

**WRITTEN QUESTION TO THE MINISTER FOR TREASURY AND RESOURCES
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 29th MAY 2012**

Question

Given that the Assistant Chief Minister has stated that of the 28 requests for information from jurisdictions with which we have a Tax Information Exchange Agreement (TIEA) the “majority” have been complied with, will the Minister for Treasury and Resources state what this number is?

Will the Minister state how many of these concerned a person or a company as defined by Article 4 of the TIEA with Italy (P.34/2012)?

How many involved criminal tax matters as defined in the aforementioned Article 4?

How many involved information on each of paragraphs 4(a) and 4(b) (i) to (iv) of Article 5 of the same TIEA with Italy?

Is the Minister aware whether any tax revenue has been recovered through the use of a Jersey TIEA?

Answer

The Deputy has misunderstood the reference to the figure of 28. This is the number of TIEAs signed to date all of which have been ratified by the States. Of these 23 are in force. The remaining five are awaiting ratification by the other jurisdiction.

The total number of requests to date is 112. With the exception of a few still in the pipeline all requests have been responded to. A number of requesting authorities have stated that they have been impressed with the speed and comprehensiveness of the responses.

All requests have been in respect of a 'person' as defined in the standard TIEA which includes both natural and legal persons. With few exceptions requests seek information on the taxpayer both as an individual and as a beneficial owner of relevant corporate vehicles.

Of the total requests 67 have been in respect of criminal tax matters.

All requests have involved the entities referred to in paragraph 4(a) of Article 5 in the standard TIEA. No requests have specifically sought information about foundations or collective investment schemes (paragraphs 4(b)(iii) and (iv) of Article 5). Information on trusts (paragraph 4(b)(ii) of Article 5) has been requested specifically in two cases. Virtually all requests have sought information about the ownership of the corporate vehicles to which paragraph 4(b)(i) of Article 5 refers. In addition requests have sought information generally that is covered by the TIEA and which is foreseeably relevant to the investigation of the tax affairs of the taxpayer. Difficulties have not been experienced in obtaining information and responding to requests seeking information on any of the entities or categories covered by Article 5 of the TIEA.

There is no information available on the tax revenue obtained by the requesting authorities and at Global Forum meetings there has been general concern expressed at the poor feed back from requesting authorities. However a number of jurisdictions have said how valuable the information received from Jersey has been for their investigations and prosecutions.