

STATES OF JERSEY



DRAFT TAXATION (EXCHANGE OF INFORMATION WITH THIRD COUNTRIES) (AMENDMENT No. 3) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 3rd June 2009
by the Chief Minister**

STATES GREFFE



Jersey

**DRAFT TAXATION (EXCHANGE OF
INFORMATION WITH THIRD COUNTRIES)
(AMENDMENT No. 3) (JERSEY)
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REPORT

P.94/2009, P.95/2009 and P.96/2009 contain a statement of purpose of, and the financial and manpower implications of the Regulations.

P.94/2009, P.95/2009 and P.96/2009 are the individual Reports and Propositions requesting the States to ratify the signed tax information exchange agreements with France, Ireland and the United Kingdom respectively.

Explanatory Note

These Regulations amend the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008 (the “principal Regulations”) so as to give effect to the bilateral tax information exchange agreement signed on 10th March 2009 between Jersey and the United Kingdom; the bilateral tax information exchange agreement signed on 23rd March 2009 between Jersey and France, and the bilateral tax information exchange agreement signed on 26th March 2009 between Jersey and Ireland.



Jersey

**DRAFT TAXATION (EXCHANGE OF
INFORMATION WITH THIRD COUNTRIES)
(AMENDMENT No. 3) (JERSEY)
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Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES, in pursuance of Article 2(1) of the Taxation (Implementation) (Jersey) Law 2004¹ and paragraph 1.8.5 of the Strategic Plan 2006 to 2011 approved by the States on 27th June 2006² and following the decision of the States, taken on the day these Regulations are made, to adopt Projet 94 of 2009, Projet 95 of 2009 and Projet 96 of 2009, have made the following Regulations –

1 Schedule amended

In the Schedule to the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008³ –

- (a) before the matter relating to Germany there shall be inserted the following matter –

| | | | |
|---------|--|--|--|
| “France | The European and Overseas Departments of the French Republic including the territorial sea, and any area outside the territorial sea within which, in accordance with international law, the French Republic has sovereign rights for the purpose of exploring and | (a) income tax (b) corporation tax (c) taxes on salaries (d) wealth tax (e) inheritance and gift taxes (f) registration duties on transactions (g) valued added tax (h) any withholding | |
|---------|--|--|--|

| | | | |
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| | exploiting the natural resources of the seabed and its subsoil and the superjacent waters | tax connected with the above mentioned taxes”; | |
|--|---|--|--|

(b) before the matter relating to the Netherlands there shall be inserted the following matter –

| | | | |
|----------|--|---|--|
| “Ireland | Ireland and any area outside the territorial waters of Ireland which has been or may hereafter be designated under the laws of Ireland concerning the Exclusive Economic Zone and the Continental Shelf, as an area within which Ireland may exercise such sovereign rights and jurisdiction as are in conformity with international law | (a) income tax (b) income levy (c) corporation tax (d) capital gains tax (e) capital gains acquisition tax (f) value added tax”; | |
|----------|--|---|--|

(c) after the matter relating to Sweden there shall be added the following matter –

| | | | |
|-----------------|--|--|--|
| “United Kingdom | Great Britain and Northern Ireland, including any area outside the territorial sea of the United Kingdom designated under its laws concerning the Continental Shelf and in accordance with international law as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised (but not including Jersey) | (a) income tax (b) corporation tax (c) capital gains tax (d) inheritance tax (e) value added tax”. | |
|-----------------|--|--|--|

2 Citation and commencement

- (1) These Regulations may be cited as the Taxation (Exchange of Information with Third Countries) (Amendment No. 3) (Jersey) Regulations 200-.
- (2) These Regulations come into force 7 days after they are made.

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- ¹ *chapter 17.850*
² *P.40/2006*
³ *chapter 17.850.30*