

Gibraltar signs TIEA with Germany and New Zealand

This bulletin provides a brief summary of the recent signed Tax Information Exchange Agreements with Germany and New Zealand on 13 and 14 August 2009.

Introduction

On 13 and 14 August 2009, the Governments of the Federal Republic of Germany and of New Zealand signed an agreement to allow for the exchange of tax information between their countries and Gibraltar.

The Tax Information Exchange Agreement will provide Gibraltar, Germany and New Zealand access to necessary information that is foreseeable relevant to the administration and enforcement of the domestic laws of both countries concerning the taxes covered by the Agreement.

Out of scope

There will be no obligation to provide information subject to industrial, commercial and professional trade secrets or processes.

Moreover, information that would reveal confidential communication between a client and an attorney will be out of scope. This leaves any correspondence made for the purpose of seeking or providing legal advice or correspondence to be used in existing or contemplated legal proceedings out of reach of the Tax Information Exchange Agreement.

In scope

The information that could be requested by the parties is that which is held by banks, other financial institutions and nominees and trustees about the beneficial ownership of companies, partnerships and collective investment funds including information on shares, units, settlors, trustees and beneficiaries.

Entry into force

The Tax Information Exchange Agreement shall enter into force after written notification of the completion of necessary internal procedures of the countries involved.

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