

Argentina's Developments and Tax Policy in Exchange of Information and Double Taxation Treaties

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I. Exchange of Information Developments

- The Switzerland – Argentina Tax Treaty: Status
- OECD Declaration on Automatic Exchange of Information and TIEAs.
- Numerous exchange of information requests by Argentina Tax Authority
- Domestic Front: Resolution 631/2014 and others

I. Exchange of Information Developments (continued)

- Argentina has exchange of information relationships with approx. 135 jurisdictions through:
 - i. 17 DTCs
 - ii. 20 TIEAs
 - iii. 1 Multilateral Mechanism Convention in Tax Matters
- Global Forum Transparency and Exchange of Information for Tax Purposes. Recent signature by Argentine Tax Authority.

I. Exchange of Information Developments (continued)

- Argentina uncovers 99 cases of foreign undeclared income through TIEAs (August 15, 2014)
- “HSBC Case” (October, 2014). Evidence admissible?

I. Exchange of Information Developments (continued)

- Cooperative vs. Non-Cooperative Jurisdictions
 - The “good” and “bad” Jurisdictions
 - Some new “cooperating” jurisdictions: Anguilla, Aruba, Belize, Bermudas, Bahamas, United Arab Emirates, Kuwait, Qatar, Ghana, Greenland, Honduras, Ireland, Isle of Man, Iceland, Caiman, Guernsey and Jersey Islands, Turks and Caicos Islands, BVI, Macao, Montenegro, Lichtenstein, Monaco, Andorra, Albania, Angola, Malta, Mauritius, Panama, Tunisia, San Marino.

I. Exchange of Information Developments (continued)

- Consequences for “non – cooperative” Jurisdictions.
 - Transfer Pricing Application
 - CFC Rules
 - Negative tax Presumptions

II. Double Taxation Treaties Developments

- Existing DTCs: Germany, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Denmark, Spain (new DTC), Finland, France, Italy, Netherlands, Norway, Russia, Sweden, Switzerland (remember prior comment).
- Abrogated DTCs: Austria, Chile, Spain, Switzerland.
- Potential Benefits.

II. Double Taxation Treaties Developments (Continued)

- “Molinos Río de la Plata” Case.
- Spanish Holding Companies (ETVEs) Challenge: Arguments and Status.