

# STATES OF JERSEY

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## **DRAFT TAXATION (EXCHANGE OF INFORMATION WITH THIRD COUNTRIES) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200**

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**Lodged au Greffe on 10th February 2009  
by the Chief Minister**

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**STATES GREFFE**





Jersey

# **DRAFT TAXATION (EXCHANGE OF INFORMATION WITH THIRD COUNTRIES) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200**

## **REPORT**

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P.20/2009 contains a statement of the purpose of, and the financial and manpower implications of, these draft Regulations.

## **Explanatory Note**

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These Regulations amend the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008 so as to give effect to the seven bilateral tax information exchange agreements signed in Helsinki on 28th October 2008 between Jersey and Denmark, the Faroes, Finland, Greenland, Iceland, Norway and Sweden.





Jersey

# DRAFT TAXATION (EXCHANGE OF INFORMATION WITH THIRD COUNTRIES) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200

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 2004<sup>[1]</sup> and paragraph 1.8.5 of the Strategic Plan 2006-2011 approved by the States on 28th June 2006 and following the decision of the States, taken on the day these Regulations are made, to adopt Projet 20 of 2009, have made the following Regulations –

## 1 Amendment of the Schedule

In the Schedule to the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008<sup>[2]</sup> there shall be inserted –

(a) before the matter relating to Germany the following matter –

"Denmark	The Kingdom of Denmark including any area outside the territorial sea of Denmark which in accordance with international law has been or may hereafter be designated under Danish laws as an area within which Denmark may exercise sovereign rights with respect to the exploration and exploitation of the natural resources of the seabed or its subsoil and the superjacent waters and with respect to other activities for the exploration and economic exploitation of the area; but excluding the Faroe	<p>(a) Income tax to the State (indkomstskatten til staten)</p> <p>(b) Income tax to the municipalities (den kommunale indkomstskat)</p> <p>(c) Value added tax (merværdiafgift)</p>	
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	Islands and Greenland		
The Faroes	The landmass of the Faroes and their territorial waters and any area outside the territorial waters where the Faroes, according to Faroese legislation and in accordance with international law, may exercise rights with respect to the seabed and subsoil and their natural resources	(a) Taxes on income or profit (b) Value added tax (VAT)	
Finland	The territory of the Republic of Finland and any area adjacent to the territorial waters of the Republic of Finland within which, under the laws of Finland and in accordance with international law, the rights of Finland with respect to the exploration for and exploitation of the natural resources of the seabed and its subsoil and of the superjacent waters may be exercised	(a) State income taxes (valtion tuloverot; de statliga inkomstskatterna) (b) Corporate income tax (yhteisöjen tulovero; inkomstskatten för samfund) (c) Communal tax (kunnallisvero; kommunalskatten) (d) Church tax (kirkollisvero; kyrkoskatten) (e) Tax withheld at source from interest (korkotulon lähdevero; källskatten på ränteinkomst) (f) Tax withheld at source from non-residents' income; (rajoitetusti verovelvollisen lähdevero; källskatten för begränsat skattskyldig) (g) Withholding tax for foreign employees (ulkomailta tulevan palkansaajan lähdevero; källskatten för löntagare från utlandet) (h) Value added tax (arvonlisävero; mervärdesskatt)";	

(b) after the matter relating to Germany the following matter –

<p>“Greenland</p>	<p>The landmass of Greenland and its territorial waters and any area outside the territorial waters where Denmark or Greenland, according to domestic legislation and in accordance with international law, may exercise its rights with respect to the seabed and subsoil and their natural resources</p>	<p>(a) Home rule tax (nuna tamakkerlugu akileraarut)  (b) Special home rule tax (nuna tamakkerlugu akileraarut immikkut ittoq)  (c) Municipal tax (kommuninut akileraarut)  (d) Intermunicipal tax (kommuninut immikkut akileraarut)  (e) Company tax (selskabit akileraarutaat)  (f) Dividend tax (iluanaarutisianit akileraarut)  (g) Royalty tax (atuisinnaanermut akileraarutit)  (h) Labour market tax (sulisoqarnermut akitsuut)</p>	
<p>Iceland</p>	<p>The territory of Iceland including its territorial sea and any area beyond the territorial sea within which Iceland, in accordance with international law, exercises jurisdiction or sovereign rights with respect to the seabed, its subsoil and its superjacent waters, and their natural resources</p>	<p>(a) Income taxes to the state (tekjuskattar ríkissjóðs)  (b) Income tax to the municipalities (útsvar til sveitarfélaganna)  (c) Value added tax (virðisaukaskattur)”;</p>	

(c) after the matter relating to the Netherlands the following matter –

<p>“Norway</p>	<p>The Kingdom of Norway including the land territory, the internal waters, the territorial sea and the area beyond the territorial sea where</p>	<p>(a) Tax on general income (“skatt på alminnelig inntekt”)  (b) Tax on personal income (“skatt på personinntekt”)  (c) Special tax on</p>	
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	<p>the Kingdom of Norway, according to Norwegian legislation and in accordance with international law, may exercise her rights with respect to the seabed and subsoil and their natural resources; excluding Svalbard, Jan Mayen and the Norwegian dependencies (“biland”)</p>	<p>petroleum income (“særlig skatt på petroleumsinntekt”)</p> <p>(d) Resource rent tax on income from production of hydroelectric power (“grunnrenteskatt på inntekt fra produksjon av vannkraft”)</p> <p>(e) Withholding tax on dividends (“kildeskatt på utbytter”)</p> <p>(f) Tax on remuneration to non-resident artistes (“skatt på honorar til utenlandske artister m.v.”), etc.</p> <p>(g) Value added tax (“merverdiavgift”)</p>	
Sweden	<p>The Kingdom of Sweden including the national territory and the territorial sea of Sweden as well as other maritime areas over which Sweden in accordance with international law exercises sovereign rights or jurisdiction</p>	<p>(a) National income tax (den statliga inkomstkatten)</p> <p>(b) Withholding tax on dividends (kupongskatten)</p> <p>(c) Income tax on non-residents (den särskilda inkomstkatten för utomlands bosatta)</p> <p>(d) Income tax on non-resident artistes and athletes (den särskilda inkomstkatten för utomlands bosatta artister m.fl.)</p> <p>(e) Municipal income tax (den kommunala inkomstkatten)</p> <p>(f) Yield tax on pension funds (avkastningsskatten på pensionsmedel)</p> <p>(g) Value added tax (mervärdesskatten”).</p>	

## 2 Citation and commencement

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



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[1]

*chapter 17.850*

[2]

*R&O.23/2008*