
STATUTORY INSTRUMENTS

2014 No. 1360

**CAPITAL GAINS TAX
CORPORATION TAX
INCOME TAX
INHERITANCE TAX
VALUE ADDED TAX**

**The International Tax Enforcement
(Turks and Caicos Islands) Order 2014**

Made - - - - *27th May 2014*

A draft of this Order was laid before the House of Commons in accordance with section 173(7) of the Finance Act 2006⁽¹⁾ and approved by a resolution of that House.

Accordingly, Her Majesty, in exercise of the powers conferred upon Her by section 173(1) to (3) of the Finance Act 2006, by and with the advice of Her Privy Council, orders as follows—

Citation

1. This Order may be cited as the International Tax Enforcement (Turks and Caicos Islands) Order 2014.

International tax enforcement arrangements to have effect

2. It is declared that—

- (a) the arrangements specified in the Exchange of Letters set out in Part 1 of the Schedule to this Order and in the Arrangement set out in Part 2 of that Schedule, which amend the arrangements set out in Parts 1 and 2 of the Schedule to the International Tax Enforcement (Turks and Caicos Islands) Order 2010⁽²⁾, have been made with the Government of the Turks and Caicos Islands;
- (b) the arrangements have been made with a view to the exchange of information foreseeably relevant to the administration or enforcement or recovery of the taxes covered by the arrangements; and

(1) 2006 c. 25.

(2) S.I. 2010/2679.

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(c) it is expedient that those arrangements should have effect.

Ceri King
Deputy Clerk of the Privy Council

SCHEDULE

Article 2

PART 1

**EXCHANGE OF LETTERS BETWEEN
UNITED KINGDOM AND THE GOVERNMENT
CAICOS ISLANDS CONCERNING THE 2001
THE GOVERNMENT OF THE UNITED KINGDOM
AND NORTHERN IRELAND AND THE GOVERNMENT
AND CAICOS ISLANDS FOR THE EXCHANGE OF
RELATING TO TAX MATTERS**

Sir,

Having regard to the wish of our governments to enhance the relationship between the United Kingdom of Great Britain and Northern Ireland and the Government of the Turks and Caicos Islands, I have the honour to propose to you an Arrangement between the United Kingdom and the Turks and Caicos Islands governing the exchange of information relating to tax matters in the Appendix to this letter. The Arrangement will have effect in accordance with paragraph 2 thereof.

I have the honour to propose that, if the above is accepted by the Government of the Turks and Caicos Islands, this letter together with its Appendix and

Reply from the Government of Turks & Caicos Islands

Sir,

I have the honour to acknowledge receipt of your letter of 12 October 2014. The contents of your letter are set out below. The following follows:

“Having regard to the wish of our governments to enhance the relationship between the United Kingdom of Great Britain and Northern Ireland and the Turks and Caicos Islands, I have the honour to propose to you an Arrangement between the United Kingdom and the Turks and Caicos Islands relating to tax matters in the Appendix to this letter. The Arrangement will have effect in accordance with paragraph 2 thereof.

I have the honour to propose that, if the above is accepted by the Government of the Turks and Caicos Islands, this letter together with its Appendix and the Arrangement will constitute our mutual acceptance and making of the Arrangement between Great Britain and Northern Ireland and the Turks and Caicos Islands.

Please accept, Sir, the assurance of my highest consideration.

I am able to confirm that the contents of your letter dated 12 October 2014, the Arrangement between the Government of the Turks and Caicos Islands, and the Appendix to this letter and its Appendix constitute our mutual acceptance.

PART 2

**ARRANGEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE TURKS AND CAICOS ISLANDS
2009 ARRANGEMENT FOR THE EXCHANGE OF INFORMATION
RELATING TO TAXATION**

The United Kingdom and the Turks and Caicos Islands (the Territories) (the Arrangement between the two territories for the exchange of information) (“the 2009 Arrangement”), have agreed as follows:

1. The following shall be added after Paragraph 5 of the Arrangement:

“PARAGRAPH 5

AUTOMATIC EXCHANGE OF INFORMATION

1. The competent authorities of the Territories may enter into arrangements with each other for the purposes referred to in Paragraph 1 (Spontaneous Exchange) and shall determine the items of information to be exchanged, the conditions and procedures to be used to exchange such items of information.

2. The competent authorities of the Territories may enter into arrangements to be used for the purposes of this Paragraph.

PARAGRAPH 6

SPONTANEOUS EXCHANGE OF INFORMATION

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EXPLANATORY NOTE

(This note is not part of the Order)

The Schedule to this Order contains arrangements comprising an Exchange of Letters and an Arrangement (“the Arrangements”) amending the Arrangement between the United Kingdom and the Turks and Caicos Islands for the exchange of information relating to tax matters (“the 2009 Arrangement”). The 2009 Arrangement was scheduled to the International Tax Enforcement (Turks and Caicos Islands) Order 2010 (S.I. 2010/2679). This Order gives effect to the Arrangements.

Article 2 makes a declaration that it is expedient that the Arrangements should have effect.

The Arrangements relate to the exchange of information in tax matters and add new Paragraphs 5A and 5B to the 2009 Arrangement to allow for the automatic and spontaneous exchange of information.

The Arrangements will enter into force on the date of the later of the notifications by each territory of the completion of its legislative procedures and take effect for information exchanged on or after that date.

The date of entry into force will, in due course, be published in the *London, Edinburgh and Belfast Gazettes*.

A Tax Information and Impact Note has not been produced for this Order as it gives effect to a previously announced policy to enact a tax information exchange agreement.