

GUIDANCE NOTE

The International Tax Cooperation Unit has penned this guidance note to provide Anguilla Financial Institutions with guidance on the requirements of Reporting Financial Institutions to file an information return and the notification obligation of Non-Reporting Financial Institutions as per the International Tax Compliance (CRS) Regulations (amendment) 2024.

Requirement to file an information return on the AEOI Portal

Under Section 4 the CRS Regulations, the deadline for the initial filing of an information return was 31 May 2017. In the case of an entity that becomes an FI after that date, the entity should file an information return by 31 May of the next calendar year. In order to file an information return with the Competent Authority, an entity will have to register on the Anguilla AEOI Portal. Registration is a one-off process and does not need to be repeated annually.

i. Required Information for Registration on the Anguilla AEOI Portal

Every FI must provide the required information listed below. The PPoC must maintain a record of this information in a manner that can be accessed if the AEOI Portal is offline. Failing to keep this information on record is a contravention of section 6 of the CRS Regulations, which may result in the application of an Administrative Penalty.

a) FI Name

The legal name of the Entity must be provided as it appears on the Certificate of Registration, Trust Deed, or equivalent.

b) GIIN (if applicable)

If the FI has reporting obligations under FATCA, it will also be required to provide its GIIN, issued by the United States IRS. GIINs issued by the IRS are publicly available on the [IRS website](#).

c) Reporting Obligations

The FI must indicate the classification of the Entity and whether it is a Reporting or Non-Reporting FI for the purposes of the CRS.

d) Details of the Principal Point of Contact & Secondary Point of Contact

The FI must indicate the person it authorizes to act as the PPoC and SPoC. The FI is required to provide the details of both the PPoC and SPoC on the AEOI Portal, including:

- Individual/Entity Name
- Entity Name *(if PPoC/SPoC is an individual)*
- Position
- Email Address
- Physical Address
- Identification Document

e) Letter of Authorisation

A PDF version of the Letter of Authorisation must be uploaded to the Portal during Registration, or when submitting a change notice for the PPoC and SPoC. The letter must include the following information:

- Date *(within the last 3 months)*
- FI Name
- FI GIIN *(if applicable)*
- Contact information of both the PPoC and SPoC: name, position, physical address, and email address.
- Name and title of signatory: must be a Director, General Partner, or Trustee of the FI.

ii. Reporting Obligations of Reporting Financial Institutions

Each Reporting FI shall, for each year registered on the Portal, make a return to the Authority for each Reportable Account the FI maintained during the reporting period and, if the FI did not maintain any Reportable Accounts in a Reportable Jurisdiction, a NIL return. It should be noted that the CRS Filing Declaration constitutes a NIL return. This is pursuant to Section 4(3) of the International Tax Compliance (CRS) (Amendment) Regulations, 2024. The filing of an information return is an annual process and the deadline is 31st May each year.

Notification Obligation of Non-Reporting Anguilla Financial Institutions

Under section 6A of the International Tax Compliance (CRS) (Amendment) Regulations, 2024, every Non-Reporting Anguilla Financial Institution shall notify the Competent Authority as to whether it is a Non-Reporting Anguilla Financial Institution based on the following:

- a. An existing Non-Reporting FI shall notify the Competent Authority no later than 30th September 2024; and

- b. An Anguilla FI that becomes a Non-Reporting Anguilla Financial Institution after 30h September 2024 shall notify the Competent Authority shall notify the Competent Authority before the expiry of the 30th September of the year after the entity becomes a Non-Reporting Anguilla Financial Institution.

Non-Reporting Financial Institutions should send a letter of notification to inform the Competent Authority that they are non-reporting financial institutions to the following address: Anguilla.eoi@gov.ai. Where there is a change in the entity's reporting status, supporting documentation relating to the change in circumstances should be provided.

The FI must also register their non-reporting obligations or change their reporting obligations on the AEOI Portal, details of this process will be provided when the Financial Institution informs the ITC Unit that the entity has now become a Non-Reporting Anguilla Financial Institution.

Should you have any queries about the guidance note, please direct your queries to the International Tax Cooperation Unit at the Ministry of Finance via email at Anguilla.eoi@gov.ai

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