

30. September 2019

POOL AGREEMENTS - HOW TO OVERCOME THE INHERITANCE TAX HURDLE OF 25 %!

SHARES IN CORPORATIONS, EXCEPT SHARES IN NON-MEMBER STATES, ARE GRANTED TAX CONCESSIONS FOR INHERITANCE AND GIFT TAX PURPOSES IF THE TESTATOR OR THE DONOR DIRECTLY HELD MORE THAN 25 % OF THE NOMINAL CAPITAL OF A COMPANY. THE THRESHOLD OF 25 % ALSO APPLIES TO THE QUESTION OF WHETHER SO-CALLED ADMINISTRATIVE ASSETS ARE INVOLVED. POOL AGREEMENTS MAKE IT POSSIBLE TO ACHIEVE THE REQUIRED QUOTA. THE GERMAN FEDERAL FISCAL COURT [BFH] CLARIFIED WHAT NEEDS TO BE CONSIDERED IN THIS RESPECT. ([more...](#))