



International Fiscal Association

**IFA 2020 Virtual Programme
16-25 November 2020**

ISSUES PAPER

EXCHANGE OF INFORMATION: ISSUES, USE AND COLLABORATION

SUBJECT 2 | Tuesday, 17 November 2020 | 15.00 – 17.00

General Reporters

Tatiana Falcão (Brazil)
Armando Lara Yaffar (Mexico)

Chair

Christoph Schelling (Switzerland)

Panel members

Reinhard Biebel (EU)
Huey Min Chia-Tern (Singapore)
Maria José Garde (Spain)
Marnin Michaels (USA)
Xavier Oberson (Switzerland)

Secretary

Nereida Jäggi (Switzerland)



Overview

This webinar will address the current status of cross-border administrative assistance in tax matters and consider experience with implementation and peer reviews.

The panel will discuss issues related to exchange of information upon request, including group and bulk requests, and examine the application of guiding principles.

The discussion will further focus on automatic exchange of information, in particular as concerns financial accounts, and will look into the forthcoming revision of the Common Reporting Standard (CRS). It will also touch upon country-by-country reporting (CbCR) and the standard providing for spontaneous exchange of information, specifically on tax rulings.

Finally, taking stock of recent technical developments, an outlook on possible future policy direction will address areas of potential improved cooperation and also consider limitations set by other domains of the law, such as data protection and constitutional principles, in particular under a EU perspective.

Exchange of Information upon Request (EOIR)

This first part of our presentation will cover experience and issues with the implementation of the EOIR Standard. It will include some numbers and key findings of the peer reviews conducted by the Global Forum on Transparency and Exchange of Information for Tax Purposes, and address issues related to full and timely provision of information, confidentiality of requests in requested and requesting jurisdictions, and beneficial ownership.

Specific attention will be given to guiding principles governing EOIR, such as foreseeable relevance, subsidiarity and specialty, to the particularities of group and bulk requests, and to procedural rights of concerned persons in a requested jurisdiction.

Automatic Exchange of Information (AEOI) and Spontaneous Exchange of Information (SEOI)

The second part of our webinar will be devoted to experience and issues related to the implementation of the standard regarding automatic exchange of financial account information (CRS and US-FATCA), and address the use of data within administrations. OECD's planned review and revision of the CRS will also be included in the presentation.

This presentation will further look into implementation issues related to other fields of AEOI, such as the EU mandatory disclosure rules. In addition, it will briefly touch on spontaneous exchange of information on tax rulings as well as on the automatic exchange of information of country-by-country reports, which deal with the global allocation of income, profit taxes paid, and economic activity among jurisdictions in which multinational enterprises operate.



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Improved cooperation and limits to cooperation

The final part of our webinar will cover the objectives and limits of improved cooperation in the field of tax, with special attention being given to the EU perspective.

It will address topics such as the proposal for revision of the EU Directive on administrative cooperation in the field of taxation (DAC 7) and assistance in collection, highlight the function of data protection and data security, look into the use of data, address areas of potential extended cooperation and discuss possible legal or political obstacles.