

Notifications under the EU-San Marino Agreement on automatic exchange of financial account information

Identification of the Member State

MEMBER STATE:

CZ

COMPETENT AUTHORITY (BY DELEGATION):

Service:

Name of signing authorised officer:

Email:

Ministry of Finance-Tax Policy, Cooperation and Administration Strategy Department
Zdeněk Hrdlička
zdenek.hrdlicka@mfc.cz

Instructions

As per the Agreement between the EU and San Marino, the EU Member States and San Marino must provide each other with a set of notifications that will enable the correct functioning of the Agreement. These are set forth below.

Member States are invited to review each item and indicate their position vis-à-vis each topic.

To this effect, the competent authority will fill in this form, print it, sign it and send it to the San Marinense Authorities at:

Ufficio Centrale di Collegamento-Autorità Competente
Via della Capannaccia,16
47890 San Marino
Repubblica di San Marino

In order to facilitate the exchange and to organise the consolidation on receipt, the competent authority is also advised to send a scanned copy of that form to the following email address:

clo.sanmarino@ps.sm

List of Non-Reporting Financial Institutions - Section VIII.B.1(C) of Annex I

1. The term "Non-Reporting Financial Institution" means any Financial Institution which is:

(c) any other Entity that presents a low risk of being used to evade tax, has substantially similar characteristics to any of the Entities described in subparagraphs B.1(a) and (b), and is defined in domestic law as a Non-Reporting Financial Institution, and, for Member States, is provided for in paragraph 7a of Article 8 of Council Directive 2011/16/EU on administrative cooperation in the field of taxation and communicated to San Marino and for San Marino, is communicated to the European Commission, provided that the status of such Entity as a Non-Reporting Financial Institution does not frustrate the purposes of this Agreement

Our Member State has no Financial Institution that is to be treated as a Non-Reporting Financial Institution for the purposes of subparagraph B.1(c) of Section VIII of Annex I.

The list of Non-Reporting Financial Institutions for the purposes of subparagraph B.1(c) of Section VIII of Annex I of the EU-SM Agreement is the one published at the Official Journal OJ C 362 of 31 October 2015.

The list of Non-Reporting financial Institutions for the purposes of subparagraph B.1(c) of Section VIII of Annex I of the EU-SM Agreement is sent as an attachment to this document.

List of Excluded Accounts - Section VIII.C.17(g) of Annex I

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17. The term "Excluded Account" means any of the following accounts:

(g) any other account that presents a low risk of being used to evade tax, has substantially similar characteristics to any of the accounts described in subparagraphs C.17(a) to (f), and is defined in domestic law as an Excluded Account and, for Member States, is provided for in paragraph 7a of Article 8 of Council Directive 2011/16/EU on administrative cooperation in the field of taxation and communicated to San Marino and for San Marino, is communicated to the European Commission, provided that the status of such account as an Excluded Account does not frustrate the purposes of this Agreement.

Our Member State has no account that is to be treated as Excluded Account for the purposes of subparagraph C.17(g) of Section VIII of Annex I.

The list of Excluded Accounts for the purposes of subparagraph C.17(g) of Section VIII of Annex I of the EU-SM Agreement is the one published at the Official Journal OJ C 362 of 31 October 2015.

The list of Excluded Accounts for the purposes of subparagraph C.17(g) of Section VIII of Annex I of the EU-SM Agreement is sent as an attachment to this document.

Participating Jurisdictions - Section VIII.D.5(c)

5. The term "Participating Jurisdiction" with regard to a Member State or San Marino means:

(c) any other jurisdiction (i) with which the relevant Member State or San Marino, as the context requires, has an agreement in place pursuant to which that other jurisdiction will provide the information specified in Section I, and (ii) which is identified in a list published by that Member State or San Marino and notified to San Marino, respectively to the European Commission.

Our Member State's list of Participating Jurisdictions for the purposes of Section VIII.D.5(c) is the following:

Albania	Isle of Man		
Anguilla	Israel		
Argentina	Japan		
Aruba	Jersey		
Australia	Korea		
Barbados	Mauritius		
Belize	Mexico		
Bermuda	Montserrat		
Brazil	Nauru		
British Virgin Islands	New Zealand		
Canada	Niue		
Caribbean Part of the Netherland	Norway		
Cayman Islands	Russian Federation		
Chile	Saint Kitts and Nevis		
China	Saint Vincent and the Grenadines		

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Colombia	Samoa		
Costa Rica	Saudi Arabia		
Curacao	Seychelles		
Faroe Islands	Sint Maarten		
Ghana	South Africa		
Greenland	Turks and Caicos Island		
Guernsey	Uruguay		
Iceland			
India			
Indonesia			

List of Options - Group Cash Value Insurance Contracts and Group Annuity Contracts - Section VII.B of Annex I

A Member State or San Marino shall have the option to allow Reporting Financial Institutions to treat a Financial Account that is a member's interest in a Group Cash Value Insurance Contract or Group Annuity Contract as a Financial Account that is not a Reportable Account until the date on which an amount is payable to the employee/certificate holder or beneficiary, if the Financial Account that is a member's interest in a Group Cash Value Insurance Contract or Group Annuity Contract meets the following requirements:[...]

The term "Group Cash Value Insurance Contract" means a [...].

Before the entry into force of the Amending Protocol signed on ... , Member States shall communicate to San Marino and San Marino shall communicate to the European Commission whether they have exercised the option provided for in this paragraph. The European Commission may coordinate the transmission of the communication from Member States to San Marino and the European Commission shall transmit the communication from San Marino to all Member States. All further changes to the exercise of that option by a Member State or San Marino shall be communicated in the same manner.

Our Member State has exercised the option set forth in Section VII. B of Annex I for the purposes of the Agreement with San Marino

Our Member State has not exercised the option set forth in Section VII. B of Annex I for the purposes of the Agreement with San Marino

List of Options - Option on New Accounts of existing customers - Section VIII.C.9 of Annex I

9. The term "Preexisting Account" means:[...]

(b) A Member State or San Marino shall have the option of extending the term "Preexisting Account" to mean also any Financial Account of an Account Holder, regardless of the date such Financial Account was opened, if:[...]

Before the entry into force of the Amending Protocol signed on ... , Member States shall communicate to San Marino and San Marino shall communicate to the European Commission whether they have exercised the option provided for in this point. The European Commission may coordinate the transmission of the communication from Member States to San Marino and the European Commission shall transmit the communication from San Marino to all Member States. All further changes to the exercise of that option by a Member State or San Marino shall be communicated in the same manner.

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- Our Member State has exercised the option set forth in Section VIII.C.9 of Annex I for the purposes of the Agreement with San Marino
- Our Member State has not exercised the option set forth in Section VIII.C.9 of Annex I for the purposes of the Agreement with San Marino

List of Options - Option on New Accounts of existing customers - Section VIII.E.6 of Annex I

With respect to a Preexisting Entity Account, each Member State or San Marino shall have the option to allow Reporting Financial Institutions to use as Documentary Evidence any classification in the Reporting Financial Institution's records with respect to the Account Holder that was determined based on a standardised industry coding system...1.

Before the entry into force of the Amending Protocol signed on ... , Member States shall communicate to San Marino and San Marino shall communicate to the European Commission whether they have exercised the option provided for in this subparagraph. The European Commission may coordinate the transmission of the communication from Member States to San Marino and the European Commission shall transmit the communication from San Marino to all Member States. All further changes to the exercise of that option by a Member State or San Marino shall be communicated in the same manner.

- Our Member State has exercised the option set forth in Section VIII.E.6 of Annex I for the purposes of the Agreement with San Marino
- Our Member State has not exercised the option set forth in Section VIII.E.6 of Annex I for the purposes of the Agreement with San Marino

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Signature