
STATUTORY INSTRUMENTS

2023 No. 38

**The International Tax Enforcement
(Disclosable Arrangements) Regulations 2023**

PART 2

Requirement to disclose CRS avoidance arrangements and opaque offshore structures

Reportable taxpayer required to disclose in certain circumstances

7.—(1) Paragraph (2) applies where a reportable taxpayer is resident in the United Kingdom and is a user of a CRS avoidance arrangement or a beneficial owner under an opaque offshore structure.

(2) Subject to paragraph (3), the reportable taxpayer must make a return setting out the information specified in paragraphs (a) to (c) of Rule 2.3 of the model rules in respect of that arrangement or structure to the extent that—

- (a) the information is not included in a return under regulation 3(2) by an intermediary for the reason that—
 - (i) there is no intermediary in respect of the arrangement or structure,
 - (ii) the intermediary is not required to make a return under regulation 3(2), or
 - (iii) the intermediary is not required to disclose the information by virtue of regulation 5(1), and
- (b) the information is within the reportable taxpayer's knowledge, possession or control.

(3) A reportable taxpayer is not required to include information in a return under paragraph (2) to the extent that the reportable taxpayer has evidence that the information has been disclosed by an intermediary to the tax authority of a partner jurisdiction under rules that are substantially similar to those set out in these Regulations.

(4) The return required under paragraph (2) must be made before the end of the period of 30 days beginning with the day after the day on which the first step of the CRS avoidance arrangement or opaque offshore structure is implemented.