

SCHEDULE

PART II

Exchange of Notes

Note from the United Kingdom

United Kingdom Permanent Representation

To the European Union

The Permanent Representative

Sir John Grant KCMG

10 February 2005

Your Excellency,

I have the honour to refer to the texts of respectively the “Convention between the Kingdom of the Netherlands in respect of the Netherlands Antilles and (Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments”, the “Convention between the Kingdom of the Netherlands in respect of the Netherlands Antilles and (the EU Member State, other than Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments”, the “Convention between the Kingdom of the Netherlands in respect of Aruba and (the EU Member State, other than Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments” and the “Convention between the Kingdom of the Netherlands in respect of Aruba and (Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments”, that resulted from the negotiations with the Netherlands Antilles and Aruba on a Savings Tax Agreement, and that were annexed, respectively as Annex I, II, III and IV, to the Outcome of Proceedings of the High Level Working Party of the Council of Ministers of the European Union of 12 March (doc.7660/04 FISC 68).

In view of the above mentioned texts I have the honour to propose to you the “Convention concerning the automatic exchange of information regarding savings income in the form of interest payments” as contained in Appendix 1 to this letter, and our mutual undertaking to comply at the earliest possible date with our internal constitutional formalities for the entry into force of this Convention and to notify each other without delay when such formalities are completed.

Pending the completion of these internal procedures and the entry into force of this “Convention concerning the automatic exchange of information regarding savings income in the form of interest payments”, I have the honour to propose to you that the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands in respect of Aruba apply this Convention provisionally, so as far as is possible under their respective domestic constitutional requirements, as from 1 January 2005, or the date of application of Council Directive [2003/48/EC](#) of 3 June 2003 on taxation of savings income in the form of interest payments, whichever is later.

I have the honour to propose that, if the above is acceptable to your Government, this letter together with its Appendix 1 and your confirmation to that effect shall together constitute an Agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands in respect of Aruba.

Please accept, Your Excellency, the assurance of my highest consideration,

John Grant

Permanent Representative of the United Kingdom of Great Britain and Northern Ireland

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Note from the Kingdom of the Netherlands in respect of Aruba

Sir,

I have the honour to acknowledge receipt of your letter of 10 February 2005, which reads as follows:

“Your Excellency,

I have the honour to refer to the texts of respectively the “Convention between the Kingdom of the Netherlands in respect of the Netherlands Antilles and (Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments”, the “Convention between the Kingdom of the Netherlands in respect of the Netherlands Antilles and (the EU Member State, other than Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments”, the “Convention between the Kingdom of the Netherlands in respect of Aruba and (the EU Member State, other than Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments” and the “Convention between the Kingdom of the Netherlands in respect of Aruba and (Belgium, Austria and Luxembourg) concerning the automatic exchange of information regarding savings income in the form of interest payments”, that resulted from the negotiations with the Netherlands Antilles and Aruba on a Savings Tax Agreement, and that were annexed, respectively as Annex I, II, III and IV, to the Outcome of Proceedings of the High Level Working Party of the Council of Ministers of the European Union of 12 March (doc.7660/04 FISC 68).

In view of the above mentioned texts I have the honour to propose to you the “Convention concerning the automatic exchange of information regarding savings income in the form of interest payments” as contained in Appendix 1 to this letter, and our mutual undertaking to comply at the earliest possible date with our internal constitutional formalities for the entry into force of this Convention and to notify each other without delay when such formalities are completed.

Pending the completion of these internal procedures and the entry into force of this “Convention concerning the automatic exchange of information regarding savings income in the form of interest payments”, I have the honour to propose to you that the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands in respect of Aruba apply this Convention provisionally, so as far as is possible under their respective domestic constitutional requirements, as from 1 January 2005, or the date of application of Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments, whichever is later.

I have the honour to propose that, if the above is acceptable to your Government, this letter together with its Appendix 1 and your confirmation to that effect shall together constitute an Agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands in respect of Aruba.

Please accept, Your Excellency, the assurance of our highest consideration.”

In reply, I am able to confirm that the foregoing proposal is acceptable to the Kingdom of the Netherlands in respect of Aruba who will regard your letter, together with its Appendix 1, and this reply as constituting an agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands in respect of Aruba.

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

The Minister Plenipotentiary

A.A. Tromp-Yarzaray

The Hague, April 11 2005