

SCHEDULE

Article 2

PART 1

EXCHANGE OF LETTERS BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE GOVERNMENT OF ANGUILLA CONCERNING THE 2009 ARRANGEMENT BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF ANGUILLA FOR THE EXCHANGE OF INFORMATION RELATING TO TAXES

London, 13th December 2013

Sir,

Having regard to the wish of our governments to enhance and facilitate the terms and conditions governing the exchange of information relating to taxes and respecting the constitutional relationship between the United Kingdom of Great Britain and Northern Ireland and Anguilla, I have the honour to propose to you an Arrangement amending the 2009 Arrangement between the United Kingdom and Anguilla for the exchange of information relating to tax matters in the Appendix to this letter and that this Arrangement shall have effect in accordance with paragraph 2 thereof.

I have the honour to propose that, if the above is acceptable to the Government of Anguilla, this letter together with its Appendix and your confirmation shall together constitute our mutual acceptance and making of the Arrangement between the United Kingdom of Great Britain and Northern Ireland and Anguilla.

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

For the Government of the United Kingdom of Great Britain and Northern Ireland

David Gauke MP

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The International Tax Enforcement (Anguilla) Order 2014 No. 1357

Reply from the Government of Anguilla

Anguilla, 20 December 2013

Sir,

I have the honour to acknowledge receipt of your letter of 13th December 2013, which reads as follows:

“Having regard to the wish of our governments to enhance and facilitate the terms and conditions governing the exchange of information relating to taxes and respecting the constitutional relationship between the United Kingdom of Great Britain and Northern Ireland and Anguilla, I have the honour to propose to you an Arrangement amending the 2009 Arrangement between the United Kingdom and Anguilla for the exchange of information relating to tax matters in the Appendix to this letter and that this Arrangement shall have effect in accordance with paragraph 2 thereof.

I have the honour to propose that, if the above is acceptable to the Government of Anguilla, this letter together with its Appendix and your confirmation shall together constitute our mutual acceptance and making of the Arrangement between the United Kingdom of Great Britain and Northern Ireland and Anguilla.

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

I am able to confirm that the contents of your letter dated 13th December 2013 are acceptable to the Government of Anguilla, and therefore that this letter together with your letter and its Appendix constitute our mutual acceptance of the provisions of the Arrangement between Anguilla and the United Kingdom of Great Britain and Northern Ireland.

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

For the Government of Anguilla

Hubert B Hughes

Chief Minister

PART 2

ARRANGEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF ANGUILLA AMENDING THE 2009 ARRANGEMENT FOR THE EXCHANGE OF INFORMATION RELATING TO TAXES

The United Kingdom and Anguilla (“the Territories”) desiring to amend the Arrangement between the two territories for the exchange of information relating to tax matters (“the 2009 Arrangement”), have agreed as follows:

1. The following shall be added after Paragraph 5 (Exchange of Information Upon Request):

“PARAGRAPH 5A

AUTOMATIC EXCHANGE OF INFORMATION

1. The competent authorities of the Territories may automatically transmit information to each other for the purposes referred to in Paragraph 1 (Scope of Arrangement). The Territories shall determine the items of information to be exchanged pursuant to this Paragraph and the procedures to be used to exchange such items of information.
2. The competent authorities of the Territories may mutually agree on additional procedures to be used for the purposes of this Paragraph.

PARAGRAPH 5B

SPONTANEOUS EXCHANGE OF INFORMATION

The competent authority of a Territory may spontaneously transmit to the competent authority of the other Territory information that has come to the attention of the first-mentioned competent authority and that the first-mentioned competent authority supposes to be foreseeably relevant to the accomplishment of the purposes referred to in Paragraph 1 (Scope of Arrangement). The competent authorities of the Territories shall determine the procedures to be used to exchange such information.”

2. Each of the Territories shall notify the other of the completion of the procedures required by its law for the bringing into force of this Arrangement. This Arrangement shall enter into force on the date of the later of these notifications and shall have effect for information exchanged on or after that date without regard to the taxable period to which the information relates.