

Statutory Document No. 2016/0122

*Income Tax Act 1970*

TAXES (CAYMAN ISLANDS) (AMENDMENT) ORDER 2016

Approved by Tynwald: 17 May 2016
Coming into Operation: 20 May 2016

The Council of Ministers makes the following Order under sections 104B and 104C of the Income Tax Act 1970.

1 Title

This Order is the Taxes (Cayman Islands) (Amendment) Order 2016.

2 Commencement

If approved by Tynwald¹, this Order comes into operation on 20 May 2016.

3 Interpretation

In this Order “**applicable arrangement**” means the Protocol signed by the Government of the Isle of Man on 2 February 2016 and the Government of the Cayman Islands on 14 March 2016 which amends the Agreement between the Government of the Isle of Man and the Government of the Cayman Islands for the Exchange of Information Relating to Tax Matters signed by the Government of the Cayman Islands on 10 September 2015 and by the Government of the Isle of Man on 22 September 2015.

The Protocol is set out in the Schedule.

4 Implementation of the applicable arrangement

It is declared that –

- (a) the applicable arrangement has been made with the Government of the Cayman Islands for the exchange of information relating to tax matters; and
- (b) the arrangement should have effect as part of the law of the Island.

¹Tynwald approval is required by section 104B(6) of the Income Tax Act 1970.

MADE 11th April 2016

W. Alow.
Chief Secretary



*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order is made under sections 104B and 104C of the Income Tax Act 1970. It implements a Protocol amending the 2015 agreement between the Government of the Isle of Man and the Government of the Cayman Islands for the exchange of information relating to tax matters.

PROTOCOL AMENDING

THE AGREEMENT BETWEEN

THE GOVERNMENT OF THE ISLE OF MAN

AND

THE GOVERNMENT OF THE CAYMAN ISLANDS

FOR

THE EXCHANGE OF INFORMATION RELATING TO

TAX MATTERS

The Government of the Isle of Man and the Government of the Cayman Islands,

Desiring to amend the Agreement between the Government of the Isle of Man and the Government of the Cayman Islands for the Exchange of Information Relating to Tax Matters, signed at George Town on 10 September 2015 and at Douglas on 22 September 2015 (hereinafter referred to as "the TIEA"),

Considering that the Isle of Man and the Cayman Islands have committed to automatically exchange information in/as of 2017 and that, in order to be able to automatically exchange information under Article 8 of the TIEA in accordance with the timeline to which they have committed, the Isle of Man and the Cayman Islands signed a bilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information on 25 September 2015,

Have agreed as follows:

ARTICLE 1

1. Paragraph 2.b) of Article 13 (Entry into force) of the TIEA shall be deleted and replaced with:
 - "b) with respect to automatically transmitting information under Article 8 for periods beginning on or after 1 January 2016; and";

2. After paragraph 2.b) of Article 13 (Entry into force) of the TIEA insert:
 - "c) for all others matters covered in Article 1, for taxable periods beginning on or after 1 January 2016, or where there is no taxable period, for all charges to tax arising on or after 1 January 2016."

ARTICLE 2

Each of the Parties shall notify the other in writing of the completion of the procedures required by its law for entry into force of this Protocol. The Protocol shall enter into force on the date of the later of such written notifications.

ARTICLE 3

This Protocol, which shall form an integral part of the TIEA, shall remain in force as long as the TIEA remains in force and shall apply as long as the TIEA itself is applicable.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed this Protocol.

Done at Douglas, Isle of Man on *2^d* day of *February* of two thousand and sixteen and at George Town, Grand Cayman, Cayman Islands this *14th* day of *March* of two thousand and sixteen, in duplicate in the English language.

**FOR THE GOVERNMENT OF
THE ISLE OF MAN:**



**FOR THE GOVERNMENT OF
THE CAYMAN ISLANDS:**

