



TREATY SERIES 2017
No. 20 (Treaty Action)

**Declaration to the Convention on Mutual Administrative Assistance in
Tax Matters, on the Effective Date for Exchanges of Information
under the Multilateral Competent Authority Agreement on Automatic
Exchange of Financial Account Information**

Ireland's declaration deposited on 22 December 2017

Entered into force on 22 December 2017

**DECLARATION TO THE CONVENTION ON MUTUAL ADMINISTRATIVE ASSISTANCE
IN TAX MATTERS, ON THE EFFECTIVE DATE FOR EXCHANGES OF INFORMATION
UNDER THE MULTILATERAL COMPETENT AUTHORITY AGREEMENT ON
AUTOMATIC EXCHANGE OF FINANCIAL ACCOUNT INFORMATION**

Considering that Ireland has committed to automatically exchange information in 2017 and that, in order to be able to automatically exchange information under Article 6 of the Convention on Mutual Administrative Assistance in Tax Matters as amended by the Protocol amending the Convention on Mutual Administrative Assistance in Tax Matters (hereafter the “amended Convention”) in accordance with the timeline to which it has committed, Ireland has signed a Declaration on joining the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information (hereafter the “CRS MCAA”) on 24th October 2014;

Considering that, pursuant to its Article 28(6), the amended Convention shall have effect for administrative assistance related to taxable periods beginning on or after 1 January of the year following the one in which the amended Convention entered into force in respect of a Party, or where there is no taxable period, for administrative assistance related to charges to tax arising on or after 1 January of the year following the one in which the amended Convention entered into force in respect of a Party;

Considering that Article 28(6) of the amended Convention provides that any two or more Parties may mutually agree that the amended Convention shall have effect for administrative assistance related to earlier taxable periods or charges to tax;

Mindful that information may only be sent by a jurisdiction under the amended Convention with respect to taxable periods or charges to tax of the receiving jurisdiction for which the amended Convention is in effect and that, as a consequence, sending jurisdictions for which the Convention has newly entered into force in a given year are only in a position to provide administrative assistance to receiving jurisdictions for taxable periods beginning or charges to tax arising on or after 1 January of the following year;

Acknowledging that an existing Party to the amended Convention would be able to receive information under Article 6 of the amended Convention and the CRS MCAA from a new Party with respect to earlier taxable periods or charges to tax than the date foreseen in the amended Convention if both Parties declare to agree that another date of effect is applicable;

Further acknowledging that, therefore, a new Party to the amended Convention would be able to send information under Article 6 of the amended Convention and the CRS MCAA to an existing Party with respect to earlier taxable periods or charges to tax than the date foreseen in the amended Convention, if both Parties declare to agree that another date of effect is applicable;

Recognising that the information received under Article 6 of the amended Convention and the CRS MCAA may lead to follow-up requests by the receiving jurisdiction to the sending jurisdiction, which would relate to the same reporting period for which the sending jurisdiction has automatically exchanged information under the CRS MCAA;

Confirming that the capacity of a jurisdiction to send CRS-related information under Article 6 of the amended Convention and the CRS MCAA, as well as information relating to follow-up requests pursuant to Article 5 of the amended Convention, shall be governed by the terms of the CRS MCAA, including the relevant reporting periods of the sending jurisdiction contained therein, irrespective of the taxable periods or charges to tax of the receiving jurisdiction to which such information relates;

Ireland declares that the amended Convention shall have effect in accordance with the terms of the CRS MCAA for administrative assistance under the CRS MCAA between Ireland and the other Parties to the amended Convention that have made similar declarations, irrespective of the taxable periods or charges to tax to which such information relates in the receiving jurisdiction.

Ireland declares that the amended Convention shall also have effect for administrative assistance under its Article 5, between Ireland and the other Parties to the amended Convention that have made similar declarations, irrespective of the taxable periods or charges to tax to which such information relates in the receiving jurisdiction, when such assistance concerns follow-up requests related to information exchanged under the CRS MCAA with respect to reporting periods of the sending jurisdiction covered by the CRS MCAA.

Given under my official seal this 20 day of December, 2017

Simon Coveney, T.D.
Tánaiste and Minister for Foreign Affairs and Trade