

PROTOCOL
Amending the Arrangement between the States of Guernsey
and the Government of the Turks and Caicos Islands for the Exchange of
Information Relating to Taxes, signed on 4th April 2014 and 24th July 2014.

The States of Guernsey and the Government of the Turks and Caicos Islands (hereinafter “the Parties”),

Desiring to amend the Arrangement between the States of Guernsey and the Government of the Turks and Caicos Islands for the Exchange of Information Relating to Taxes, signed on 4th April 2014 and 24th July 2014,

Have agreed as follows:

ARTICLE I

The following shall be added after Article 5 (Exchange of Information Upon Request):

“ARTICLE 5A
Automatic Exchange of Information

1. The competent authorities of the Parties may automatically transmit information to each other for the purposes referred to in Article 1 (Scope of Arrangement). The competent authorities shall determine the items of information to be exchanged pursuant to this Article and the procedures to be used to exchange such items of information.
2. The competent authorities of the Parties may mutually agree on additional procedures to be used for the purposes of this Article.

ARTICLE 5B
Spontaneous Exchange of Information

The competent authority of a Party may spontaneously transmit to the competent authority of the other Party information that has come to the attention of the first-mentioned competent authority and that the first-mentioned competent authority supposes to be foreseeably relevant to the accomplishment of the purposes referred to in Article 1 (Scope of Arrangement). The competent authorities shall determine the procedures to be used to exchange such information.”.

ARTICLE II

The following shall replace paragraph 1 of Article 11 (No Prejudicial or Restrictive Measures):

- “1. Either Party shall not apply prejudicial or restrictive measures based on harmful tax practices to residents, nationals or citizens of the other Party so long as this

Agreement, and any other agreement between the Parties or the competent authorities of the Parties, relating to the exchange of information for tax purposes, is in force and effective.”.

ARTICLE III

Paragraph 2 of Article 13 (Mutual Agreement Procedure) is revised as follows:

- “2. In addition to the endeavours referred to in paragraph 1, the competent authorities of the Parties may mutually determine the procedures to be used under Articles 5, 5A, 5B, 6 and 10.”.

ARTICLE IV

The Parties shall notify each other in writing when their necessary internal procedures for entry into force of this Protocol have been completed. This Protocol shall enter into force on the date of the later of such written notifications.

In witness whereof, the undersigned, being duly authorized in that behalf by the respective Parties, have signed this Protocol Arrangement.

Done at Grand Turk this 29th day of June 2016,
and at St. Peter Port this 15th day of August 2016, in
duplicate, in the English language.

FOR THE STATES
OF GUERNSEY

FOR THE GOVERNMENT OF
THE TURKS AND CAICOS