

How to determine and verify the effective domicile, head office and tax residence of your clients?

- > Contracting parties – natural persons and legal persons (art. 7 CDB)
- > Sanctions targeting Russian clients: which residence matters? Which supporting documents?
- > Why tax residence does not always correspond to civil domicile or CDB domicile



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CONTRACTING PARTY – NATURAL PERSON

Effective residential address (art. 7 CDB)

8:40 How to determine the effective residential address of the contracting natural person (art. 7 CDB)

The effective residential address is deemed to be the place where the contracting party resides with the intention of settling there (art. 23 Swiss Civil Code).

- Domicile and residence: are they the same?
- How can one determine the “intention” of the contracting party? What does “to settle” mean – reside, live, work...?
- Main residence and secondary residence:
 - Is the effective residential address necessarily the main residence?
 - Can the effective residential address be neither?
 - Can the effective residential address be what was previously a secondary residence if the contracting party decides to make it their main residence with the intention of settling there?

- Complex situations: multiple domiciles, no fixed domicile (globetrotting client...)

Olivier Maes

Sanctions against Russia

9:05 Russian clients who may fall under sanctions: which residence should be taken into account? When should changes of residence after the entry into force of sanctions be accepted?

- Main residence, secondary residence? Temporary residence as well?
- Change of residence of a client resident in Russia
- Which documents may be accepted to validate a change of residence/domicile?
- What proof of use of the secondary residence should be requested: payment of taxes, utility bills, title deed to the secondary residence, CRS self-certification, client declaration of intention to reside long term...
- To attest residence in the EU, which documents should be required: entry visa, renewal of residence permit? What are the rules? What is the practice of banks?
- To attest residence in Switzerland, which documents should be required?
- In order to take into account the temporary residence of a Russian client, must the client's tax residence also be the country of temporary residence?

Olivier Maes

9:30 What additional clarifications are required in case of anomalies? What types of anomalies must be managed?

- Examples of anomalies:
 - inconsistencies between declared domicile and

documents provided,

- implausible or incompatible address in light of the client profile,
- multiple contradictory domiciles,
- address linked to a third party without justification,
- address inconsistent with lifestyle or financial situation,
- non-verifiable address,
- red flags related to correspondence.

- What should be done in case of anomalies? Should one:
 - trigger clarification under art. 18 CDB?
 - document doubts regarding the accuracy of the information?
 - strengthen the plausibility assessment of the profile?
 - refuse onboarding or initiate an exit?
- Example of a standard checklist for identifying anomalies for individuals.

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Tax residence

9:50 Why and when must tax residence be verified?

- Convergence between AML and tax controls regarding tax residence – what is meant by this convergence, exacerbated by the data also to be included in CRS/FATCA documentation?
- Is there an explicit obligation to collect tax residence at onboarding? Must a financial institution verify the address indicated on the CDB form?
- Is there an obligation to review tax residence in case of red flags (change of address, activity, atypical flows)?

Olivier Maes

10:00 When does taxation complicate the CDB analysis for natural persons?

- How is tax residence of a natural person determined under OECD conventions?
- Why does tax residence not always correspond to civil domicile or CDB domicile?
- In which cases does a tax inconsistency become an AML risk signal?
- Which client profiles make the analysis particularly complex (multi-residence, mobility, international clients)?
- Which tax elements may be used to assess file consistency without creating an additional CDB obligation?

Latifa Tabia

10:40 Coffee break

CONTRACTING PARTY – LEGAL PERSON

Effective seat of a legal person (art. 7 CDB)

10:55 How to determine the effective seat of a legal person without limiting oneself to the register (art. 7 CDB)?

- Why is the commercial register only a starting point?
- How to identify the effective administration within the meaning of the CDB?
- Which indicators make it possible to locate the real economic and operational center?
- In which cases does plurality of locations become a CDB anomaly?

Olivier Maes

11:10 Practical illustrations of the terms of art. 7 CDB relating to the effective seat

- How to determine the place of effective administration of an entity within the meaning of art. 7 CDB?
- To what extent does the economic and operational center allow identification of the place of effective management?
- Where is the entity's management actually exercised beyond formal governance bodies?
- Where are day-to-day business operations conducted within the corporate purpose, and which decisions are decisive in this respect?
- How to identify the principal place of management when several decision-making locations coexist?

Latifa Tabia

11:35 What additional clarifications are required in case of anomalies? What anomalies must be managed?

- Examples of anomalies:
 - implausible or atypical address for a company,
 - non-verifiable address,
 - inconsistencies between different company addresses (e.g. registered seat ≠ operational address ≠ billing address without explanation),
 - address linked to a third party without justification (c/o, notary, lawyers...),
 - multiple address changes, red flags linked to correspondence,
 - indications of fictitious domicile or shell company.
- What should be done in case of anomalies?
- Example of a standard checklist for identifying anomalies for legal entities.

Olivier Maes

Tax residence

12:00 When do the effective seat and tax residence of companies not coincide?

- How is tax residence of a legal person determined (incorporation or place of effective management)?
- In which cases can a company have dual tax residence?
- Are there companies without tax residence, and why is this problematic?
- How should fiscally transparent entities be treated under CRS and CDB?
- Why are certain structures formally compliant but intrinsically unstable?

Latifa Tabia

12:40 End of the seminar

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I register to the seminar "Domicile, head office and tax residence" in Zurich on 21 May 2026.

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