entities based on their results in the separate financial statements in accordance with the GloBE Model Rules.

**C. Allocation of tax<sup>13</sup>**

## Article 10

*Allocation of top-up tax revenue*

The revenue from the top-up taxes shall be divided between the State and the municipalities by applying Article 74 of the Tax Act mutatis mutandis.

**D. Procedural provisions<sup>14</sup>**Article 11<sup>15</sup>

Repealed

## Article 12

*Principle*

1) Unless otherwise provided below, Articles 83 to 86, 88 to 91, 93 to 95, 97, 98, 102, 103, 111, 113 to 120, 123, 124, 128, 130, 131, 133 and 133a of the Tax Act shall apply mutatis mutandis to proceedings relating to the top-up taxes.

2) Unless otherwise provided for in this Act, the National Administration Act (LVG) shall apply.<sup>16</sup>

## Article 13

*Tax returns*

1) Taxpayers must submit:

- a) a tax return for the collection of the Liechtenstein top-up tax;
- b) a tax return for the collection of the IIR and UTPR top-up tax;

<sup>13</sup> Title preceding Article 10 amended by LGBl. 2025 No. 588.

<sup>14</sup> Title preceding Article 11 amended by LGBl. 2025 No. 588.

<sup>15</sup> Article 11 repealed by LGBl. 2025 No. 588.

<sup>16</sup> Article 12(2) inserted by LGBl. 2025 No. 588.

c) a GloBE Information Return.<sup>17</sup>

2) Taxpayers shall be requested to submit a tax return as referred to in paragraph 1 by public announcement.

3) By ordinance, the Government shall provide details governing the tax returns as referred to in paragraph 1, in particular the form, submission deadline, language and supporting documents to be enclosed.

#### Article 14

##### *Changes to legally binding assessments*

Any change to a domestic or foreign tax assessment which is made after the assessment of the top-up tax has become final in accordance with this Act shall, irrespective of any statute-barred and forfeiture periods, be admitted as a ground for collection of back tax within the meaning of Article 120 of the Tax Act or as a ground for review within the meaning of Article 123 of the Tax Act, provided that the change:

- a) establishes the proper collection of minimum taxation in accordance with the GloBE Model Rules; and
- b) avoids unintentional double taxation or prevents double non-taxation in accordance with the GloBE Model Rules.

### **III. Exchange of GloBE information<sup>18</sup>**

#### **A. Obligations of Liechtenstein Reporting Constituent Entities<sup>19</sup>**

##### Article 14a<sup>20</sup>

##### *Duty to register*

1) Reporting Constituent Entities located in Liechtenstein shall register with the Fiscal Authority of their own accord.

2) Registration shall take place in accordance with the requirements of the Fiscal Authority within 15 months of the end of the fiscal year to

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<sup>17</sup> Article 13(1)(c) amended by LGBl. 2025 No. 588.

<sup>18</sup> Title preceding Article 14a inserted by LGBl. 2025 No. 588.

<sup>19</sup> Title preceding Article 14a inserted by LGBl. 2025 No. 588.

<sup>20</sup> Article 14a inserted by LGBl. 2025 No. 588.

which the GloBE Information Return relates. For the first fiscal year after the enterprise group falls within the scope of the GloBE Model Rules, registration shall take place within 18 months of the end of the fiscal year.

3) Any changes to the data registered under paragraph 1 shall be notified to the Fiscal Authority without delay.

4) If a constituent entity ceases to be a Reporting Constituent Entity, the constituent entity shall deregister with the Fiscal Authority of its own accord.

#### Article 14b<sup>21</sup>

##### *Duty to provide information*

1) Reporting Constituent Entities located in Liechtenstein shall provide the Fiscal Authority with information on all facts necessary for the implementation of the applicable agreement and of this Act. In the case of deleted Reporting Constituent Entities located in Liechtenstein, the former governing bodies authorised to represent the entity shall provide that information.

2) Statutory provisions on data, professional or business secrecy shall not preclude the surrender of the information referred to in paragraph 1, except where the information is protected by the secrecy provisions of § 108(1)(2) of the Criminal Procedure Code (StPO) and surrender of the information would constitute impermissible circumvention of secrecy protection within the meaning of § 108(3) StPO. Reporting Constituent Entities located in Liechtenstein shall, to that extent, be released from their duties of confidentiality.

3) The costs of providing information shall not be reimbursed.

#### Article 14c<sup>22</sup>

##### *Inspections*

1) The Fiscal Authority may carry out inspections in order to verify compliance with the obligations of Reporting Constituent Entities located in Liechtenstein.

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<sup>21</sup> Article 14b inserted by LGBl. 2025 No. 588.

<sup>22</sup> Article 14c inserted by LGBl. 2025 No. 588.

2) Reporting Constituent Entities located in Liechtenstein shall grant the Fiscal Authority unrestricted access to all information that is relevant to compliance with their obligations under the applicable agreement and this Act and that the Fiscal Authority considers necessary for the carrying out of inspections.

Article 14d<sup>23</sup>

*Restoration of the proper state*

1) The Fiscal Authority shall informally request the Reporting Constituent Entity concerned located in Liechtenstein to restore the proper state within a reasonable period of time if:

- a) there is reason to believe that administrative or other minor errors may have led to incorrect or incomplete transmission of information or to other infringements of the applicable agreement or this Act; or
- b) the Fiscal Authority finds that a Reporting Constituent Entity located in Liechtenstein is in material non-compliance with its obligations under the applicable agreement and this Act.

2) The deadline referred to in paragraph 1 may be extended appropriately in justified cases. If the error is not remedied in good time, the Fiscal Authority shall issue a corresponding order.

3) This Article is subject to the imposition of fines under Article 15.

**B. Transmission of GloBE information<sup>24</sup>**

Article 14e<sup>25</sup>

*Principle*

1) The Fiscal Authority shall transmit the GloBE information filed by Reporting Constituent Entities located in Liechtenstein to the competent authorities of the respective partner jurisdictions within the time limits laid down in the applicable agreement.

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<sup>23</sup> Article 14d inserted by LGBl. 2025 No. 588.

<sup>24</sup> Title preceding Article 14e inserted by LGBl. 2025 No. 588.

<sup>25</sup> Article 14e inserted by LGBl. 2025 No. 588.

2) The Fiscal Authority shall not be obliged to forward GloBE information if transmission would be contrary to the public policy (ordre public) of the Principality of Liechtenstein.

3) The Fiscal Authority shall retain the exchanged GloBE information until expiry of the maximum statute-barred periods referred to in Article 21. The exchanged GloBE information shall be destroyed after expiry of the maximum statute-barred periods.

### **C. Confidentiality, use of information and data security<sup>26</sup>**

#### Article 14f<sup>27</sup>

##### *Confidentiality and use of information in the partner jurisdiction*

All information to be exchanged that is received by the competent authority of a partner jurisdiction shall be subject to the confidentiality rules and other safeguards provided for in the applicable agreements, including the provisions limiting the use of the exchanged information.

#### Article 14g<sup>28</sup>

##### *Security breaches*

1) The Fiscal Authority shall inform Reporting Constituent Entities located in Liechtenstein of any security breach concerning information processed by the Fiscal Authority where the security breach is likely to result in a high risk to the personal rights and freedoms of natural persons or to the rights of constituent entities.

2) Paragraph 1 shall apply mutatis mutandis in the case of a security breach concerning information processed by the competent authority of the partner jurisdiction, provided that the Fiscal Authority is notified thereof.

3) Reporting Constituent Entities located in Liechtenstein shall be required to inform natural persons and entities without delay of any security breach as referred to in paragraphs 1 and 2.

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<sup>26</sup> Title preceding Article 14f inserted by LGBl. 2025 No. 588.

<sup>27</sup> Article 14f inserted by LGBl. 2025 No. 588.

<sup>28</sup> Article 14g inserted by LGBl. 2025 No. 588.

4) The Fiscal Authority shall inform the Data Protection Office of any security breach as referred to in paragraphs 1 and 2 if the security breach is likely to result in a risk to the personal rights and freedoms of natural persons.

#### Article 14h<sup>29</sup>

##### *Duties of confidentiality*

1) Any person entrusted with or called in to assist in the enforcement of the provisions of the applicable agreement and this Act shall be bound by official secrecy and shall maintain silence vis-à-vis other public offices and private persons concerning observations made in the exercise of that activity, and shall refuse to allow access to official files.

2) The duty of confidentiality shall not apply:

- a) to the Fiscal Authority when transmitting GloBE information and providing information to the competent authority of the partner jurisdiction under the applicable agreements and this Act;
- b) vis-à-vis Liechtenstein judicial bodies entrusted with the enforcement of the applicable agreement and this Act;
- c) vis-à-vis Liechtenstein judicial bodies, the Office of the Public Prosecutor and the National Police in the investigation of offences prosecutable before the courts;
- d) vis-à-vis Liechtenstein supervisory authorities and bodies responsible for the imposition of supervisory and disciplinary measures;
- e) vis-à-vis the Financial Intelligence Unit for the purpose of combating money laundering, organised crime and the financing of terrorism;
- f) where there is a statutory basis for doing so.

3) The duties of confidentiality of the persons referred to in § 108(1)(2) StPO, including the prohibition of circumvention laid down in § 108(3) StPO, shall remain unaffected by paragraph 2.

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<sup>29</sup> Article 14h inserted by LGBl. 2025 No. 588.

## IV. Organisation and implementation<sup>30</sup>

### Article 14i<sup>31</sup>

#### *Enforcement authority*

- 1) The Fiscal Authority shall be responsible for the enforcement of this Act.
- 2) It shall issue all decrees and take all decisions necessary for the application of the applicable agreement and of this Act.

## V. Penal provisions<sup>32</sup>

### A. Contraventions

### Article 15<sup>33</sup>

#### *Breach of procedural duties*

- 1) Anyone who, in spite of reminder, intentionally or negligently fails to fulfil, or does not properly fulfil, a duty incumbent upon that person pursuant to the provisions of this Act or the ordinances issued on the basis thereof or to an order imposed by the Fiscal Authority on the basis of this Act shall, subject to paragraphs 2 to 5, be punished for a contravention with a fine of up to CHF 1 000, in serious or repeated cases up to CHF 10 000.
- 2) Anyone who intentionally fails to comply with the obligation to submit a return as referred to in Article 13(1)(c) shall be punished for a contravention with a fine of up to CHF 250 000.
- 3) Anyone who intentionally:
  - a) violates the duty to register under Article 14a;
  - b) violates the duty to provide information to the Fiscal Authority under Article 14b by refusing to provide information, making false statements or withholding material facts;

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<sup>30</sup> Title preceding Article 14i inserted by LGBI. 2025 No. 588.

<sup>31</sup> Article 14i inserted by LGBI. 2025 No. 588.

<sup>32</sup> Title preceding Article 15 amended by LGBI. 2025 No. 588.

<sup>33</sup> Article 15 amended by LGBI. 2025 No. 588.

c) impedes, obstructs or prevents the proper carrying out of an inspection under Article 14c

shall be punished for a contravention with a fine of up to CHF 20 000.

4) Anyone who intentionally fails to comply with a legally enforceable decree or decision of the Fiscal Authority directed at that person under Article 14i(2) shall be punished for a contravention with a fine of up to CHF 10 000.

5) In the case of negligent commission, the fine shall be:

- a) for contraventions under paragraph 2: up to CHF 100 000;
- b) for contraventions under paragraph 3(a): up to CHF 10 000.

## Article 16

### *Tax evasion*

1) Anyone who, as a taxpayer, intentionally or negligently frustrates a demand for tax which that taxpayer is liable to pay, by making incorrect or incomplete statements in the tax returns referred to in Article 13 or by providing incorrect or incomplete information, or who otherwise culpably withholds taxes, shall be punished for a contravention with a fine.

2) The fine referred to in paragraph 1 shall as a rule be equal in amount to that of the tax evaded. The fine may be reduced to a minimum of one third in the case of minor fault and increased to up to three times the amount in the case of serious fault.

3) Attempted tax evasion is punishable. The fine shall be two thirds of the fine that would be imposed for completed and intentional tax evasion.

4) Anyone who intentionally induces another to commit tax evasion or who otherwise intentionally contributes to its commission shall be punished with a fine irrespective of the criminal liability of the taxpayer.

5) The fine referred to in paragraph 4 shall be up to CHF 10 000, in the case of serious or repeated offences up to CHF 50 000.

## **B. Misdemeanours**

### Article 17

#### *Tax fraud*

1) Anyone who evades tax by intentional use of false or falsified business accounts with untrue content, or other documents, shall be punished for a misdemeanour with imprisonment of up to six months or a monetary penalty of up to 360 daily penalty units.

2) Attempt and participation are governed by the provisions of the Criminal Code.

## **C. Common provisions**

### Article 18

#### *Voluntary disclosure*

1) If a taxpayer discloses, of their own accord, an instance of tax evasion or tax fraud committed by the taxpayer, without being induced to do so by the imminent risk of discovery, the taxpayer shall be exempt from punishment and shall only have to pay the back tax.

2) For each additional voluntary disclosure of tax evasion, the fine shall be reduced to one fifth of the tax evaded. Back tax shall be payable in addition.

3) If a participant (Article 16(4)) discloses an offence as referred to in paragraph 1 of their own accord, without being induced to do so by the imminent risk of discovery, the participant shall be exempt from punishment.

### Article 19

#### *Responsibility of constituent entities*

1) If offences as referred to in Article 15 or Article 16(1) are committed with effect for a constituent entity, or if an attempt to commit tax evasion as referred to in Article 16(3) is made, the constituent entity shall be fined.

2) If participatory acts (Article 16(4)) to tax evasion (Article 16(1)) are committed by third parties in the business operations of a constituent entity, Article 16(4) shall apply to the constituent entity.

3) The governing bodies authorised to represent the constituent entity at the time of the offence shall be jointly and severally liable for the fines imposed, in so far as the fine is not paid by the constituent entity.

4) In the case of misdemeanours referred to in Article 17, the governing bodies authorised to represent the constituent entity at the time of the offence shall be punished.

## Article 20

### *Liability of representatives*

If, in cases where a representative has been appointed, an offence pursuant to this Act is committed by a legal representative, or an officially or contractually appointed representative, in the course of their activities for the person represented, the person represented shall be liable to pay the fine or monetary penalty. They may exempt themselves from such liability only if they prove that they could not have prevented the actions of the representative and their effects. The representative shall be subject to the provisions of Articles 15 to 17.

## Article 21

### *Statute-barring*

1) Prosecution and enforcement of sentences shall be statute-barred:

- a) in one year in the case of breach of procedural duties;
- b) in five years in the case of tax evasion and tax fraud.

2) The statute-barred period for prosecution shall commence at the end of the year in which the violation of the law was last committed. It shall be suspended for as long as the offender is abroad. The statute-barred period shall be interrupted by any investigative act of the competent authority directed against the offender. After each interruption, the statute-barred period shall recommence. The original statute-barred period may not be more than doubled.

3) The statute-barred period for enforcement of sentences shall commence upon the legally enforceable conclusion of the criminal proceedings. It shall be suspended for as long as the penalty cannot be

enforced in Liechtenstein. The statute-barred period for enforcement of sentences shall be interrupted by any enforcement act of the competent authority directed against the convicted person. After each interruption, the statute-barred period shall recommence. The original statute-barred period may not be more than doubled.

#### Article 22

##### *Suspended sentences*

Suspended sentences are ruled out for fines.

### **D. Criminal proceedings**

#### Article 23

##### *Competences*

1) Breaches of procedural duties and tax evasion shall be prosecuted by the Fiscal Authority.

2) The prosecution of tax fraud falls within the jurisdiction of the Court of Justice.

#### Article 23a<sup>34</sup>

##### *Administrative criminal proceedings*

Unless otherwise provided for in this Act, the Administrative Criminal Code shall apply to administrative criminal proceedings.

#### Article 24<sup>35</sup>

##### *Proceedings for breach of procedural duties*

1) In proceedings for breach of procedural duties, the Fiscal Authority may, where the facts and the legal situation are clear, act by way of a penal

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<sup>34</sup> Article 23a inserted by LGBl. 2025 No. 588.

<sup>35</sup> Article 24 amended by LGBl. 2025 No. 375.

order. Unless otherwise provided for in this Act, Articles 53 et seq. of the Administrative Criminal Code shall apply mutatis mutandis.

2) In other cases, unless otherwise provided for in this Act, the proceedings shall be governed mutatis mutandis by Articles 40 et seq. of the Administrative Criminal Code.

3) Article 29 of the Administrative Criminal Code shall not apply in proceedings for breach of procedural duties.<sup>36</sup>

#### Article 25

##### *Proceedings for tax evasion*

1) Unless otherwise provided for in this Act, Articles 40 et seq. of the Administrative Criminal Code shall apply mutatis mutandis in proceedings for tax evasion.<sup>37</sup>

2) The person affected by the proceedings shall be given an opportunity to respond to the accusations against them; the person shall be informed of their right to refuse to make statements and to cooperate.

3) Evidence from back tax proceedings may be used in criminal proceedings only if that evidence has not been obtained with the threat of an assessment based on best judgement with reversal of the burden of proof (Article 102 of the Tax Act) or with the threat of a fine for breach of procedural duties.

4) Professional confidentiality must be maintained.

#### Article 26

##### *Appeal proceedings*

1) Administrative penalty decisions of the Fiscal Authority may be appealed within 14 days of service by way of complaint to the National Tax Commission.

2) Objections (Article 55 of the Administrative Criminal Code) may be lodged with the Fiscal Authority against penal orders of the Fiscal Authority under Article 24(1) within 14 days of service, subject to Article 53(2) of the Administrative Criminal Code.<sup>38</sup>

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<sup>36</sup> Article 24(3) inserted by LGBl. 2025 No. 588.

<sup>37</sup> Article 25(1) amended by LGBl. 2025 No. 588.

<sup>38</sup> Article 26(2) amended by LGBl. 2025 No. 588.

3) Appeal decisions of the National Tax Commission may be appealed within 14 days of service by way of complaint to the Administrative Court.

#### Article 27

##### *Criminal court proceedings*

Proceedings for tax fraud shall be governed by the provisions on criminal court proceedings.

### **VI. Transitional provisions<sup>39</sup>**

#### Article 28

##### *Safe harbour*

By ordinance, the Government may provide for a simplified calculation of top-up taxes for tax years beginning on or before 31 December 2026 and ending before 1 July 2028. In doing so, the Government shall take into account the Safe Harbours and Penalty Relief: Global Anti-Base Erosion Rules (Pillar Two) of the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting of 15 December 2022<sup>40</sup>.

#### Article 29

##### *Exemption from punishment*

No fines shall be imposed for contraventions under Articles 15 and 16 committed within three years of the applicability of this Act, provided that reasonable measures have been taken to properly apply the provisions of this Act.

<sup>39</sup> Title preceding Article 28 amended by LGBl. 2025 No. 588.

<sup>40</sup> The guidelines are published on the website of the Fiscal Authority at [www.stv.lv.li](http://www.stv.lv.li).

## VII. Final provisions<sup>41</sup>

### Article 30

#### *Implementing ordinances*

The Government shall issue the ordinances required for the implementation of this Act.

### Article 31

#### *Entry into force and applicability*

1) This Act shall enter into force on 1 January 2024 and, subject to paragraph 2, shall apply for the first time to assessments for tax years beginning on or after 1 January 2024; the Government may, by ordinance, set the start of initial applicability to 1 January 2025.

2) The Government shall determine the initial applicability of the provisions on the UTPR top-up tax by ordinance; this may be at the earliest for assessments for tax years beginning on or after 1 January 2025.

3) When determining the applicability pursuant to paragraphs 1 and 2, the Government shall take into account the status of implementation of the GloBE Model Rules at the global level.

Representing the Reigning Prince:

signed *Alois*

Hereditary Prince

signed *Dr. Daniel Risch*

Prime Minister

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<sup>41</sup> Title preceding Article 30 amended by LGBl. 2025 No. 588.