

## Notifications under the EU-Andorra Agreement on automatic exchange of financial account information

### Identification of the Member State

MEMBER STATE:

CZ

### COMPETENT AUTHORITY (BY DELEGATION):

Service:

Ministry of Finance-Tax Policy, Cooperation and Administration Strategy Department

Name of signing authorised officer:

Zdeněk Hrdlička

Email:

zdenek.hrdlička@mfcf.cz

### Instructions

As per the Agreement between the EU and Andorra, the EU Member States and Andorra 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-a-vis each topic.

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

Secretaria d'Estad d'Afers Financers Internacionals

GOVERN D'ANDORRA

C. Prat de la Creu, 62-64 - Edif. Administratiu

AD500 Andorra la Vella

(Principality of Andorra)

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:

[claudia\\_cornella@govern.ad](mailto:claudia_cornella@govern.ad)

### 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 Andorra and for Andorra, 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-AD Agreement is the one published at the Official Journal OJ C362 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-AD Agreement is sent as an attachment to this document. \*

\* Note: if that option is selected, the list under Article 8(7a) of the Directive has to be re-submitted too.

28.2.2017 - 15:14



Signature

**Notifications under the EU-Andorra Agreement on automatic exchange of financial account information**

**Identification of the Member State**

MEMBER STATE:

CZ

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

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 Andorra and for Andorra, 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-AD Agreement is the one published at the Official Journal OJ C Journal OJ C362 of 31 October 2015, as updated within the Official Journal OJ C481 of 23 December 2016.

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

\* Note: if that option is selected, the list under Article 8(7a) of the Directive has to be re-submitted too.

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

5. The term "participating jurisdiction" with regard to a Member State or Andorra means:

(c) any other jurisdiction (i) with which the relevant Member State or Andorra, 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 Andorra and notified to Andorra, 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

28.2.2017 - 15:14

Signature

**Notifications under the EU-Andorra Agreement on automatic exchange of financial account information**

**Identification of the Member State**

MEMBER STATE:

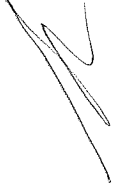
Cayman Islands	Russian Federation
Chile	Saint Kitts and Nevis
China	Saint Vincent and the Grenadines
Colombia	Samoa
Costa Rica	Saudi Arabia
Curacao	Seychelles
Faroe Islands	Sint Maarten
Ghana	South Africa
Greenland	Turks and Caicos Island
Guernsey	Uruguay
Iceland	
India	
Indonesia	

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

A Member State or Andorra 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:[...]  
 Before the entry into force of the Amending Protocol signed on 12 February 2016, Member States shall communicate to Andorra and Andorra 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 Andorra and the European Commission shall transmit the communication from Andorra to all Member States. All further changes to the exercise of that option by a Member State or Andorra 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 Andorra
- Our Member State has not exercised the option set forth in Section VII.B of Annex I for the purposes of the Agreement with Andorra

28.2.2017 - 15:14



Signature

**Notifications under the EU-Andorra Agreement on automatic exchange of financial account information**

**Identification of the Member State**

MEMBER STATE:

CZ

**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 Andorra 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 12 February 2016, Member States shall communicate to Andorra and Andorra 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 Andorra and the European Commission shall transmit the communication from Andorra to all Member States. All further changes to the exercise of that option by a Member State or Andorra shall be communicated in the same manner.

- Our Member State has exercised the option set forth in Section VIII.C.9 of Annex I for the purposes of the Agreement with Andorra
- 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 Andorra

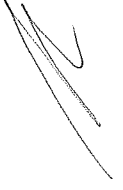
**List of Options - Option on Definition of Related Entity - Section VIII.E.4 of Annex I**

An Entity is a "Related Entity" of another Entity if either Entity controls the other Entity or the two Entities are under common control. For this purpose control includes direct or indirect ownership of more than 50 % of the vote and value in an Entity. A Member State or Andorra shall have the option of defining an Entity as a "Related Entity" of another Entity if (a) either Entity controls the other Entity; (b) the two Entities are under common control; or (c) the two Entities are Investment Entities described in subparagraph A(5)(b), are under common management, and such management fulfils the due diligence obligations of such Investment Entities. For this purpose, control includes direct or indirect ownership of more than 50 % of the vote and value in an Entity.

Before the entry into force of the Amending Protocol signed on 12 February 2016, Member States shall communicate to Andorra and Andorra 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 Andorra and the European Commission shall transmit the communication from Andorra to all Member States. All further changes to the exercise of that option by a Member State or Andorra shall be communicated in the same manner.

- Our Member State has exercised the option set forth in Section VIII.E.4 of Annex I for the purposes of the Agreement with Andorra
- Our Member State has not exercised the option set forth in Section VIII.E.4 of Annex I for the purposes of the Agreement with Andorra

28.2.2017 - 15:14



Signature

**Notifications under the EU-Andorra Agreement on automatic exchange of financial account information**

**Identification of the Member State**

MEMBER STATE:

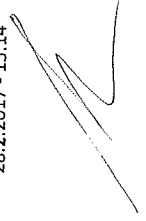
CZ

**List of Options - Option on the use of standardised industry coding system - Section VIII.E.6 of Annex I**

*With respect to a Preexisting Entity Account, each Member State or Andorra 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 [...]. Before the entry into force of the Amending Protocol signed on 12 February 2016, Member States shall communicate to Andorra and Andorra 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 Andorra and the European Commission shall transmit the communication from Andorra to all Member States. All further changes to the exercise of that option by a Member State or Andorra 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 Andorra
- 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 Andorra

28.2.2017 - 15:14



Signature