

EXCHANGE OF INFORMATION: THE ESSENTIAL KIT

	1. EC Directive 2011/16/EU <i>Administrative Cooperation in the field of taxation</i>	2. EC Directive 2003/48/EC <i>Savings Directive*</i>	3. Tax Treaties that provide for OECD clause regarding exchange of information in tax matters	4. OECD Model convention on mutual assistance in tax matters (multilateral instrument)
INCOME COVERED	<ul style="list-style-type: none"> • Employment* • Pension* • Director fees* 	<ul style="list-style-type: none"> • Interest income** 	<ul style="list-style-type: none"> • Income covered by the relevant tax treaty 	<ul style="list-style-type: none"> • N/A
TAXES COVERED	<ul style="list-style-type: none"> • All taxes, except VAT, customs, excise and duties, compulsory social contributions 	<ul style="list-style-type: none"> • Taxes on interest income 	<ul style="list-style-type: none"> • Taxes covered by the relevant tax treaty 	<ul style="list-style-type: none"> • Income tax • Capital gain tax • Wealth tax • Tax on net value* • Compulsory social security charges* • Inheritance and gift tax* • VAT/Sales tax* • Excise duties*
CURRENT (EXCHANGE OF INFORMATION) SYSTEM IN FORCE	<ul style="list-style-type: none"> • UPON REQUEST, subject to foreseeable relevance test; and • SPONTANEOUS, limited to specific cases • NO FISHING EXPEDITION 	<ul style="list-style-type: none"> • WHT system at 35%; or • Exchange of information, subject to prior written consent from the taxpayer 	<ul style="list-style-type: none"> • UPON REQUEST, subject to foreseeable relevance test; and • NO FISHING EXPEDITION 	<ul style="list-style-type: none"> • Not yet in force
FUTURE (EXCHANGE OF INFORMATION) SYSTEM	<ul style="list-style-type: none"> • SHIFT TO AUTOMATIC EXCHANGE expected by 1st January 2015 with effect as from 1st January 2014** • NO FISHING EXPEDITION 	<ul style="list-style-type: none"> • SHIFT TO AUTOMATIC EXCHANGE expected by 1st January 2015 	<ul style="list-style-type: none"> • NO CHANGE AS SUCH, but developments on OECD Model convention on mutual assistance in tax matters shall be considered. 	<ul style="list-style-type: none"> • UPON REQUEST; and • AUTOMATIC on bilateral basis (option)
NOTES	<p>* The Directive also covers life-insurance products not already covered by other EC directives and income from immovable properties. However, those categories have not been introduced into Luxembourg domestic legislation.</p> <p>**Exchange of information upon request will however remain in force -still subject to foreseeable relevance test-and also spontaneous one</p>	<p>* Interest income received by EU individuals residents (incl. residual entities in cooperating States)</p> <p>* Discussions for extending the scope to: dividends, capital gains and life insurance products</p>		<p>*Excluded by Luxembourg</p>