

# STATES OF JERSEY



## **DRAFT TAXATION (COMMON REPORTING STANDARD AND UNITED STATES OF AMERICA) (JERSEY) AMENDMENT REGULATIONS 202-. (P.39/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT**

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**Presented to the States on 4th June 2024  
by the Minister for External Relations**

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**STATES GREFFE**

**CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)**

**PART 1: SCREENING**

Name and title of Duty Bearer:	Deputy Elaine Miller, Assistant Minister for External Relations
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Assistant Minister
Assessment completed by (if not completed by duty bearer):	Assistant Comptroller of Revenue
Date:	31 May 2024

<p>1) Name and brief description of the proposed decision</p> <p>The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the ‘<b>decision</b>’</p> <ul style="list-style-type: none"> <li>• What is the problem or issue the decision is trying to address?</li> <li>• Do children experience this problem differently from adults?</li> </ul> <p>The Draft Taxation (Common Reporting Standard and United States of America) (Jersey) Amendment Regulations 202- is intended to ensure that Jersey’s law implementing the Common Reporting Standard (CRS) in respect of the automatic exchange of financial account information is fully in line with international standards. Where appropriate, it is intended that the same amendments will also be made to Jersey’s legislation implementing the FATCA (Foreign Account Tax Compliance Act) regime.</p> <p>Specifically, the amending Regulations, if approved, will:</p> <ol style="list-style-type: none"> <li>1. Ensure that adequate powers exist to ensure compliance with the Regulations by financial institutions which do not carry on a business and do not have business premises;</li> <li>2. Clarify the obligations of financial institutions without legal personality, and the application of penalties to them;</li> <li>3. Confirm that the Regulations do not prevent trustees or partners from recovering penalties imposed on them; and</li> <li>4. Ensure that the anti-avoidance rule in the CRS Regulations is firmly in line with OECD expectations.</li> </ol> <p>Children will not be affected by this proposition any differently from adults.</p>
<p>2) Which groups of children and young people are likely to be affected?</p> <p>Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children</p> <p>Children and young people are not expected to be affected by this proposition.</p>
<p>3) What is the likely impact of the proposed decision on children and on their rights?</p>

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| <ul style="list-style-type: none"><li>• Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC</li><li>• Will different groups of children be affected differently by this decision?</li></ul>                  |
| This proposition is not expected to affect children or their rights.   |
| 4) Is a full Children’s Rights Impact Assessment required?<br>If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion |
| A full Child Rights Impact Assessment is not required. Children are not expected to be affected by this proposition.   |