

For Six Month Period Ending March 31, 2008
(Insert date)

I - REGISTRANT

1. (a) Name of Registrant
White & Case LLP

(b) Registration No.
2759

(c) Business Address(es) of Registrant
1155 Avenue of Americas
New York, New York, 10036

2. Has there been a change in the information previously furnished in connection with the following:

(a) If an individual:

(1) Residence address(es)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(2) Citizenship	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
(3) Occupation	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

(b) If an organization:

(1) Name	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(2) Ownership or control	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(3) Branch offices	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

(c) Explain fully all changes, if any, indicated in items (a) and (b) above.

Item 2(a) 1 - Partner resident changes attached

Item 2(b) 2 - Changes in Partnership are indicated in item 4

Item 3(b) 3 - The Registrant opened branch offices in Abu Dhabi, UAE and Bucharest, Romania during the reporting period.

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IF THE REGISTRANT IS AN INDIVIDUAL, OMIT RESPONSE TO ITEMS 3, 4 AND 5(a).

3. If you have previously filed Exhibit C¹, state whether any changes therein have occurred during this 6 month reporting period.

Yes No

If yes, have you filed an amendment to the Exhibit C? Yes No

If no, please attach the required amendment.

¹ The Exhibit C, for which no printed form is provided, consists of a true copy of the charter, articles of incorporation, association, and by laws of a registrant that is an organization. (A waiver of the requirement to file an Exhibit C may be obtained for good cause upon written application to the Assistant Attorney General, National Security Division, U.S. Department of Justice, Washington, DC 20530.)

4. (a) Have any persons ceased acting as partners, officers, directors or similar officials of the registrant during this 6 month reporting period? Yes No

If yes, furnish the following information:

Name	Position	Date connection ended
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SEE ATTACHED PAGES

(b) Have any persons become partners, officers, directors or similar officials during this 6 month reporting period? Yes No

If yes, furnish the following information:

Name	Residence address	Citizenship	Position	Date assumed
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SEE ATTACHED PAGES

5. (a) Has any person named in item 4(b) rendered services directly in furtherance of the interests of any foreign principal? Yes No

If yes, identify each such person and describe his service.

(b) Have any employees or individuals, who have filed a short form registration statement, terminated their employment or connection with the registrant during this 6 month reporting period? Yes No

If yes, furnish the following information:

Name	Position or connection	Date terminated
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(c) During this 6 month reporting period, has the registrant hired as employees or in any other capacity, any persons who rendered or will render services to the registrant directly in furtherance of the interests of any foreign principal(s) in other than a clerical or secretarial, or in a related or similar capacity? Yes No

If yes, furnish the following information:

Name	Residence address	Citizenship	Position	Date assumed
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see attached

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6. Have short form registration statements been filed by all of the persons named in Items 5(a) and 5(c) of the supplemental statement? Yes No

If no, list names of persons who have not filed the required statement.

IT IS ATTACHED TO THIS FILE.

II - FOREIGN PRINCIPAL

7. Has your connection with any foreign principal ended during this 6 month reporting period?

Yes No

If yes, furnish the following information:

Name of foreign principal

Date of termination

8. Have you acquired any new foreign principal² during this 6 month reporting period?

Yes No

If yes, furnish the following information:

Name and address of foreign principal

Date acquired

The Great Socialist People's Libyan Arab Jamahiriya
Embassy of Libya
2600 Virginia Avenue, NW Suite 705
Washington DC 20037

February 5, 2008

9. In addition to those named in Items 7 and 8, if any, list foreign principals² whom you continued to represent during the 6 month reporting period.

City of Amsterdam, Kingdom of Netherlands
Kingdom of Thailand
Isle of Man
Kingdom of Jordan
States of Jersey
States of Guernsey

10. **EXHIBITS A AND B**

(a) Have you filed for each of the newly acquired foreign principals in Item 8 the following:

Exhibit A³ Yes No
Exhibit B⁴ Yes No

If no, please attach the required exhibit.

(b) Have there been any changes in the Exhibits A and B previously filed for any foreign principal whom you represented during the 6 month period? Yes No

If yes, have you filed an amendment to these exhibits? Yes No

If no, please attach the required amendment.

² The term "foreign principal" includes, in addition to those defined in Section 1(b) of the Act, an individual organization any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign government, foreign political party, foreign organization or foreign individual. (See Rule 100(a)(9).) A registrant who represents more than one foreign principal is required to list in the statements he files under the Act only those principals for whom he is not entitled to claim exemption under Section 3 of the Act. (See Rule 208.)

³ The Exhibit A, which is filed on Form NSD-3 (Formerly CRM-157), sets forth the information required to be disclosed concerning each foreign principal.

⁴ The Exhibit B, which is filed on Form NSD-4 (Formerly CRM-155), sets forth the information concerning the agreement or understanding between the registrant and the foreign principal.

III - ACTIVITIES

11. During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 7, 8, and 9 of this statement? Yes No

If yes, identify each such foreign principal and describe in full detail your activities and services:
SEE ATTACHED PAGE

12. During this 6 month reporting period, have you on behalf of any foreign principal engaged in political activity⁵ as defined below? Yes No

If yes, identify each such foreign principal and describe in full detail all such political activity, indicating, among other things, the relations, interests and policies sought to be influenced and the means employed to achieve this purpose. If the registrant arranged, sponsored or delivered speeches, lectures or radio and TV broadcasts, give details as to dates and places of delivery, names of speakers and subject matter.

SEE ATTACHED PAGES

13. In addition to the above described activities, if any, have you engaged in activity on your own behalf which benefits any or all of your foreign principals? Yes No

If yes, describe fully.

⁵ The term "political activities" means any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

IV - FINANCIAL INFORMATION

14. (a) RECEIPTS - MONIES

During this 6 month reporting period, have you received from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal, any contributions, income or money either as compensation or otherwise? Yes [x] No []

If no, explain why.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies⁶.

Date	From whom	Purpose	Amount
SEE ATTACHED PAGES			

Total

(b) RECEIPTS - FUND RAISING CAMPAIGN

During this 6 month reporting period, have you received, as part of a fund raising campaign⁷, any money on behalf of any foreign principal named in items 7, 8, or 9 of this statement? Yes [] No [x]

If yes, have you filed an Exhibit D⁸ to your registration? Yes [] No []

If yes, indicate the date the Exhibit D was filed. Date _____

(c) RECEIPTS - THINGS OF VALUE

During this 6 month reporting period, have you received any thing of value⁹ other than money from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal? Yes [] No [x]

If yes, furnish the following information:

Name of foreign principal	Date received	Description of thing of value	Purpose
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6, 7 A registrant is required to file an Exhibit D if he collects or receives contributions, loans, money, or other things of value for a foreign principal, as part of a fund raising campaign. (See Rule 201(e).)

8 An Exhibit D, for which no printed form is provided, sets forth an account of money collected or received as a result of a fund raising campaign and transmitted for a foreign principal.

9 Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

15. (a) **DISBURSEMENTS – MONIES**

During this 6 month reporting period, have you

(1) disbursed or expended monies in connection with activity on behalf of any foreign principal named in Items 7, 8, or 9 of this statement? Yes No

(2) transmitted monies to any such foreign principal? Yes No

If no, explain in full detail why there were no disbursements made on behalf of any foreign principal.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies, including monies transmitted, if any, to each foreign principal.

Date	To whom	Purpose	Amount
SEE ATTACHED PAGES			

Total

(b) DISBURSEMENTS – THINGS OF VALUE

During this 6 month reporting period, have you disposed of anything of value¹⁰ other than money in furtherance of or in connection with activities on behalf of any foreign principal named in Items 7, 8, or 9 of this statement?

Yes No

If yes, furnish the following information:

Date disposed	Name of person to whom given	On behalf of what foreign principal	Description of thing of value	Purpose
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(c) DISBURSEMENTS – POLITICAL CONTRIBUTIONS

During this 6 month reporting period, have you from your own funds and on your own behalf either directly or through any other person, made any contributions of money or other things of value¹¹ in connection with an election to any political office, or in connection with any primary election, convention, or caucus held to select candidates for political office?

Yes No

If yes, furnish the following information:

Date	Amount or thing of value	Name of political organization	Name of candidate
11/1/07	\$10.00	Clinton for President	Hillary Clinton

Each of the contributions listed immediately above was made from the contributor's own funds and on his own behalf. The response to this item 15 (c) is based on a review of the contributions of the partners of the registrant who have filed Short-Form Registration Statements in connection with the foregoing principals listed in the response to items 8 and 9, but no review of contributions by other partners and employees of the registrant has been made for the purpose of responding to this item.

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^{10, 11} Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks" and the like.

V - INFORMATIONAL MATERIALS

16. During this 6 month reporting period, did you prepare, disseminate or cause to be disseminated any informational materials¹²?
Yes No

IF YES, RESPOND TO THE REMAINING ITEMS IN SECTION V.

17. Identify each such foreign principal.

States of Jersey

Isle of Man

18. During this 6 month reporting period, has any foreign principal established a budget or allocated a specified sum of money to finance your activities in preparing or disseminating informational materials? Yes No

If yes, identify each such foreign principal, specify amount, and indicate for what period of time.

We billed our clients for hours worked. The fees collected are reflected in Item 14 attached.

19. During this 6 month reporting period, did your activities in preparing, disseminating or causing the dissemination of informational materials include the use of any of the following:

- Radio or TV broadcasts
- Magazine or newspaper articles
- Motion picture films
- Letters or telegrams
- Advertising campaigns
- Press releases
- Pamphlets or other publications
- Lectures or speeches
- Internet
- Other (specify) meetings

20. During this 6 month reporting period, did you disseminate or cause to be disseminated informational materials among any of the following groups:

- Public officials
- Newspapers
- Libraries
- Legislators
- Editors
- Educational institutions
- Government agencies
- Civic groups or associations
- Nationality groups
- Other (specify) _____

21. What language was used in the informational materials:

- English
- Other (specify) _____

22. Did you file with the Registration Unit, U.S. Department of Justice a copy of each item of such informational materials disseminated or caused to be disseminated during this 6 month reporting period? Yes No

ATTACHED TO FILING

23. Did you label each item of such informational materials with the statement required by Section 4(b) of the Act? Yes No

12 The term informational materials includes any oral, visual, graphic, written, or pictorial information or matter of any kind, including that published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise. Informational materials disseminated by an agent of a foreign principal as part of an activity in itself exempt from registration, or an activity which by itself would not require registration, need not be filed pursuant to Section 4(b) of the Act.

VI – EXECUTION

In accordance with 28 U.S.C. §1746, the undersigned swear(s) or affirm(s) under penalty of perjury that he/she has (they have) read the information set forth in this registration statement and the attached exhibits and that he/she is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her (their) knowledge and belief, except that the undersigned make(s) no representation as to the truth or accuracy of the information contained in the attached Short Form Registration Statement(s), if any, insofar as such information is not within his/her (their) personal knowledge.

(Date of signature)

(Type or print name under each signature¹³)

April 30, 2008



Anthony F. Kahn

¹³ This statement shall be signed by the individual agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions, if the registrant is an organization, except that the organization can, by power of attorney, authorize one or more individuals to execute this statement on its behalf.



U.S. Department of Justice

National Security Division

Washington, DC 20530

THIS FORM IS TO BE AN OFFICIAL ATTACHMENT TO YOUR CURRENT SUPPLEMENTAL
STATEMENT - PLEASE EXECUTE IN TRIPPLICATE

SHORT-FORM REGISTRATION INFORMATION SHEET

SECTION A

The Department records list active short-form registration statements for the following persons of your organization filed on the date indicated by each name. If a person is not still functioning in the same capacity directly on behalf of the foreign principal, please show the date of termination.

Short Form List for Registrant: White & Case, LLP

Last Name	First Name and Other Names	Registration Date	Termination Date	Role
Amon	Carl H. , III	03/09/1977		
Cohen (Smutny)	Abby P.	04/09/1991		
Ellis	Kenneth C.	12/08/1987		
Erb	Nicole	06/03/2003		
Fitzherbert-Brockhole:	Francis J.	04/20/1979		
Lamm	Carolyn Beth	04/09/1981		
Leddicotte	Matthew	06/03/2003		
Maddrey	Wendell C.	10/07/1983		
Rooney	Kim	06/03/2003		
Smith	Anne D.	03/01/1985		
Soares	Antonia	04/16/2004		
Wesol	Brian J.	04/09/1992		
Clinton	William J.	07/20/2005		
Sutton	Alastair	11/15/2005		
Al-Louzi	Sami	05/31/2006		
Serran	Erika	05/31/2006		
McMahon	Nicole	05/31/2006		
Carlisle	Linda E.	10/26/2007		
Francois	Autumn	11/05/2007		
Curran	Christopher	11/05/2007		

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Section B

In addition to those persons listed in Section A, List below all current employees rendering services directly on behalf of the foreign principal(s) who have not as yet filed short- form registration statements.

<u>Name</u>	<u>Function</u>	<u>Date Assumed</u>	
Katherine McCullough	Associate lawyer	10/1/2007	*
Devon Nunneley	Associate lawyer	10/1/2007	*
Rahim Moloo	Associate lawyer	10/1/2007	*
Lee A. Steven	Associate lawyer	10/1/2007	*
Geoffrey B Lanning	Associate lawyer	10/1/2007	*
Daniel R Gilbert	Associate lawyer	10/1/2007	*

Signature: OHFLW

Date: APRIL 30, 2008

Title: Partner, Executive Committee

* - Short form registration statements for these people are attached.

Item 2(a)1

WHITE & CASE LLP
PARTNER ADDRESS CHANGES LISTING
October 1, 2007 - March 31, 2007

<u>NAME</u>	<u>ADDRESS</u>	<u>CHANGE DATE</u>
BAYIM-ADOMAKO, MAGDALENE	22 CANONBURY GROVE LONDON, N1 2H UNITED KINGDOM	10/18/07
BOND, STEPHEN	11 RUE THEODULE RIBOT PARIS, 75017 FRANCE	10/24/07
CHOI, BARBARA	11 HEXHAM ROAD WEST NORWOOD LONDON, SE27 UNITED KINGDOM	02/01/08
CORR, CHRISTOPHER	701 13TH STREET NW WASHINGTON, DC 20005 UNITED STATES	02/20/08
ELLIS, KENNETH	11015 GIRASOL AVENUE CORAL GABLES, FL 33156 UNITED STATES	01/16/08
GOODRICH, MARK	202 PROVIDENCE 12-3 DAIKYO-CHO TOKYO, 160-0 JAPAN	03/07/08
HOGAN, N. ADELE	570 PARK AVENUE APT. 5D NEW YORK, NY 10065 UNITED STATES	10/08/07
KAMPFNER, ROBERTO	2613 VISTA DRIVE MANHATTAN BEACH, CA 90266 UNITED STATES	10/31/07
KRAEMER, LUTZ	KOLBERGER WEG 10A BAD HOMBURG, 61348 GERMANY	02/28/08
KROGIUS, SVEN	43 PALACE GARDENS TERRACE LONDON, W8 4S UNITED KINGDOM	10/26/07
LANGDON, CHRISTOPHER	79 CRESCENT LANE LONDON, SW4 9 UNITED KINGDOM	01/24/08
MOLNAR, GABOR	C/O LONDON, UNITED KINGDOM	11/08/07

WHITE & CASE LLP
PARTNER ADDRESS CHANGES LISTING
October 1, 2007 - March 31, 2007

<u>NAME</u>	<u>ADDRESS</u>	<u>CHANGE DATE</u>
ORINGER, ANDREW	ONE WENDY ROAD SYOSSET, NY 11791 UNITED STATES	01/30/08
ORZECZOWSKI, DAREN	915 WEST END AVENUE APT. 11A NEW YORK, NY 10025 UNITED STATES	11/27/07
PAISLEY, KATHLEEN	DR. THEO TUTSSTRAAT 24 BOECHOUT, 2530 BELGIUM	10/04/07
PARBHU, JOSHUA	102 ABBEVILLE ROAD LONDON, SW49L UNITED KINGDOM	11/19/07
ROCKWELL, ALAN	82 ROSEVILLE ROAD WESTPORT, CT 06880 UNITED STATES	03/27/08
SACKLEN, MATS	19 THE BARTON COBHAM SURREY, KT112 UNITED KINGDOM	01/29/08
SHOLLENBARGER, K.	4 SPIRUT HARET BUCHAREST, 01017 ROMANIA	12/20/07
TERWILLIGER, GEORGE	714 POTOMAC STREET ALEXANDRIA, VA 22314 UNITED STATES	03/10/08
VERRIER, HUGH	210 CENTRAL PARK SOUTH APT. 6C NEW YORK, NY 10019 UNITED STATES	12/13/07
WELLS, CHRISTOPHER	ARK TOWERS WEST #2105 1-3-40 ROPPONGI MINATO-KU TOKYO, 106-0 JAPAN	11/09/07
WHEAL, ROBERT	39 HILLVIEW ROAD HATCH END PINNER MID, HA54P UNITED KINGDOM	02/19/08

Item 4 (A)

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**WHITE & CASE LLP
PARTNER DEPARTURES
October 1, 2007 - March 31, 2008**

<u>LOCATION</u>	<u>NAME</u>	<u>DEPARTURE DATE</u>
BEIJING LLP	CHANG, FREDERICK	02/15/08
BRUSSELS	LOHEST, THIERRY	02/15/08
FRANKFURT	JANSEN, CLAUDIA	12/31/07
FRANKFURT	LAULE, GERHARD	12/31/07
FRANKFURT	PAPENHEIM, CHRISTOPH G.	01/02/08
HAMBURG	PANNEN, KLAUS	12/31/07
HONG KONG	SCHEMUTH, MATTHIAS	01/31/08
HONG KONG	ZIMMERMAN, JOSHUA	10/12/07
ISTANBUL	DERMAN, EMRE	02/01/08
LONDON	ALLEN, MAURICE J.	03/14/08
LONDON	EPP, PETER	02/29/08
LONDON	GOETZ, MICHAEL S.	03/14/08
NEW YORK	FLANIGAN, TIMOTHY E.	03/31/08
NEW YORK	SALTZMAN, MICHAEL I.	01/05/08
PARIS	TEZE, BERNARD A.	03/31/08

Total Partner Departures: 15

WHITE & CASE LLP
NEW PARTNERS
October 1, 2007 - March 31, 2008

<u>NAME</u>	<u>PARTNERSHIP DATE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE ADDRESS</u>
AL-SHEIKH, MOHAMMED A.	10/08/07	SAUDI ARABIA	C/O WHITE & CASE, LLP P.O. BOX 17411 RIYADH, 11484 SAUDI ARABIA
BAGNALL, MARK O.	01/01/08	UNITED STATES	5250 ALTON ROAD MIAMI BEACH, FL 33140 UNITED STATES
BEAVEN, DAMIAN P.	01/01/08	UNITED KINGDOM	NEBUSICKA 192 PRAGUE 6, 16000 CZECH REPUBLIC
BLOOM, JONATHAN	01/01/08	UNITED STATES	2 ST. LUKES STREET LONDON, SW33RS UNITED KINGDOM
BURKE, ALAN	01/01/08	IRELAND	15 MORPETH CLOSE HEMEL HEMPSTEAD HERTS, HP2 4JD UNITED KINGDOM
CASE, DAVID E.	01/01/08	UNITED STATES	7-21 URAYASU 2-CHOME URAYASU CHIBA, 279-0013 JAPAN
CHANG, COLIN	01/01/08	CANADA	5 GARRETT STREET FLAT 14 LONDON, EC1Y0TT UNITED KINGDOM
CHEN, GUAN FENG	01/01/08	SINGAPORE	22 JALAN LEMPENG #06-02 SINGAPORE, 128803 SINGAPORE
COLLINS, NICHOLAS	01/01/08	UNITED KINGDOM	84B CROUCH HILL LONDON, N89ED UNITED KINGDOM

**WHITE & CASE LLP
NEW PARTNERS
October 1, 2007 - March 31, 2008**

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<u>NAME</u>	<u>PARTNERSHIP DATE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE ADDRESS</u>
COWAN, PAUL	01/01/08	UNITED KINGDOM	84 QUEENS AVE. FINCHLEY LONDON,N32NP UNITED KINGDOM
FLANIGAN, TIMOTHY E. -Re-hire	01/21/08	UNITED STATES	11748 THOMAS AVENUE GREAT FALLS, VA 22066 UNITED STATES
FLATTEN, THOMAS	01/01/08	GERMANY	NEUMANNSTRASSE 45 FRANKFURT,60433 GERMANY
GLEICHER, BRIAN S.	01/01/08	UNITED STATES	5 PADDOCK COURT POTOMAC,MD 20854 UNITED STATES
GOODRICH, MARK	12/18/07	UNITED KINGDOM	202 PROVIDENCE 12-3 DAIKYO-CHO SHINJUKU-KU TOKYO,160-0015 JAPAN
GREENACRE, NICHOLAS	01/01/08	UNITED KINGDOM	68 KEW GREEN RICHMOND SURREY LONDON,TW9 3AP UNITED KINGDOM
HAMILTON, SAM	01/01/08	UNITED KINGDOM	FLAT 3 17B DISRAELI ROAD PUTNEY,SW15 2DR UNITED KINGDOM
HINGST, KAI-MICHAEL	01/01/08	NOT KNOWN	OBERSTRASSE 119 HAMBURG,20149 GERMANY
HOGAN, N. ADELE	10/01/07	UNITED STATES	570 PARK AVENUE APT. 5D NEW YORK,NY 10065 UNITED STATES

WHITE & CASE LLP
NEW PARTNERS
October 1, 2007 - March 31, 2008

=====

<u>NAME</u>	<u>PARTNERSHIP DATE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE ADDRESS</u>
JOHANSEN, DAVID M.	01/01/08	UNITED STATES	310 EAST 46TH ST APT 19M NEW YORK, NY 10017 UNITED STATES
LA MACCHIA, THOMAS F.	01/01/08	UNITED STATES	3-5-12 MINAMI AZABU MINATO KU TOKYO, 106 0047 JAPAN
LANGDON, CHRISTOPHER W.	01/01/08	CANADA	79 CRESCENT LANE LONDON, SW4 9PT UNITED KINGDOM
LAURSON, EVGENIA	01/01/08	RUSSIA	63 RIDGMOUNT GARDENS LONDON, UNITED KINGDOM
MCGIVERN, BRENDAN	01/01/08	CANADA	LES LANDES, 17A CRANS-PRES-CELIGNY, 1299 SWITZERLAND
MORGAN, SIMON HP	01/01/08	UNITED KINGDOM	14B NEW NORTH STREET LONDON, WC1N 3PJ UNITED KINGDOM
NAIRAC, CHARLES	01/01/08	FRANCE	135 AVENUE EMILE ZOLA PARIS, 75015 FRANCE
NAM, DANIEL	01/01/08	UNITED STATES	300 EAST 77TH STREET APT. 9D NEW YORK, NY 10021 UNITED STATES
ORZECZOWSKI, DAREN M.	01/01/08	UNITED STATES	915 WEST END AVENUE APT. 11A NEW YORK, NY 10025 UNITED STATES

WHITE & CASE LLP
NEW PARTNERS
October 1, 2007 - March 31, 2008

=====

<u>NAME</u>	<u>PARTNERSHIP DATE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE ADDRESS</u>
PETTERSSON, LENNART	01/01/08	SWEDEN	FLAT 2 71 KENSINGTON GARDENS SQUARE LONDON, W2 4DG UNITED KINGDOM
ROACH, BRADLEY S.	01/01/08	AUSTRALIA	3 WATTEN CLOSE SINGAPORE, 287726 SINGAPORE
SANTENS, ANK A	01/01/08	BELGIUM	101 WEST 85TH STREET APT. 2-I NEW YORK, NY 10024 UNITED STATES
SCHROEDER, CHRISTOPH	01/01/08	GERMANY	DIE MAUERGAERTEN 4 KARBEN, 61184 GERMANY
SHOLLENBARGER, K. T.	10/22/07	UNITED STATES	4 SPIRUT HARET BUCHAREST, 010175 ROMANIA
STARON, MAREK	01/01/08	SLOVAKIA	GAJOVA 11 BRATISLAVA, 81109 SLOVAKIA
STRAWN, BRIAN	01/01/08	UNITED STATES	OKAMOTO 3-1-13 #105 SETAGAYA-KU TOKYO, 157-0076 JAPAN
THONG, HUEY YANN	01/01/08	SINGAPORE	BLOCK 187, BISHAN STREET 13 UNIT 04-479 SINGAPORE, 570187 SINGAPORE
YILDIRIM OZTURK, MEHTAP	01/01/08	TURKEY	20 SOKAK NO. 5/7 YILDIZEVLER MAH. GANKAYA ANKARA, TURKEY

**WHITE & CASE LLP
NEW PARTNERS
October 1, 2007 - March 31, 2008**

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<u>NAME</u>	<u>PARTNERSHIP DATE</u>	<u>CITIZENSHIP</u>	<u>RESIDENCE ADDRESS</u>
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Total New Partners: 36

Item 5 c

During the six month period, has the registrant hired as employees any persons who rendered services to the registrant directly in interests of any foreign principal? If yes, furnish the following information:

<u>Name</u>	<u>Resident Address</u>	<u>Citizenship</u>	<u>Position</u>	<u>Date Assumed</u>
Katherine McCullough	300 Massachusetts Ave NW Washington DC 20001	USA	Associate lawyer	10/1/2007
Devon Nunneley	1200 14th Street NW Washington, DC 20005	USA	Associate lawyer	10/1/2007
Rahim Moloo	1445 P Street NW Washington DC 20005	Canadian	Associate lawyer	10/1/2007
Lee A. Steven	180 Clift Farm Road Fredricksburg, VA 22405	USA	Associate lawyer	10/1/2007
Geoffrey B Lanning	9020 Beatty Drive Alexandria, VA 22308	USA	Associate lawyer	10/1/2007
Daniel R Gilbert	1200 N. Herndon Styreet Arlington, VA 22201	USA	Associate lawyer	10/1/2007

NOTE - This Item contains the names of existing partners and employees at the Registrant who have commenced work on FARA related matters during the reporting period.

Item 11

During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 7,8, and 9 of this statement?

- | | |
|---------------------|---|
| Kingdom of Thailand | - General legal representation. |
| City of Amsterdam | - General legal representation. |
| Kingdom of Jordan | - General legal representation. |
| States of Jersey | - Representation of the States of Jersey government in meetings with US Treasury, State department and Congressional Committees on the attributes of the tax and financial systems of this country. |
| States of Guernsey | - General legal representation. |
| Isle of Man | - Representation of the States of Guernsey government in meetings with US Treasury, State department and Congressional Committees on the attributes of the tax and financial systems of this country. |

States of Jersey**Schedule of Contacts with U.S. Government Officials involving Political Activities**

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
3/11/2008	Mr. Thomas A. Barthold Deputy Chief of Staff Joint Committee on Taxation	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	Christopher L. Javens, Esq. Tax Counsel Senate Finance Committee Ranking Member Charles Grassley	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	Ian Solomon, Esq. Legislation Counsel Senator Barack Obama	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	Allen Huffman, Esq. Tax Counsel/Deputy Legislative Director Senator Byron L. Dorgan	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	Michael F Mundaca, Esq. Deputy Assistant Sec (International Tax) Department of Treasury	Letter	Jersey - Tax Information Exchange Agreements Update

States of Jersey
Schedule of Contacts with U.S. Government Officials involving Political Activities

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
3/11/2008	Honorable Eric Solomon Assistant Sec for Tax Policy Department of Treasury	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	Joshua D. Odintz, Esq. Tax Counsel Senate Committee on Finance	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	David Eiselberg Legislative Assistant Senator Norm Coleman	Letter	Jersey - Tax Information Exchange Agreements Update
3/11/2008	Robert L. Roach, Esq Council & Chief Investigator Permanent Subcommittee on Investigations	Letter	Jersey - Tax Information Exchange Agreements Update

Item 12

Isle of Man

Schedule of Contacts with U.S. Government Officials involving Political Activities

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
11/13/2007	Edward D. Kleinbard, Esq. Chief Staff Joint Committee on Taxation	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Mr. Thomas A. Barthold Deputy Chief of Staff Joint Committee on Taxation	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Christopher A. Gerke, Esq. Legislation Counsel Joint Committee on Taxation	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Brion D. Graber, Esq. Legislation Counsel Joint Committee on Taxation	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Allen J. Littman, Esq. Legislation Counsel Joint Committee on Taxation	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.

Item 12

Isle of Man

Schedule of Contacts with U.S. Government Officials involving Political Activities

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
11/13/2007	David Eiselsberg Legislative Assistant Senator Norm Coleman	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Joe Huddleston Executive Director Multistate Tax Commission	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Mr. Elliott J. Dubin Director, Policy Research Multistate Tax Commission	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Harley T. Duncan Executive Director Federation of Tax Administrators	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/13/2007	Allen Huffman, Esq. Tax Counsel/Deputy Legislative Director Senator Byron L. Dorgan	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.

Item 12

Isle of Man

Schedule of Contacts with U.S. Government Officials involving Political Activities

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
11/13/2007	Ian Solomon, Esq. Legislation Counsel Senator Barack Obama	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/14/2007	Dennis Shaul, Esq. Senior Staff Member (Chairman Barney Frank) House Financial Services Committee	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/14/2007	Christopher L. Javens, Esq. Tax Counsel Senate Finance Committee Ranking Member Charles Grassley	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/14/2007	Aruna Kalyanam, Esq. Tax Professional Staff Member, House Ways and Means Committee Chairman Charles Rangel	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/14/2007	Kase W. Juboori, Esq. Professional Assistant Ways and Means Committee	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.

Item 12

Isle of Man

Schedule of Contacts with U.S. Government Officials involving Political Activities

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
11/14/2007	Elizabeth B. Coffin Tax Counsel, House Ways & Means Committee Ranking Member Jim McCrery House Ways and Means Committee	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/15/2007	William F. Baity Deputy Director Financial Crimes Enforcement Network	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/15/2007	Ms. Susan Ireland Acting Deputy Assistant Director – Global Liaison Office of International Programs Financial Crimes Enforcement Network	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/15/2007	Ms. Natalie Vozza Visitor Liaison Specialist Financial Crimes Enforcement Network	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.

Item 12

Isle of Man

Schedule of Contacts with U.S. Government Officials involving Political Activities

Date of Contact	Name & Title of U.S. Government Official Contacted	Manner in which Contact made	Description of Subject Matter Discussed
11/15/2007	Ms. Kathleen H. Allegrone Director Office of Western European Affairs Department of State	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/15/2007	Ms. Leah Pease United Kingdom Desk Officer State Department Bureau of European/Eurasian Affairs	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/15/2007	Ms. Janet D. Shannon European Bilateral Trade State Department	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
11/15/2007	Ms. Barbara Yoder Senior United Kingdom Desk Department of State	Office Meeting	Pending Senate tax haven blacklist legislation S. 779 and Isle of Man's anti-money laundering and financial crimes enforcement efforts.
1/16/2008	Robert L. Roach, Esq Council & Chief Investigator Permanent Subcommittee on Investigations	Letter & Email	Objective Criteria for defining an "Offshore Secrecy Jurisdiction"

Item 14 (a)

Foreign Agents Registration Act

<u>Client Name</u>	<u>Date</u>	<u>Fees received</u>	<u>Purpose</u>
Kingdom of Jordan	10/9/07	\$58,320	Legal Work
	12/28/07	\$58,000	Legal Work
	1/7/08	\$31,812	Legal Work
	2/11/08	\$70,750	Legal Work
	2/27/08	\$97,500	Legal Work
	12/14/07	\$8,963	Legal Work
	1/30/08	\$47,701	Legal Work
	3/11/08	\$45,586	Legal Work
	3/31/08	\$40,799	Legal Work
Govt of Thailand	10/8/07	\$5,000	Legal Work
	11/27/07	\$5,000	Legal Work
	12/31/07	\$5,000	Legal Work
	1/29/08	\$5,000	Legal Work
	2/27/08	\$5,000	Legal Work
	3/19/08	\$5,000	Legal Work
City of Amsterdam	10/9/07	\$45,539	Legal Work
	11/13/07	\$31,599	Legal Work
	11/26/07	\$67,732	Legal Work
	1/7/08	\$129,834	Legal Work
Libya		\$0	Legal Work

Foreign Agents Registration Act

<u>Client Name</u>	<u>Date</u>	<u>Fees received</u>	<u>Fees in USD</u>	<u>Purpose</u>
States of Guernsey	10/16/07	€ 48,076	\$ 72,115	Legal Work
	11/9/07	€ 13,062	\$ 19,593	Legal Work
	1/24/08	€ 70,608	\$ 105,913	Legal Work
Isle of Man	11/2/07	€ 34,190	\$ 51,285	Legal Work
	12/13/07	€ 51,450	\$ 77,174	Legal Work
	2/22/08	€ 81,060	\$ 121,590	Legal Work
States of Jersey	10/1/07	€ 9,624	\$ 14,435	Legal Work
	1/17/08	€ 11,418	\$ 17,127	Legal Work

Note - These fees were received by the registrant in Euros. For purposes of this filing, we have converted them to US dollars, using the Registrants average exchange rate for each month.

Foreign Agents Registration Act

<u>Client Name</u>	<u>Date</u>	<u>Fees received</u>	<u>Fees in USD</u>	<u>Purpose</u>
Thailand	11/2/07	฿660,830 \$	21,160	Legal Work
	11/16/07	฿3,513,303 \$	112,496	Legal Work
	12/25/07	฿178,761 \$	5,724	Legal Work
	1/15/08	฿18,268 \$	585	Legal Work
	1/18/08	฿18,268 \$	585	Legal Work
	1/24/08	฿1,711,956 \$	54,817	Legal Work
	1/25/08	฿18,268 \$	585	Legal Work
	1/29/08	฿18,268 \$	585	Legal Work
	2/29/08	฿1,715,042 \$	54,916	Legal Work
	3/18/08	฿502,586 \$	16,093	Legal Work
	3/26/08	฿98,981 \$	3,169	Legal Work
	3/27/08	฿1,072,509 \$	34,342	Legal Work
	1/9/08	฿3,932,865 \$	125,930	Legal Work

Note - These fees were received by the registrant in Baht.
 For purposes of this filing, we have converted them to US dollars, using the Registrants average exchange rate for each month.

Foreign Agents Registration Act

Client Name	Date	Disbursements received	Purpose	Date of Travel	Traveller Name	Destination	Purpose of Travel
Kingdom of Jordan	10/9/07	\$2,585	Office Expense				
	10/9/07	\$4,095	Travel	6/9/2007	Carl Amon	Jordan	Meet with Client
	12/28/07	\$2,683	Office Expense				
	12/28/07	\$4,317	Travel	4/16/2007	Carl Amon	Jordan	Meet with Client
	1/7/08	\$2,961	Office Expense				
	1/7/08	\$677	Travel	6/9/2007	Carl Amon	Jordan	Meet with Client
	1/7/08	\$620	Travel	8/6/2007	Sam Al Louzi	Jordan	Meet with Client
	1/7/08	\$4,492	Travel	8/26/2007	Carl Amon	Jordan	Meet with Client
	2/11/08	\$8,850	Office Expense				
	2/11/08	\$1,650	Travel	9/19/2007	Sam Al Louzi	Jordan	Meet with Client
Kingdom of Jordan	12/14/07	\$1,855	Office Expense				
	1/30/08	\$6,183	Office Expense				
	3/11/08	\$750	Office Expense				
	3/31/08	\$1,363	Office Expense				
City of Amsterdam	10/9/07	\$3,117	Office Expense				
	11/13/07	\$6,849	Office Expense				
	11/26/07	\$3,292	Office Expense				
	1/7/08	\$12,986	Office Expense				
Libya		\$0					

Notes:

1. Office expenses include: binding, fax, filing fees, photocopy, postage, local taxi, telephone, computer legal research, and secretarial services
2. There were no US Government officials or media representatives for whom travel or entertainment expenses were incurred or were guests of the Registrant.

Item 15 (a)

Foreign Agents Registration Act

Client Name	Date	Disbursements received	USD Collected	Purpose	Date of Travel	Traveller name	Destination	Purpose of Travel
States of Guernsey	10/16/07	€ 2,559	\$ 3,839	Office Expense				
	10/16/07	€ 798	\$ 1,197	Travel	8/20/2007	A. Sutton	Guernsey	Meet with Client
	11/9/07	€ 98	\$ 147	Office Expense				
	1/24/08	€ 665	\$ 997	Office Expense				
Isle of Man	11/2/07	€ 1,656	\$ 2,485	Office Expense				
	12/13/07	€ 980	\$ 1,470	Office Expense				
	2/22/08	€ 5,804	\$ 8,706	Office Expense				
	2/22/08	€ 1,435	\$ 2,152	Travel	10/4/2007	A. Sutton	Isle of Man	Meet with Client
	2/22/08	€ 1,640	\$ 2,460	Travel	11/7/2007	A. Sutton	Geneva	Meet with WTO
States of Jersey	10/1/07	€ 30	\$ 45	Office Expense				
	1/17/08	€ 607	\$ 910	Office Expense				

Notes:

- Office expenses include: binding, fax, filing fees, photocopy, postage, local taxi, telephone, computer legal research, and secretarial services
- There were no US Government officials or media representatives for whom travel or entertainment expenses were incurred or were guests of the Registrant.

Foreign Agents Registration Act

Client Name	Date	Disbursements received	USD Collected	Purpose	Date of Travel	Traveller Name	Destination	Purpose of Travel
Thailand	11/2/07	฿34,800	\$ 1,114	Office Expenses				
	11/16/07	฿197,646	\$ 6,329	Office Expenses				
	12/25/07	฿7,677	\$ 246	Office Expenses				
	1/15/08	฿2,532	\$ 81	Office Expenses				
	1/18/08	฿2,532	\$ 81	Office Expenses				
	1/24/08	฿105,857	\$ 3,390	Office Expenses				
	1/25/08	฿2,532	\$ 81	Office Expenses				
	1/29/08	฿2,532	\$ 81	Office Expenses				
	2/29/08	฿92,721	\$ 2,969	Office Expenses				
	3/18/08	฿25,056	\$ 802	Office Expenses				
	3/26/08	฿10,307	\$ 330	Office Expenses				
	3/27/08	฿64,613	\$ 2,069	Office Expenses				
	1/9/08	฿3,424,798	\$ 109,662	Office Expenses				
	1/9/08	฿157,285	\$ 5,036	Travel	6/20/2006	P Dejchayask	Paris	To work on client project
	1/9/08	฿143,619	\$ 4,599	Travel	12/18/2006	M Polkingham	Bangkok	To work on client project
	1/9/08	฿197,999	\$ 6,340	Travel	3/6/2007	M Polkingham	Bangkok	To work on client project
	1/9/08	฿188,755	\$ 6,044	Travel	6/11/2007	M Polkingham	Bangkok	To work on client project
	1/9/08	฿225,497	\$ 7,220	Travel	8/2/2007	S Cohen	Bangkok	To work on client project
	1/9/08	฿195,070	\$ 6,246	Travel	8/6/2007	M Polkingham	Bangkok	To work on client project

Notes:

- Office expenses include: binding, fax, filing fees, photocopy, postage, local taxi, telephone, computer legal research, and secretarial services
- There were no US Government officials or media representatives for whom travel or entertainment expenses were incurred or were guests of the Registrant.

Section V - Informational Materials

Copy of materials disseminated by the Registrant on behalf of The States of Jersey to Treasury, State Department and Congressional Committees via US mails as indicated in item 12 on the tax and financial systems of the State of Jersey.

2008 MAY - 6 PM 12:46
CRM/ISS/REGISTRATION UNIT

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March 11, 2008

Thomas A. Barthold
Deputy Chief of Staff
Joint Committee on Taxation
1015 Longworth House Office Building
Washington, DC 20515

Re: Jersey – Tax Information Exchange Agreements Update

Dear Tom:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

Attached for your information is a press release announcing the entry into force of the TIEA between Jersey and the Netherlands, the text of the TIEA, and the implementing regulations adopted by Jersey that govern requests for information made pursuant to the TIEA.

As was mentioned in our meeting last year, Jersey continues to negotiate TIEAs with more than a dozen other nations, including the United Kingdom, Germany, France, Canada and Spain. We will keep you informed of these efforts.

If you have any questions about this material or Jersey, please contact me at (202) 626-3666 or lcarlisle@whitecase.com.

Sincerely,

Linda E. Carlisle

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March 11, 2008

Christopher L. Javens, Esq.
Tax Counsel
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

Re: Jersey – Tax Information Exchange Agreements Update

Dear Chris:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

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March 11, 2008

Ian Solomon, Esq.
Legislation Counsel
Senator Barack Obama
713 Hart Senate Office Building
Washington, DC 20510

Re: Jersey – Tax Information Exchange Agreements Update

Dear Ian:

On July 25, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

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March 11, 2008

Allen Huffman, Esq.
Tax Counsel/Deputy Legislative Director
Senator Byron L. Dorgan
322 Hart Senate Office Building
Washington, DC 20510

Re: Jersey – Tax Information Exchange Agreements Update

Dear Allen:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

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March 11, 2008

Michael F. Mundaca, Esq.
Deputy Assistant Secretary (International Tax Affairs)
Department of the Treasury
1500 Pennsylvania Avenue
Washington, DC 20220

Re: Jersey – Tax Information Exchange Agreements Update

Dear Mike:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

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March 11, 2008

The Honorable Eric Solomon
Assistant Secretary for Tax Policy
Department of the Treasury
Room 3120
1500 Pennsylvania Avenue
Washington, DC 20220

Re: Jersey – Tax Information Exchange Agreements Update

Dear Eric:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

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March 11, 2008

Joshua D. Odintz, Esq.
Tax Counsel
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

Re: Jersey – Tax Information Exchange Agreements Update

Dear Josh:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

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March 11, 2008

David Eiselsberg
Legislative Assistant
Senator Norm Coleman
320 Hart Senate Office Building
Washington, DC 20510

Re: Jersey – Tax Information Exchange Agreements Update

Dear David:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

Attached for your information is a press release announcing the entry into force of the TIEA between Jersey and the Netherlands, the text of the TIEA, and the implementing regulations adopted by Jersey that govern requests for information made pursuant to the TIEA.

As was mentioned in our meeting last year, Jersey continues to negotiate TIEAs with more than a dozen other nations, including the United Kingdom, Germany, France, Canada and Spain. We will keep you informed of these efforts.

If you have any questions about this material or Jersey, please contact me at (202) 626-3666 or lcarlisle@whitecase.com.

Sincerely,

Linda E. Carlisle

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March 11, 2008

Robert L. Roach, Esq.
Counsel & Chief Investigator
Permanent Subcommittee on Investigations
199 Russell Senate Office Building
Washington, DC 20510

Re: Jersey – Tax Information Exchange Agreements Update

Dear Bob:

On July 25, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

Attached for your information is a press release announcing the entry into force of the TIEA between Jersey and the Netherlands, the text of the TIEA, and the implementing regulations adopted by Jersey that govern requests for information made pursuant to the TIEA.

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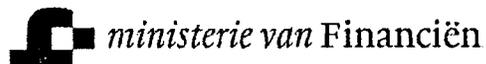
If you have any questions about this material or Jersey, please contact me at (202) 626-3666 or lcarlisle@whitecase.com.

Sincerely,



Linda E. Carlisle

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»Back to overview

Entry into force of Tax Information Exchange Agreement between the Netherlands and Jersey

News Release | 22-02-2008 | Central Information Directorate

On June 20, 2007 the Netherlands and Jersey signed two agreements: the agreement for the exchange of information relating to tax matters and the agreement on the access to mutual agreements procedures in connection with the adjustment of profits of associated enterprises and the application of the Netherlands participation exemption.

Both agreements shall enter into force as of March 1, 2008.

The Tax Information Exchange Agreement shall have effect for criminal tax matters on that date and for all other tax matters on that date, but only in respect of taxable periods beginning on or after that date or, where there is no taxable period, all charges to tax arising on or after that date.

The agreement on the access to mutual agreements procedures shall apply to proceedings which are initiated after March 1, 2008.

The English texts of both agreements are published in the Official Gazette nr. 2007, 148 and nr. 2007, 147 (www.overheid.nl/op).



Jersey

**TAXATION (EXCHANGE OF INFORMATION
WITH THIRD COUNTRIES) (JERSEY)
REGULATIONS 2008**

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TAXATION (EXCHANGE OF INFORMATION WITH THIRD COUNTRIES) (JERSEY) REGULATIONS 2008

Made

29th January 2008

Coming into force

5th February 2008

THE STATES, in pursuance of Article 2(1) of the Taxation (Implementation) (Jersey) Law 2004¹ and paragraph 1.8.5 of the Strategic Plan 2006-2011 approved by the States on 28th June 2006 and following the decision of the States, taken on the day these Regulations are made, to adopt Projet 192 of 2007, have made the following Regulations –

1 Interpretation

(1) In these Regulations, unless the context otherwise requires –

“information” means a fact, statement, document or record, in whatever form;

“possession” includes custody, and also includes control;

“relevant criminal offence” means an offence that is criminal by reason of the law of a third country that is designated as a criminal law, for which purpose it is immaterial whether it is contained in a tax law, in a criminal code or in any other law;

“tax” means any tax listed in the third column in the Schedule opposite the entry for a third country;

“tax information” means information that is foreseeably relevant to the administration and enforcement of the domestic laws of a third country, including information that is foreseeably relevant to –

(a) the determination, assessment, enforcement or collection of tax with respect to a person who is subject to that tax; or

(b) the investigation or prosecution of a criminal matter in relation to that person;

“taxpayer” means a person whose liability to pay tax is under examination or investigation in a third country;

-
- (b) if the Comptroller is satisfied that there are reasonable grounds for suspecting that the taxpayer has committed a relevant criminal offence; or
 - (c) if the Comptroller is satisfied that disclosure of information of that description would prejudice the assessment or collection of tax.
- (6) A notice under this Regulation does not oblige a taxpayer to provide –
- (a) a document or record;
 - (b) tax information; or
 - (c) evidence,
- relating to the conduct of a pending appeal by the taxpayer in respect of tax.
- (7) A taxpayer may comply with a notice to provide a document or record under this Regulation by providing a copy of it instead of the original, if the copy is in such form as the Comptroller may reasonably require.
- (8) However, if the taxpayer does provide a copy, the Comptroller may by notice in writing require the taxpayer to make the original available for inspection.

3 Provision by other persons of information about taxpayer

- (1) This Regulation applies if the Comptroller has reasonable grounds for believing –
 - (a) that a taxpayer may have failed to comply, or may fail to comply, with a domestic law of a third country concerning tax; and
 - (b) that any such failure has led, is likely to have led or is likely to lead to serious prejudice to the proper assessment or collection of tax.
- (2) If this Regulation applies, the Comptroller may require any person other than the taxpayer to provide to the Comptroller a document or record in the person's possession that contains or in the reasonable opinion of the Comptroller may contain tax information that is relevant to –
 - (a) a liability to tax to which the taxpayer is subject or may be subject;
 - (b) the amount of any such liability; or
 - (c) the taxpayer's residential status for the purposes of these Regulations.
- (3) A requirement under paragraph (2) shall be made by notice in writing.
- (4) Before giving a notice under this Regulation, the Comptroller shall allow the person of whom the requirement is to be made a reasonable opportunity to provide to the Comptroller the document or record concerned.
- (5) The Comptroller shall give to the taxpayer –
 - (a) a copy of the notice; and
 - (b) a written summary of the Comptroller's reasons for the giving of the notice.

taxpayer is subject or may be subject, or to the amount of any such liability;

- (b) tax information that the court specifies as being relevant to any such liability, or to the amount of any such liability; or
- (c) evidence that the court specifies of the taxpayer's residential status for the purposes of these Regulations.

8 Court order for delivery of document or record relating to taxpayer

- (1) This Regulation applies if the Royal Court is satisfied, on the application of the Comptroller, of both of the following matters –
 - (a) that a person of whom a requirement has been made under Regulation 3 appears to have possession of a document or record to which paragraph (2) of that Regulation refers; and
 - (b) that any of the circumstances in paragraph (2) of this Regulation applies.
- (2) The circumstances to which this paragraph refers are –
 - (a) that the person has failed to comply with the requirement under Regulation 3;
 - (b) that there are reasonable grounds for suspecting that the person will not comply with such a requirement; or
 - (c) that the taxpayer to whom the requirement relates or any of the class of taxpayers to whom it relates may have failed to comply, or may fail to comply, with any provision of a domestic law of the third country concerning tax, and that any such failure has led, is likely to have led or is likely to lead to serious prejudice to the proper assessment or collection of tax.
- (3) If this Regulation applies, the Royal Court may make an order that the person of whom the requirement has been made under Regulation 3 must provide the document or record to the Comptroller within such time as the order specifies.

9 Documents and records in electronic or magnetic form

If an order under Regulation 7 or Regulation 8 applies to a document or record in electronic or magnetic form, the order is to be taken to require the person to provide the information in the document or record in a form in which the information is visible and legible.

10 Notice of application for court order

A person is entitled –

- (a) to at least 14 days notice of the Comptroller's intention to apply for an order against the person under Regulation 7 or Regulation 8; and
- (b) to appear and be heard at the hearing of the application,

use of the procedure under Regulation 2 or Regulation 3 might seriously prejudice an investigation concerning tax.

- (3) A warrant that is issued under this Regulation shall remain in force for 14 days and then cease to have effect.
- (4) The warrant authorizes every designated tax officer to enter and search the premises, and for that purpose to take with him or her such other persons as are reasonably necessary.
- (5) On entering the premises under the authority of the warrant, the person executing it may seize and remove anything found there, if he or she has reasonable grounds to believe that it may be required as evidence for the purposes of proceedings under these Regulations.
- (6) The warrant does not authorize the seizure or removal of an item that is subject to legal privilege.
- (7) In this Regulation, “designated tax officer” means –
 - (a) the Comptroller; or
 - (b) each other officer who is designated in writing for the purposes of this Regulation by the Comptroller.
- (8) No application shall be made under this Article without the consent of the Attorney General.

13 Procedure where items are removed

- (1) A person who removes anything from any premises under Regulation 12 shall, if requested to do so by a person described in paragraph (2) of this Regulation, provide that person with a record as to what has been removed.
- (2) The persons to whom this paragraph refers are –
 - (a) an occupier of the premises; or
 - (b) a person who had possession of the thing immediately before its removal.
- (3) The record shall be provided within a reasonable time.
- (4) If the thing removed is of such a nature –
 - (a) that a photograph or copy of it is sufficient for use as evidence in proceedings under these Regulations; or
 - (b) that a photograph or copy of it is sufficient for any forensic examination or investigation under these Regulations,the thing removed may not be retained for longer than is necessary to establish that fact and to obtain the photograph or copy.

14 Appeals

- (1) The following persons have a right of appeal to the Royal Court under these Regulations –

Taxation (Exchange of Information with Third Countries)
(Jersey) Regulations 2008

Regulation 17

17 Citation and commencement

- (1) These Regulations may be cited as the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008.
- (2) These Regulations come into force on the seventh day after they are made.

M.N. DE LA HAYE

Greffier of the States

SCHEDULE Taxation (Exchange of Information with Third Countries)
(Jersey) Regulations 2008

SCHEDULE

(Article 1)

LIST OF THIRD COUNTRIES AND TAXES

Country or territory	Description	Tax
Netherlands	The part of the Kingdom of the Netherlands that is situated in Europe, including its territorial seas and any area beyond the territorial seas within which the Netherlands, in accordance with international law, exercises jurisdiction or sovereign rights	<ul style="list-style-type: none"> (a) Income tax (Inkomstenbelasting) (b) Wages tax (Loonbelasting) (c) Company tax, including the Government share in the net profits of the exploitation of natural resources levied pursuant to the Mining Act (Vennootschapsbelasting, daaronder begrepen het aandeel van de Regering in de netto-winsten behaald met de exploitatie van natuurlijke rijkdommen geheven krachtens de Mijnbouwwet) (d) Dividend tax (Dividendbelasting) (e) Gift tax (Schenkingsrecht) (f) Inheritance tax (Successierecht)

Taxation (Exchange of Information with Third Countries)
(Jersey) Regulations 2008

Endnotes

-
- ¹ *chapter 17.850*
² *chapter 24.750*

STATES OF JERSEY



RATIFICATION OF THE AGREEMENT FOR THE EXCHANGE OF INFORMATION RELATING TO TAX MATTERS BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE STATES OF JERSEY

Lodged au Greffe on 11th December 2007
by the Chief Minister

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to ratify the Agreement for the exchange of information related to tax matters between the Kingdom of the Netherlands and the States of Jersey as set out in the Appendix to the report of the Chief Minister dated 29th November 2007.

CHIEF MINISTER

REPORT

Agreement to be entered into with the Kingdom of the Netherlands for the exchange of information related to tax matters

1. The States are asked to ratify the signed Agreement to be entered into with the Kingdom of the Netherlands for the exchange of information relating to tax matters attached as an Appendix to this report.

Background

2. In February 2002 Jersey entered into a political commitment to support an OECD tax initiative on transparency and information exchange through the negotiation of tax information exchange Agreements with each of the OECD Member States. The commitment was subject to the condition that there was a level playing field embracing all OECD Member States, and the main competitor jurisdictions in the provision of financial services (Hong Kong, China, Luxembourg, Singapore and Switzerland) two of which are also OECD Member States.
3. A totally level playing field is not in immediate prospect. At the same time Jersey remains fully committed to the principles of transparency and effective exchange of information. This conflict has been resolved by requiring an economic benefits package when negotiating tax information exchange Agreements with individual OECD Member States, a package that is expected to be sufficient to offset any "costs" that are expected to be incurred in going ahead of the creation of the desired level playing field.
4. On 7th July 2004 the States adopted the Taxation (Implementation) (Jersey) Law 2004, which Law enables the States to make Regulations implementing Agreements with, and obligations owed to, the governments of other countries and territories regarding or relating to taxation.
5. The procedure adopted in respect of individual Agreements is for both parties to exchange signed Agreements which then allows both to start their ratification procedures contemporaneously. Agreements are signed by the Chief Minister in accordance with the provisions of Article 18(2) of the States of Jersey Law 2005 and paragraph 1.8.5 of the Strategic Plan 2006–2011 adopted by the States on 28th June 2006. Subsequent to the signing by the Chief Minister, Agreements are presented to the States for ratification, are published, entered into the official record and Regulations are made for the Agreements to enter into force.

Agreement with the Kingdom of the Netherlands

6. The negotiations with the Kingdom of the Netherlands have produced agreement on the following – attached as an Appendix to this report –
 1. a Tax Information Exchange Agreement which is consistent with that signed with the United States of America in 2002 and ratified by the States;

2. an Agreement on access to mutual Agreement procedures in connection with the adjustment of profits for associated enterprises and the application of the Netherlands participation exemption;
3. a Memorandum of Understanding in which the Netherlands –
 - have recognised Jersey’s commitment to comply with international standards on money laundering, terrorist financing and financial regulation;
 - have recognised Jersey’s commitment to a policy of improving cooperation;
 - have agreed that six months after the entry into force of the Agreement, negotiations will continue on further measures needed to alleviate undesired tax barriers and other obstacles of a discriminatory nature that may be included in the domestic tax legislation of the parties. In due course it is the intention to integrate the results achieved into a double taxation Agreement.
7. The finance industry was consulted on the package through Jersey Finance Limited and there was strong support for the principle of international engagement and that signing the Agreement with the Netherlands was a reasonable place to start. The industry particularly supported the proposed negotiation of a double taxation Agreement.
8. The negotiation of the Agreements has helped to establish a good relationship with officials in the Netherlands Ministry of Finance which has improved their understanding of and influenced favourably their attitude towards the Island. Such Agreements do much to enhance the Island’s international personality and generally to lead to a more favourable response to the Island on a wide range of market access and other economic/political issues.
9. The Regulations bringing the tax information exchange Agreement into effect, which are the subject of a separate proposition (P.193/2007), are made in pursuance of Article 2(1) of the Taxation (Implementation) (Jersey) Law 2004 which provides that –
 - “(1) The States may by Regulations make such provision as appears to them to be necessary or expedient for the purposes of –
 - (a) implementing an approved agreement or approved obligation; ...”

The prior ratification by the States of the Agreement with the Kingdom of the Netherlands is required to satisfy the above provision regarding the implementation of “an approved Agreement or approved obligation” and for the Regulations to be made.
10. The Regulations as drafted provide for the bringing into force of any Agreement for the exchange of information on tax matters to be entered into with a Third Country which is defined as a country or territory that is listed in the Schedule. With the making of the Regulations the listing of the Kingdom

of the Netherlands in the first column of the Schedule will enable the States to fulfil its obligations to the Kingdom of the Netherlands (so far as legislation is necessary for that purpose) under an Agreement for the exchange of information relating to tax matters entered into on 20th June 2007.

- II. There are no implications for the financial or manpower resources of the States arising from the ratification and implementation of the Agreement with the Kingdom of the Netherlands.

29th November 2007

APPENDIX – PART I

**AGREEMENT BETWEEN THE KINGDOM OF THE NETHERLANDS AND
THE STATES OF JERSEY
FOR THE EXCHANGE OF INFORMATION RELATING TO TAX MATTERS**

Whereas the Kingdom of the Netherlands and the States of Jersey (“the parties”) recognise that present legislation already provides for cooperation and the exchange of information in criminal tax matters;

Whereas the parties have long been active in international efforts in the fight against financial and other crimes, including the targeting of terrorist financing;

Whereas it is acknowledged that Jersey has the right, under the terms of the Entrustment from the UK to negotiate, conclude, perform and subject to the terms of this agreement terminate a tax information exchange agreement with the Netherlands;

Whereas Jersey on the 22nd February 2002 entered into a political commitment to the OECD’s principles of effective exchange of information;

Whereas the parties wish to enhance and facilitate the terms and conditions governing the exchange of information relating to taxes;

Now, therefore, the parties have agreed to conclude the following agreement which contains obligations on the part of the Netherlands and Jersey only:

**Article 1
Scope of the Agreement**

The parties shall provide assistance through exchange of information that is foreseeably relevant to the administration and enforcement of the domestic laws of the parties concerning the taxes covered by this Agreement, including information that is foreseeably relevant to the determination, assessment, enforcement or collection of tax with respect to persons subject to such taxes, or to the investigation of tax matters or the prosecution of criminal tax matters in relation to such persons. A requested party is not obliged to provide information which is neither held by its authorities nor in the possession of or obtainable by persons who are within its territorial jurisdiction. The rights and safeguards secured to persons by the laws or administrative practice of the requested party remain applicable to the extent that they do not unduly prevent or delay effective exchange of information.

Article 2
Taxes Covered

1. This Agreement shall apply to the following taxes imposed by the parties:
 - (a) in the case of the Netherlands:
 - (i) Income tax (Inkomstenbelasting)
 - (ii) Wages tax (Loonbelasting)
 - (iii) Company tax, including the Government share in the net profits of the exploitation of natural resources levied pursuant to the Mining Act (Vennootschapsbelasting, daaronder begrepen het aandeel van de Regering in de netto-winsten behaald met de exploitatie van natuurlijke rijkdommen gegeven krachtens de Mijnbouwwet)
 - (iv) Dividend tax (Dividendbelasting)
 - (v) Gift tax (Schenkingsrecht)
 - (vi) Inheritance tax (Successierecht)
 - (b) in the case of Jersey:

the income tax;
2. This Agreement shall apply also to any identical taxes imposed after the date of signature of the Agreement in addition to or in place of the existing taxes, or any substantially similar taxes if the parties so agree. The competent authority of each party shall notify the other of substantial changes in laws which may affect the obligations of that party pursuant to this Agreement.

Article 3
Definitions

1. In this Agreement:

“the Netherlands” means the part of the Kingdom of the Netherlands that is situated in Europe, including its territorial seas and any area beyond the territorial sea within which the Netherlands, in accordance with international law, exercises jurisdiction or sovereign rights;

“Jersey” means the Bailiwick of Jersey, including its territorial sea;

“company” means any body corporate or any entity that is treated as a body corporate for tax purposes;

“competent authority” means, in the case of the Netherlands the Minister of Finance or his authorised representative; in the case of Jersey, the Treasury and Resources Minister or his authorised representative;

“criminal laws” means all criminal laws designated as such under domestic law, irrespective of whether such are contained in the tax laws, the criminal code or other statutes;

“criminal tax matters” means tax matters involving intentional conduct whether before or after the entry into force of this Agreement which is liable to prosecution under the criminal laws of the requesting party;

“information gathering measures” means laws and administrative or judicial procedures enabling a requested party to obtain and provide the information requested;

“information” means any fact, statement, document or record in whatever form;

“person” means a natural person, a company or any other body or group of persons;

“publicly traded company” means any company whose principal class of shares is listed on a recognised stock exchange provided its listed shares can be readily purchased or sold by the public. Shares can be purchased or sold “by the public” if the purchase or sale of shares is not implicitly or explicitly restricted to a limited group of investors;

“principal class of shares” means the class or classes of shares representing a majority of the voting power and value of the company;

“recognised stock exchange” means any stock exchange agreed upon by the competent authorities of the Parties;

“public collective investment scheme” means any scheme or fund, in which the purchase sale or redemption of shares or other interests is not implicitly or explicitly restricted to a limited group of investors;

“requested party” means the party to this Agreement which is requested to provide or has provided information in response to a request;

“requesting party” means the party to this Agreement submitting a request for or having received information from the requested party;

“tax” means any tax covered by this Agreement;

2. As regards the application of this Agreement at any time by a party, any term not defined therein shall, unless the context otherwise requires, have the meaning that it has at that time under the laws of that party, any meaning under the applicable tax laws of that party prevailing over a meaning given to the term under other laws of that party.

Article 4 Exchange of Information Upon Request

1. The competent authority of the requested party shall provide upon request by the requesting party information for the purposes referred to in Article 1. Such information shall be exchanged without regard to whether the requested party

needs such information for its own tax purposes or the conduct being investigated would constitute a crime under the laws of the requested party if it had occurred in the territory of the requested party. The competent authority of the requesting party shall only make a request for information pursuant to this Article when it is unable to obtain the requested information by other means, except where recourse to such means would give rise to disproportionate difficulty.

2. If the information in the possession of the competent authority of the requested party is not sufficient to enable it to comply with the request for information, the requested party shall use at its own discretion all relevant information gathering measures necessary to provide the requesting party with the information requested, notwithstanding that the requested party may not need such information for its own tax purposes.
3. If specifically requested by the competent authority of the requesting party, the competent authority of the requested party shall provide information under this Article, to the extent allowable under its domestic laws, in the form of depositions of witnesses and authenticated copies of original records.
4. Each party shall ensure that it has the authority, subject to the terms of Article 1, to obtain and provide, through its competent authority and upon request:
 - (a) information held by banks, other financial institutions, and any person, including nominees and trustees, acting in an agency or fiduciary capacity;
 - (b)
 - (i) information regarding the beneficial ownership of companies, partnerships, foundations and other persons, including in the case of collective investment schemes, information on shares, units and other interests;
 - (ii) in the case of trusts, information on settlors, trustees and beneficiaries,

Provided that this Agreement does not create an obligation for a party to obtain or provide ownership information with respect to publicly traded companies or public collective investment schemes, unless such information can be obtained without giving rise to disproportionate difficulties.

5. Any request for information shall be formulated with the greatest detail possible in specifying in writing;
 - (a) the identity of the person under examination or investigation;
 - (b) the period for which the information is requested;
 - (c) the nature of the information requested and the form in which the requesting party would prefer to receive it;
 - (d) the tax purpose for which the information is sought;

- (e) the reasons for believing that the information requested is foreseeably relevant to tax administration and enforcement of the requesting party, with respect to the person identified in subparagraph (a) of this paragraph;
 - (f) grounds for believing that the information requested is present in the requested party or is in the possession of or obtainable by a person within the jurisdiction of the requested party;
 - (g) to the extent known, the name and address of any person believed to be in possession or control of the information requested;
 - (h) a statement that the request is in conformity with the laws and administrative practices of the requesting party, that if the requested information was within the jurisdiction of the requesting party then the competent authority of the requesting party would be able to obtain the information under the laws of the requesting party or in the normal course of administrative practice and that it is in conformity with this Agreement;
 - (i) a statement that the requesting party has pursued all means available in its own territory to obtain the information, except where that would give rise to disproportionate difficulty.
6. The competent authority of the requested party shall acknowledge receipt of the request to the competent authority of the requesting party and shall use its best endeavours to forward the requested information to the requesting party with the least reasonable delay.

Article 5 Tax Examinations Abroad

1. With reasonable notice, the requesting party may request that the requested party allow representatives of the competent authority of the requesting party to enter the territory of the requested party, to the extent permitted under its domestic laws, to interview individuals and examine records with the prior written consent of the individuals or other persons concerned. The competent authority of the requesting party shall notify the competent authority of the requested party of the time and place of the intended meeting with the individuals concerned.
2. At the request of the competent authority of the requesting party, the competent authority of the requested party may permit representatives of the competent authority of the requesting party to attend a tax examination in the territory of the requested party.
3. If the request referred to in paragraph 2 is granted, the competent authority of the requested party conducting the examination shall, as soon as possible, notify the competent authority of the requesting party of the time and place of the examination, the authority or person authorised to carry out the

examination and the procedures and conditions required by the requested party for the conduct of the examination. All decisions regarding the conduct of the examination shall be made by the requested party conducting the examination.

Article 6
Possibility of Declining a Request

1. The competent authority of the requested party may decline to assist:
 - (a) where the request is not made in conformity with this Agreement;
 - (b) where the requesting party has not pursued all means available in its own territory to obtain the information, except where recourse to such means would give rise to disproportionate difficulty; or
 - (c) where the disclosure of the information requested would be contrary to public policy.
2. This Agreement shall not impose upon a requested party any obligation to provide items subject to legal privilege, or any trade, business, industrial, commercial or professional secret or trade process, provided that information described in Article 4(4) shall not by reason of that fact alone be treated as such a secret or trade process
3. A request for information shall not be refused on the ground that the tax claim giving rise to the request is disputed.
4. The requested party shall not be required to obtain and provide information which if the requested information was within the jurisdiction of the requesting party the competent authority of the requesting party would not be able to obtain under its laws or in the normal course of administrative practice.
5. The requested party may decline a request for information if the information is requested by the requesting party to administer or enforce a provision of the tax law of the requesting party, or any requirement connected therewith, which discriminates against a national or citizen of the requested party as compared with a national or citizen of the requesting party in the same circumstances.

Article 7
Confidentiality

1. All information provided and received by the competent authorities of the parties shall be kept confidential.
2. Such information shall be disclosed only to persons or authorities (including courts and administrative bodies) concerned with the purposes specified in Article 1, and used by such persons or authorities only for such purposes, including the determination of any appeal. For these purposes, information may be disclosed in public court proceedings or in judicial decisions.

3. Such information may not be used for any purpose other than for the purposes stated in Article 1 without the express written consent of the competent authority of the requested party.
4. Information provided to a requesting party under this Agreement may not be disclosed to any other jurisdiction.

Article 8 Costs

Unless the competent authorities of the parties otherwise agree, indirect costs incurred in providing assistance shall be borne by the requested party, and direct costs incurred in providing assistance (including costs of engaging external advisors in connection with litigation or otherwise) shall be borne by the requesting party. The respective competent authorities shall consult from time to time with regard to this Article, and in particular the competent authority of the requested party shall consult with the competent authority of the requesting party in advance if the costs of providing information with respect to a specific request are expected to be significant.

Article 9 Language

Requests for assistance and responses thereto shall be drawn up in English.

Article 10 Mutual Agreement and Arbitration Procedures

1. Where difficulties or doubts arise between the parties regarding the implementation or interpretation of this Agreement, the respective competent authorities shall use their best efforts to resolve the matter by mutual agreement.
2. In addition to the agreements referred to in paragraph 1, the competent authorities of the parties may mutually agree on the procedures to be used under Articles 4, 5 and 8.
3. The parties shall agree on other forms of dispute resolution should this become necessary.

Article 11 Entry into Force

This Agreement shall enter into force when each party has notified the other of the completion of its necessary internal procedures for entry into force. Upon the date of entry into force, it shall have effect;

- (a) for criminal tax matters on that date; and
- (b) for all other matters covered in Article 1 on that date, but only in respect of taxable periods beginning on or after that date or, where there is no taxable period, all charges to tax arising on or after that date.

**Article 12
Termination**

- 1. This Agreement shall remain in force until terminated by either party.
- 2. Either party may after the expiration of two years from the date of its entry into force terminate this Agreement by giving notice of termination in writing. Such termination shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of notice of termination by the other party. All requests received up to the effective date of termination will be dealt with in accordance with the terms of this Agreement.
- 3. If the Agreement is terminated the parties shall remain bound by the provisions of Article 7 with respect to any information obtained under this Agreement.

In witness whereof the undersigned being duly authorised in that behalf by the respective parties, have signed the Agreement.

Done at _____ in duplicate this _____ day of _____, 200____,
in the English language

**FOR THE GOVERNMENT OF
THE KINGDOM OF THE NETHERLANDS:**

**FOR THE
STATES OF JERSEY:**

APPENDIX – PART 2

Agreement between the Kingdom of the Netherlands and the States of Jersey on the access to mutual agreements procedures in connection with the adjustment of profits of associated enterprises and the application of the Netherlands participation exemption

The Government of the Kingdom of the Netherlands

And

The States of Jersey.....

Desiring to strengthen their economic relationship and to encourage the international trade have agreed to conclude the following Agreement which contains obligations on the part of the Parties only:

Chapter I Taxes covered and Definitions

Article 1

Taxes covered

This Agreement shall apply to taxes on income and profits.

Article 2

Definitions

1. For the purposes of this Agreement, unless otherwise defined:
 - a) the term "Party" means the Netherlands or Jersey as the context requires;
 - b) the term "the Netherlands" means the part of the Kingdom of the Netherlands that is situated in Europe, including its territorial sea, and any area beyond the territorial sea within which the Netherlands, in accordance with international law, exercises jurisdiction or sovereign rights;

- c) the term Jersey. means the Bailiwick of Jersey including its territorial sea;
 - d) the term "competent authority" means
 - i) in the case of the Netherlands the Minister of Finance or his authorized representative;
 - ii) in the case of Jersey, the Treasury and Resources Minister or his authorised representative;
2. As regards the application of this Agreement at any time by a Party, any term not defined therein shall, unless the context otherwise requires, have the meaning that it has at that time under the law of that Party, any meaning under the applicable tax laws of that Party prevailing over a meaning given to the term under other laws of that Party.

Chapter II The adjustment of profits of associated enterprises

Article 3

Scope of Chapter II

- 1. Chapter II of this Agreement shall apply where, for the purposes of taxation, profits which are included in the profits of an enterprise of a Party are also included or are also likely to be included in the profits of an enterprise of the other Party on the grounds that the principles set out in Article 4, and applied either directly or in corresponding provisions of the law of the Party concerned, have not been observed.
- 2. Paragraph 1 shall also apply where any of the enterprises concerned have made losses rather than profits.

Article 4

Principles applying to the adjustment of profits of associated enterprises

Where:

- a) an enterprise of a Party participates directly or indirectly in the management, control or capital of an enterprise of the other Party, or
- b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of a Party and an enterprise of the other Party,

and in either case conditions are made or imposed between the two enterprises in their commercial or financial relations which differ from those which would be made between independent enterprises, then any profits which would, but for those conditions, have accrued to one of the enterprises, but, by reason of those conditions, have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

Article 5

General provision

Where a Party intends to adjust the profits of an enterprise in accordance with the principles set out in Article 4, it shall inform the enterprise of the intended action in due time and give it the opportunity to inform the other enterprise so as to give that other enterprise the opportunity to inform in turn the other Party. However, the Party providing such information shall not be prevented from making the proposed adjustment.

Article 6

Mutual agreement procedures

1. Where an enterprise considers that, in any case to which this Agreement applies, the principles set out in Article 4 have not been observed, it may, irrespective of the remedies provided by the domestic law of the Party concerned, present its case to the competent authority of the Party of which it is an enterprise. The case must be presented within three years of the first notification of the action which is contrary or is likely to be contrary to the principles set out in Article 4. The competent authority shall then without delay notify the competent authority of the other Party.
2. The competent authority shall endeavour, if the objection appears to it to be justified and if it is not itself able to arrive at a satisfactory solution, to resolve the case by mutual agreement with the competent authority of the other Party, with a view to the avoidance of taxation which is not in accordance with the Agreement. Any agreement reached shall be implemented notwithstanding any time limits in the domestic law of the Parties.
3. The competent authorities of the Parties may communicate with each other directly for the purpose of reaching an agreement in the sense of the preceding paragraph.
4. The competent authority of a Party shall not be obliged to initiate the mutual agreement procedure where legal or administrative proceedings have resulted in a final ruling that by actions giving rise to an adjustment of transfers of profits under Article 4 one of the enterprises concerned is liable to a serious penalty. In addition, the competent authority of a Party shall not be obliged to initiate the mutual agreement procedure if the enterprise has not fulfilled the domestic documentation and/or information requirements of the adjusting Party before the assessment in which the adjustment is incorporated was finalized.
5. The Parties may also agree on other forms of dispute resolution including arbitration.

6. Notwithstanding the previous paragraphs of this Article, the competent authorities of the Parties may mutually agree to amend the procedures to be used under this Article taking into account the developments with respect to the EU Convention on the Elimination of Double Taxation in connection with the Adjustment of Profits of Associated Enterprises and the developments relating to the mutual agreement procedure discussion within the OECD.

Chapter III The application of the Netherlands Participation Exemption

Article 7

Specific rules for the application of the Netherlands Participation Exemption

The competent authorities of the Parties may agree on the conditions for the application of the participation exemption of the Netherlands with regard to participations in Jersey with a view to prevent double taxation.

Chapter IV Final Provisions

Article 8

Entry into force

1. This Agreement shall enter into force when each party has notified the other of the completion of its necessary internal procedures for entry into force. The Agreement shall apply to proceedings referred to in Article 6(1) which are initiated after its entry into force.
2. Notwithstanding paragraph 1 of this Article, the Agreement shall only enter into force when the Agreement between the Kingdom of the Netherlands and Jersey for the exchange of information relating to tax matters shall have effect for criminal as well as civil tax matters.

Article 9

Termination

1. This Agreement is concluded for a period of five years. Six months before the expiry of that period, the Parties will meet to decide on the extension of this Agreement and any other relevant measure.
2. Notwithstanding paragraph 1 of this Article, this Agreement will be terminated, without giving notice of termination, on the date of termination of the Agreement between the Kingdom of the Netherlands and Jersey for the exchange of information relating to tax matters.

In witness whereof the undersigned being duly authorised in that behalf by the respective parties, have signed the Agreement.

Done at _____ in duplicate this _____ day of _____, 200____,
in the English language

**FOR THE GOVERNMENT OF
THE KINGDOM OF THE NETHERLANDS:**

**FOR THE
STATES OF JERSEY:**

Memorandum of Understanding

The Netherlands and Jersey seek a broader economic and trading relationship. Both parties have long been active in international efforts in the fight against financial and other crimes including fiscal crimes and each recognises the other's commitment to comply with international standards on money laundering, terrorist financing and financial regulation.

The Netherlands and Jersey are committed to deepening their relationship through cooperation on greater transparency and exchange of information on tax matters and with the objective of achieving a double taxation agreement taking account of the specific characteristics of the tax systems of both parties. Thereby the relationship between the Netherlands and Jersey is and will continue to be enhanced to the parties' mutual benefit.

The Netherlands recognises Jersey's commitment to a policy of improving co-operation, reflected, inter alia, in the signing by Jersey of an Agreement on the Taxation of Savings Income with the Netherlands and each of the other EU Member States. Furthermore, the Netherlands recognises Jersey's commitment towards the work of the OECD's Global Forum on Taxation to achieve a global level playing field in the areas of transparency and effective exchange of information for tax purposes.

The Netherlands and Jersey have agreed to introduce immediately:

- a tax information exchange agreement;
- a mutual agreement procedure in connection with the adjustment of profits of associated enterprises;
- a mutual agreement procedure in connection with the conditions for the application of the Netherlands participation exemption and, on this basis, a mutual understanding that will secure the application of the Netherlands participation exemption in accordance with the rules as set out in the Netherlands corporate income tax Act.

Six months after the entry into force of these instruments negotiations will continue on further measures needed to alleviate undesired tax barriers and other obstacles of a discriminatory nature that may be included in the domestic tax legislation of the parties. In preparation for resuming negotiations the Netherlands and Jersey will study their respective tax systems to identify which undesired tax barriers and other obstacles should be addressed. In due course it is the intention to integrate partial results achieved into a double taxation agreement.

Two years after the date of the entry into force of the measures signed today, the Netherlands and Jersey will jointly evaluate the results achieved and will consider which further steps may be necessary.

Formal communications, including requests for information, made in connection with or pursuant to the provisions of the Agreements entered into will be in writing directly to the competent authority of the other party at the addresses given below, or such other address as may be notified by one party to the other from time to time. Any

subsequent communications regarding requests for information will be either in writing or verbally, whichever is most practical, between the earlier mentioned competent authorities or their authorised representatives.

In the case of the Netherlands the address is –

The Fiscal Information and Investigation Service/Economic Investigation Service,
Belastingdienst/FIOD-ECD/Team Internationaal,
Postbus 59395
1040 KJ Amsterdam

In the case of Jersey the address is –

The Minister for Treasury and Resources
PO Box 353
Cyril Le Marquand House
The Parade
St Helier
JE4 8UL

For the Government of the Kingdom of the Netherlands
State Secretary for Finance
(Jan Kees de Jager)

For the States of Jersey
Chief Minister
(Senator Frank Walker)

White & Case LLP
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Washington, DC 20005

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March 11, 2008

John Harrington, Esq.
International Tax Counsel
Department of the Treasury
Room 5064
1500 Pennsylvania Avenue
Washington, DC 20220

Re: Jersey – Tax Information Exchange Agreements Update

Dear John:

On July 24, 2007, government officials from Jersey and I met with you to discuss pending legislation in Congress that would blacklist Jersey as a “tax haven” and “offshore secrecy jurisdiction.” Per your request to stay informed of Jersey continuing efforts to promote open and effective information exchanges among nations to combat tax evasion, I am pleased to inform you that Jersey’s latest Tax information Exchange Agreement (“TIEA”) with the Netherlands entered into force on March 1, 2008. As you may recall, the Jersey delegation noted the conclusion of its TIEA with the Netherlands on June 20, 2007.

Attached for your information is a press release announcing the entry into force of the TIEA between Jersey and the Netherlands, the text of the TIEA, and the implementing regulations adopted by Jersey that govern requests for information made pursuant to the TIEA.

As was mentioned in our meeting last year, Jersey continues to negotiate TIEAs with more than a dozen other nations, including the United Kingdom, Germany, France, Canada and Spain. We will keep you informed of these efforts.

If you have any questions about this material or Jersey, please contact me at (202) 626-3666 or lcarlisle@whitecase.com.

Sincerely,



Linda E. Carlisle

White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005

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www.whitecase.com

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March 11, 2008

Stephen R. Larson, Esq.
Counselor to the General Counsel
Department of the Treasury
1500 Pennsylvania Avenue
Washington, DC 20220

Re: Jersey – Tax Information Exchange Agreements Update

Dear Steve:

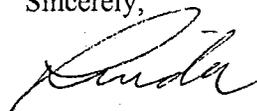
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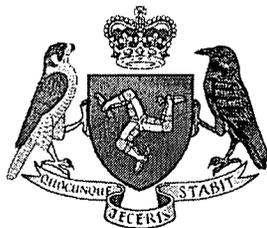
Sincerely,



Linda E. Carlisle

Section V - Informational Materials

Copies of materials disseminated by the Government of The Isle of Man to Treasury, State Department and Congressional Committees via handout during meetings on the tax and financial systems of the Isle of Man which were attended by the Registrant.



Isle of Man Government

Reillys Ellan Vannin

Isle of Man Mission To Washington DC November 2007

Money Laundering and the Financing of Terrorism

A. Legislation and Regulatory Guidance

The Isle of Man introduced its first anti-money laundering legislation in 1987, the Drug Trafficking Offences Act. This was followed by other legislation such as the Prevention of Terrorism Act 1990, the Criminal Justice Act 1990 and the Criminal Justice Act 1991. A full list of the Island's anti-money laundering legislation is available at: www.gov.im/fsc.

The introduction of the Criminal Justice (Money Laundering Offences) Act 1998 extended the definition of money laundering to cover all serious crimes, leading to its informal title of "the all crimes legislation." In addition, it led to the creation of the Anti-Money Laundering Code, which came into force on 1st December 1998. The Anti-Money Laundering Code was revoked and replaced by the Criminal Justice (Money Laundering) Code 2007 ("the Code") on 1 September 2007. This was to better reflect the revised Financial Action Task Force ("FATF") 40 Recommendations and 9 Special Recommendations.

The Code applies to:

1. Business carried on by a building society within the meaning of section 7 of the Industrial and Building Societies Act 1892.
2. Business carried on by a society (other than a building society or credit union) registered under the Industrial and Building Societies Act 1892.
3. Any activity carried on for the purpose of raising money authorised to be borrowed under the Isle of Man Loans Act 1974.
4. The business of an estate agent within the meaning of the Estate Agents Act 1975.
5. The provision by way of business of audit services in respect of a body corporate.
6. (1) Any activity specified in paragraph (2) that is undertaken by:

- (a) an advocate;
 - (b) a registered legal practitioner within the meaning of the Legal Practitioners Registration Act 1986;
 - (c) a Notary;
 - (d) an accountant or a person who, in the course of business, provides accountancy services.
- (2) The activities referred to in paragraph (a) are:
- (a) holding or managing any assets belonging to a client;
 - (b) the provision of legal services which involves participation in a transaction (whether by assisting in the planning or execution of any such transaction or otherwise) by acting for, or on behalf of, a client in respect of:
 - (i) the sale or purchase of land;
 - (ii) managing bank, savings or security accounts;
 - (iii) organising contributions for the promotion, formation, operation or management of bodies corporate.
7. Insurance business within the meaning of the Insurance Act 1986.
 8. The business of acting as an insurance manager for or in relation to an insurer within the meaning of the Insurance Act 1986.
 9. Any activity permitted to be carried on by a licence holder under a casino licence granted under the Casino Act 1986.
 10. A collective investment scheme within the meaning of section 30 of the Financial Supervision Act 1988.
 11. The business of a bookmaker within the meaning of the Gaming, Betting and Lotteries Act 1988 but excluding activities to which the Anti-Money Laundering (Online Gambling and Peer to Peer Gambling) Code 2006 applies.
 12. Investment business within the meaning of the Investment Business Act 1991.
 13. Business carried by a society registered as a credit union within the meaning of the Credit Unions Act 1993.
 14. The business of insurance intermediary as described in section 1 of the Insurance Intermediaries (General Business) Act 1996.
 15. Banking business within the meaning of the Banking Act 1998.
 16. The business of engaging in any regulated activity within the meaning of the Fiduciary Services Acts 2000 and 2005.
 17. Acting as a retirement benefits plan administrator within the meaning of Part 6 of the

Retirement Benefits Schemes Act 2000.

18. Acting as the trustee of a retirement benefits plan within the meaning of the Retirement Benefits Schemes Act 2000.
19. Any activity carried on for the purpose of raising money by a local authority.
20. The business of a *bureau de change*.
21. The business of the Post Office in respect of any activity undertaken on behalf of the National Savings Bank.
22. Any activity involving money (including any representation of monetary value) transmission services or cheque encashment facilities.

Persons who are subject to the Code's requirements are "relevant persons."

Any relevant person who fails to comply with the requirements of the Code may be liable on summary conviction to a fine of up to £5000, to imprisonment of up to 6 months, or both, and may be liable on conviction on information¹ to a fine, to imprisonment of up to 2 years, or both.

The Code requires that relevant persons have in place anti-money laundering policies, procedures and practices, including the financing of terrorism. Specifically, the Code requires that relevant persons should not form business relationships or carry out one-off transactions with or for another person unless they:

- Establish procedures to confirm the identity of the applicant for business as soon as is reasonably practicable after contact is first made;
- Report suspicious transactions;
- Maintain adequate records;
- Adopt adequate internal controls and communication procedures;
- Provide appropriate training for employees; and
- Establish internal reporting procedures, including the appointment of a Money Laundering Reporting Officer ("MLRO").

To accompany the Anti-Money Laundering Code, in January 1999 the Financial Supervision Commission ("the Commission") issued fully revised draft Anti-Money Laundering Guidance Notes ("AMLGN") to licenceholders, which went into force in April 2000. To reflect evolving international standards, new legislation on the Island, and the new licensed status of Corporate Service Providers and Trust Service Providers, the AMLGN were further revised in December 2001, and April 2003 and were totally rewritten in 2007. It is expected that new guidance will be in place in the form of an Anti-Money Laundering and the Financing of Terrorism Handbook in early 2008.

¹ Conviction on information is comparable to conviction on indictment in the United Kingdom.

B. The Commission's Approach to 'Know Your Customer' / Customer Due Diligence

All institutions conducting banking or investment business are required under respective regulatory codes (12.5 of the Banking (General Practice) Regulatory Code under the Banking Act 1998, and 6.1 of the Financial Supervision (Conduct of Business) Regulatory Code under the Investment Business Act 1991) to have in place adequate policies, procedures and practices for the deterrence and prevention of money laundering and the financing of terrorism.

These Codes both state:

"A licensee shall have adequate policies and procedures in place, including strict "Know Your Customer" rules, that promote high ethical standards in the financial sector and prevent the institution from being used, intentionally or unintentionally, by criminal elements. These policies and procedures shall ensure compliance with the money laundering legislation in force at that time."

Persons carrying out regulated activities as Corporate Service Providers or Trust Service Providers (together known as fiduciaries) under the Corporate Service Providers Act 2000 are subject to similar requirements required under paragraph 2(1)(a) and 4 of the Fiduciary Services (General Requirements) Regulatory Code 2005.

As stated previously the Commission is in the process of drafting a new Handbook to replace the Anti-Money Laundering Guidance Notes to bring in the risk based approach to anti-money laundering and to bring the Notes in line with the revised FATF 40 Recommendations on Money Laundering and 9 Special Recommendations on Terrorist Financing.

C. The International Perspective

The Isle of Man is fully committed to adhering to international best practices in anti-money laundering and the countering of terrorist financing ("AML/CFT").

Although not a member of the FATF, the Island fully endorses the FATF's 40 Recommendations and the 9 Special Recommendations.

The Commission is a member of and contributes fully to the Offshore Group of Banking Supervisors ("OGBS"). The OGBS attends meetings of the FATF on money laundering as an observer organisation and is afforded equivalent status to that of the FATF-style regional bodies.

The Commission is a member of and fully contributes to the International Organisation of Securities Commissions ("IOSCO") and is a signatory to the IOSCO Multilateral Memorandum of Understanding.

The Isle of Man's Financial Crime Unit is also a member of the Egmont Group, which is a coordinating body for the international group of financial intelligence units formed in 1995 to promote and enhance international cooperation in countering money laundering and terrorist financing.

D. International Evaluations

The Island's Anti-Money Laundering/Countering of Terrorist Financing regime has been positively evaluated on a number of occasions since 1998.

The "Edwards Review" in 1998 commented that "From the earliest days, the Isle of Man Government has been committed to ensuring the Island offers no welcome to money launderers", and noted that "the Island's anti-money laundering legislation is fully compatible with the FATF 40 Recommendations."

In 1999, evaluators from the OGBS and FATF carried out a FATF-style mutual evaluation of the Island's AML systems under the auspices of the OGBS. Their Report concluded that the Island "has a robust arsenal of legislation, regulations and administrative practices to counter money laundering", and that the Island was in "close to complete adherence with the FATF's 40 Recommendations."

In April 2000, the Financial Stability Forum ("FSF") issued its Report of the Working Group on Offshore Centres, which assessed the role played by offshore centres in global financial stability. The assessment included an analysis of AML systems. The FSF concluded that the Isle of Man merited a Group 1 rating, the highest available.

Later in 2000 the Isle of Man's AML systems were reviewed once more, as part of the FATF Non-Cooperative Countries and Territories ("NCCT") Review. The Report made certain recommendations, but concluded: "The Isle of Man has a comprehensive anti-money laundering system." The Isle of Man was not classified as uncooperative under the NCCT Review.

The Isle of Man underwent its latest evaluation in October 2002 by a team of assessors from the International Monetary Fund ("IMF"). The wide-ranging evaluation examined, inter alia, the Isle of Man's AML/CFT regime, including private sector practices. The IMF's report confirms that the Island "complies well" with international standards for the regulation and supervision of financial services. It concludes that the Isle of Man has a "high level of compliance" with international standards in such areas as banking, insurance, securities, anti-money laundering and combating the financing of terrorism.

It commends "the proactive approach of the regulators to achieve high standards in the financial services sector".

The IMF is scheduled to inspect the Isle of Man again in 2008.

E. Sanctions Notices

The Isle of Man Government is strongly committed to fulfilling its international obligations with regard to sanctions regimes and denying terrorist groups access to the financial system. The persons and organisations believed to be responsible for, or implicated in, the attacks of 11 September 2001, and various other individuals and entities implicated in terrorist activities or the funding of such activities, are the subject of various United Nations ("UN") and European Union ("EU") measures.

On 28 September 2001 the UN Security Council adopted Security Council Resolution 1373 (2001). It instructed countries to take the necessary steps to freeze funds belonging to individuals and entities suspected of:

- committing acts of terrorism, or
- posing a significant risk of committing acts of terrorism, or
- providing material support for acts of terrorism.

The EU also adopted similar legislation through Council Regulation 2580/2001/EC.

The United Kingdom ("UK") enacts legislation in the Westminster Parliament to comply with UN Security Council Resolutions. It also enacts legislation on behalf of the Isle of Man, to give effect to the Resolutions in the Island. Therefore, on 10 October 2001 an Order-in-Council, the Terrorism (United Nations Measures) (Isle of Man) Order 2001 [SI 2001 No. 3364] came into force. This gave effect to Resolution 1373 in Isle of Man law.

The Island has also applied in Isle of Man law the EU Regulation 2580/2001/EC by means of the European Communities (Terrorism Measures) Order 2002 [SD 111/02].

Pre-existing UN sanctions against the Taliban regime in Afghanistan have also been updated, by means of Security Council Resolutions 1388 (2002) and 1390 (2002). Accordingly, a new Order-in-Council, the Al-Qa'ida and Taliban (United Nations Measures) (Isle of Man) Order 2002 [SI 2002 No. 259] came into force on 14 February 2002. The Resolutions and Order concern sanctions against members of the Taliban and Al-Qa'ida, and supporting assistance to those entities.

From time to time, the Isle of Man Treasury issues lists of individuals and entities under the above Orders-in-Council, that include those suspected of being involved in terrorism, providing support for terrorism, or of being members or supporters of the Taliban or Al-Qa'ida. These lists will be published on the Isle of Man Government website. Financial institutions on the Island are obliged to check whether they maintain accounts for any listed individual, and if so they must freeze the accounts and report their findings to the Customs and Excise Division of the Treasury.

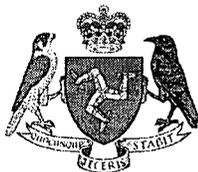
Sanctions Notices are also in place that deal with financial sanctions applying to listed individuals and entities and concerned with Burma/Myanmar, Democratic Republic of Congo, Iran, Iraq, Ivory Coast, Liberia, Sudan, Zimbabwe and the Federal Republic of Yugoslavia/Serbia (including the International Criminal Tribunal for the former Yugoslavia).

The lead agency with regard to both Trade and Financial Sanctions within the Isle of Man is the Customs and Excise Division of the Treasury.

The Customs and Excise Division publish Public Notices explaining in straightforward terms, sanctions that are in force. These Notices are available, free of charge, on the Isle of Man Government website at www.gov.im/treasury/customs/sanctions.xml or directly from them. The introduction, amendment or revocation of a Sanction Order that applies in the Isle of Man - be it

an Order made on the Island, or extended to it - is also the subject of a Public Notice in local media.

Sanctions within the Isle of Man are broadly parallel to those in force in the United Kingdom.



Isle of Man
Government

Reiltys Ellan Vannin

Senate Finance Committee Hearing
"Offshore Tax Evasion: Stashing Cash Overseas"
May 3, 2007
Statement for the Hearing Record
Submitted by Mary Williams, Chief Secretary Isle of Man Government

Chairman Baucus, Ranking Member Grassley, Members of the Committee, the Isle of Man Government welcomes the opportunity to submit written testimony to your Committee.

The Isle of Man is sometimes called an "offshore" finance centre or, because of its relatively low levels of income taxation, a "tax haven". Such labels are misleading, and may suggest to some a stereotype of secrecy and weak financial regulation. In recent years the Isle of Man has proved to the world that it does not conform to this stereotype.

The Island is not a secret or closed jurisdiction. Unlike some European countries, the Isle of Man has no bank secrecy laws. A number of external and independent assessments of financial regulation have confirmed that the Island co-operates fully in the pursuit of international financial crime, and that its defences against money laundering comply with the highest global standards.

On taxation, the Isle of Man has led the way in co-operating with global bodies like the Organisation for Economic Co-operation and Development ("OECD") to devise new systems for the exchange of information between tax authorities.

The Manx government's policy is to be both internationally responsible and economically competitive. Its taxation strategy is to comply with changing international standards on information exchange and preferential treatment, while lowering the standard rate of income tax for business.

1. Background to the Isle of Man, Its Economy and Political System

1.1 The Island

The Isle of Man, located in the middle of the Irish Sea at the centre of the British Isles, is 33 miles long and 13 miles wide at its broadest point and has a total land area of 227 square miles. The resident population is approximately 80,000. Regular

air and sea services connect the Island to a number of destinations across the United Kingdom ("UK") and the Irish Republic. There are no immigration barriers between the Island and the UK or Ireland, but there is a work permit system. People and things native to the Isle of Man are described by the adjective "Manx".

1.2 Constitution and History

The Island was ruled by Norse, Scots and English Kings in the Middle Ages, and by sovereign Lords of Mann from 1406 until 1765, when it was acquired by the British Crown. The Isle of Man has never been part of the UK or the European Union ("EU"). It is not represented at Westminster or in Brussels.

The Island is a self-governing British Crown Dependency with its own parliament, government and laws. The UK government, on behalf of the Crown, is ultimately responsible for its international relations and the Queen, as 'Lord of Mann', is the Head of State and is represented on the Island by the Lieutenant Governor. The Island has a special and limited relationship with the EU, under an agreement ('Protocol 3') negotiated when the UK joined Europe in 1972, allowing free trade in agricultural and manufactured products between the Isle of Man and EU members. Apart from matters relating to this agreement, including Customs, the Island is not bound by EU legislation and it pays nothing to, and receives nothing from, EU funds.

The Manx parliament, Tynwald, was founded over 1,000 years ago and is the oldest continuous parliament in the world. The Island has no party political system and the leader of its government, the Chief Minister, is chosen by Tynwald after each general election. The Chief Minister selects nine Ministers to head the major government departments and together they make up the Council of Ministers, the central executive body or Manx 'cabinet', which is accountable to Tynwald.

1.3 Economy

The Isle of Man has had one of Europe's fastest growing economies in recent years, led by the international financial services industry. Business is attracted by the competitive tax regime, professional expertise, supportive government, world-class telecoms infrastructure and sound financial regulation. New growth areas include e-commerce, film industry, international shipping, and space and satellite business, while traditional sectors like tourism (and the famous Tourist Trophy motorcycle races) are still important.

In 2004/05 Gross Domestic Product ("GDP") was over £1.4 billion, up 9.1% on the previous year (6.3% real growth – and the 21st successive year of growth in the Island's economy). GDP per head is £17,309 which represents 106% of the UK equivalent. Economic sectors include: financial services (36% of GDP), construction (9%), manufacturing (7%), professional and scientific services (16%), tourism (6%), and farming/fishing (1%). The Island has a working population of 44,000 and an unemployment rate of 1.6%. Inflation is currently 4%. The Isle of Man produces its own notes and coins with the same value as UK Sterling.

1.4 Public Services and Taxation

Growth in the economy has been matched by investment in public services, funded by direct and indirect taxation. The Island is self-financing.

The information which follows is accurate for the tax year commencing on 6th April 2007, subject to Tynwald (the Island's Parliament) approval of certain Orders and Regulations. The Isle of Man tax year runs from 6 April to 5 April.

1.5 Direct Tax Overview

Income Tax and National Insurance (social security) are the two significant direct taxes levied on the Island. National Insurance contributions, classes and rates are structured in a similar way to the UK's system as there is a reciprocal agreement on pensions and health care.

Resident persons (natural and legal) are taxed on worldwide income while non-resident persons are taxed only on Isle of Man source income.

The Isle of Man has a Double Taxation Agreement ("DTA") with the UK¹ and a limited DTA with the United States which covers international shipping.

1.6 Personal Income Tax

The Island's personal income tax system for individuals is as follows:

- All sources of income are taxed on a current year basis of assessment.
- Joint assessment for married couples is available by election.
- Various personal allowances and other deductions from income are available, such as relief for interest, covenanted payments and approved pension arrangements. The main tax-free personal allowance is £8,850.
- Taxable income in excess of allowances is then subject to a standard rate of tax of 10% (residents only) on the next £10,500 and thereafter at the higher rate of 18%.
- A system of deduction of tax at source on earnings called the Income Tax Instalment Payments Scheme (ITIP) is operated, and there is a similar scheme specifically for persons involved in the building industry.
- Where a person's total income is less than their personal allowance, up to £420 is payable directly to them annually as a tax credit.
- Personal income tax is capped at £100,000 (£200,000 for a jointly assessed married couple).

1.7 Corporate Income Tax

Major changes in our corporate income tax system took effect from 6 April 2006:

¹ The Double Taxation Relief (Taxes on Income)(United Kingdom) Order 1995 GC 55/55, amended by the Double Taxation Relief (Amendment) Order 1994 SD 112/94 which was signed on 31 March 1994.

- The standard rate of corporate income tax is 0% on all income, except for two defined activities: (i) a licensed banking business; and (ii) corporate income from Manx land and property (property development, commercial letting and rents and mineral extraction). Corporate income from these two activities is taxed at 10%.
- Corporate income from all other regulated activities, e.g., insurance, fund management etc. are taxed at the standard rate of 0%.
- Special regimes (Non-resident Company Duty, Exempt Companies, Exempt Insurance Companies, Exempt Managed Banks, International Business Companies and other international regimes) were repealed from 6 April 2007. New entrant applications for any of the special regimes were not accepted from 6 April 2006.

1. 8 Indirect Taxes – Value Added Tax

There is an agreement between the Isle of Man and the UK which means that for Value Added Tax ("VAT"), customs and most excise duty purposes the two territories are treated as if one. VAT is charged on most goods and services at a rate of 17.5%. Most of these indirect taxes and duties are pooled and shared. This negates the need for customs barriers between the two countries. Most, but not all, excise duties are covered by the Agreement. Isle of Man legislation exists which mirrors the equivalent UK law where required.

The Island's indirect taxation relationship with the EU is governed by Protocol 3 to the UK's Act of Accession and means that:

- The Island is part of the customs territory of the Community.
- It is not regarded as a third country for customs purposes.
- It is treated as part of the EU internal market for trade in goods (but not services).

EU legislation in most customs matters applies directly. Although EU VAT and excise legislation does not apply in the Isle of Man, the provisions of the relevant Directives are given legal effect through Manx legislation.

1.9 European Union Conformity

The Isle of Man has agreed to apply provisions equivalent to the EU Directive on the Taxation of Income from Savings², which entered into force on 1 July 2005. Similar transitional arrangements to those applying in the member states of Austria, Belgium and Luxembourg are in force. In addition, the Island committed to bring its corporate taxation system in line with the principles of the EU Code of Conduct on

² Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments, published in Official Journal L 157, 26 June 2003, pages 38-48.

Business Taxation³. This reform process has now been carried out, with final completion achieved on 5 April 2007.

1.10 Tax : GDP Ratio

While the Isle of Man is perceived, by some, to be a low income tax jurisdiction, the actual tax-to-GDP ratio, calculated using standard OECD methodology, is in fact higher than in many developed nations as the figures below illustrate.

Isle of Man	34%
United Kingdom	36%
Ireland	30%
United States	26%
Japan	26%
EU 15	41%
OECD	36%

1.11. Isle of Man Government Spending

The provision of generous public services and infrastructure within a legislative framework that does not permit a deficit budget, has earned the Isle of Man the coveted AAA credit rating from both Standard and Poor's and Moody's credit rating agencies.

For the 2007 -2008 taxation year, overall Government spending is estimated at £538 million, an increase of £16 million, or 3.1% over the previous year. This funding is used to provide a variety of services to Isle of Man residents, many in excess of those provided in jurisdictions such as the UK. For example:

- The basic pension plus supplements for a married couple, with the wife qualifying on her husband's contribution, is £209.40, some £69.80 per week higher than the basic pensions of £139.60 per week in the UK.
- Free eyesight tests and dental examinations are provided under the Health Service.
- All tuition fees for Island students accepted into Higher Education courses at UK universities are paid by the Isle of Man Government without any required student contribution, while UK students are responsible for their own tuition fees.
- Free public transportation is provided for those over 60 years and pupils travelling to and from state schools.
- During the past decade significant investment has been made in new infrastructure throughout the Isle of Man. In the last five years alone over £500 million have been committed for such projects as a new acute care hospital, an energy-from-waste facility, new sewerage treatment works, improved schools and a new water treatment plant. Construction is continuing on further water treatment works and a new prison.

³ The Code of Conduct for business taxation was set out in the conclusions of the Council of Economics and Finance Ministers of 1 December 1997. More information is available on:
http://europa.eu.int/comm/taxation_customs/taxation/company_tax/harmful_tax_practices/index_en.htm

- The provision of affordable housing for Island residents has been a high priority and some £200 million has been made available for housing schemes that will see more than 1,000 additional homes built before 2010. A further £85 million has been allotted to repair and refurbish public sector housing and £44 million in grants and loans has been provided to construct homes for first-time buyers.

2. Isle of Man's Position in Respect of Exchange of Information

The Isle of Man is an active, constructive and pragmatic participating partner in the OECD Global Forum on Taxation and is acknowledged by the OECD as a responsible International Finance Centre.

Recognising that exchange of information on request is the appropriate international standard, the Island is continuing Tax Information Exchange Agreements (TIEAs) negotiations which are in the Island's interests and of mutual economic benefit.

A TIEA with the United States was signed on 3 October 2002 and was ratified by Tynwald (the Island's Parliament) in April 2006. The TIEA entered into force on 26 June 2006 when the Department of the Treasury confirmed that the United States had completed its internal procedures.

The Competent Authorities in each jurisdiction are working together effectively to ensure all necessary administrative arrangements relating to the TIEA are in place and operating efficiently and professionally.

A TIEA with the Netherlands was signed on 12 October 2005 and was ratified in May 2006. Discussions for the development of a Double Taxation Agreement are under way.

TIEA negotiations are at various stages with 15 other countries, and further new negotiations are expected to commence during 2007. The Isle of Man expects to sign a number of further TIEAs before the end of this calendar year.

In a Press Release dated 12th October 2005, the OECD welcomed the tax information exchange agreement between the Isle of Man and the Netherlands. OECD Secretary-General Donald J. Johnston hailed the agreement as an important step forward in the global effort to detect and deter abuses of the global financial system: "I congratulate both parties for having strengthened their bilateral co-operation to counter tax abuses. This agreement confirms the Isle of Man's commitment to implement high international standards, thereby reinforcing its stature as a responsible international financial centre".

In addition, our Criminal Justice Acts ("CJA") allow us to assist any country where the conduct constituting a taxation offence under the law of that country would also constitute the same or a similar offence under Isle of Man law or where the conduct constitutes serious or complex fraud. The Isle of Man has a good track record of co-operation with the United States in criminal investigations. For example, the District

Attorney of the County of New York, Robert Morgenthau, has expressed his view in writing that the Isle of Man is well-regulated and co-operated in assisting his office in investigations.

To illustrate this point, the Isle of Man's Attorney General has provided assistance in relation to the following CJA requests:

Year	Total CJA Requests (tax and non-tax)	Direct Tax Offences	Indirect Tax Offences
2005	71	8	3
2006	58	8	5
2007 to date	10	4	2

The Isle of Man is a jurisdiction which takes its responsibilities seriously in relation to co-operation with other jurisdictions, as the preceding evidence illustrates.

The Isle of Man also believes that it is seen as being so by the appropriate law enforcement agencies in other jurisdictions, including the United States. The Isle of Man is also aware that this is not always the way the situation is portrayed publicly by non-law enforcement bodies in other jurisdictions. As a responsible and co-operative jurisdiction the Isle of Man is acutely aware and sensitive to the need to avoid comment or action which might harm, or make more difficult, the law enforcement investigations of another jurisdiction. However, it is also aware that this stance, albeit responsible, has led to situations where the maintenance of appropriate restraint in public comment has inhibited the Isle of Man's ability to defend itself and its reputation against incorrect criticisms that portray it as an uncooperative jurisdiction. The Isle of Man is acutely aware that comment has been made in other testimony to the Finance Committee in relation to what is referred to as the "Wyly case". With the consent of the United States Department of Justice ("DOJ"), the Isle of Man is able to confirm that the CJA have recently been used to enable the Attorney General to provide assistance to the DOJ in relation to the "Wyly case". DOJ has commented that it has received nothing but genuine and timely cooperation from the Attorney General.

In 2003 the following statement was made through the U.S. Embassy in London:

"US Customs Agents based in the US Embassy in London have confirmed that, contrary to various recent reports, in all their dealings and requests for assistance, the Isle of Man has been fully co-operative and takes an aggressive position in joint investigations involving money laundering and fraud"

In order to try to ensure that the factual and objective position is made known to the Finance Committee, the Isle of Man states unequivocally that it has adopted and continues to adopt a stance of full, timely and professional assistance to U.S. law enforcement agency requests for information, through duly constituted gateways for the exchange of information. The lack of further comment on any specific case may simply be due to the Isle of Man's awareness of the requirement to avoid prejudicing any ongoing investigation, rather than any lack of co-operation or unwillingness on the part of the Isle of Man to defend its record for co-operation and assistance.

3. Regulatory Framework

A number of international organisations have assessed the Isle of Man's practices against global standards to ensure that they do not present a weak link in the financial system generally. The Island has been shown to be a well-regulated jurisdiction.

The International Monetary Fund ("IMF") has endorsed the Isle of Man's compliance with international standards in such areas as banking, insurance, securities, anti-money laundering and combating the financing of terrorism.

An IMF Report, dated October 2003, states that the regulatory and supervisory system of the Isle of Man complies well with the assessed international standards. The IMF commended the Isle of Man for the attention it has given to upgrading the financial, regulatory and supervisory system to meet international supervisory and regulation standards.

The Island's Financial Supervision Commission is a member of the Offshore Group of Banking Supervisors (of the Basel Committee on Banking Supervision) and of the International Organization of Securities Commissions (IOSCO). The Basel Committee and IOSCO are the main bodies responsible for the setting of international standards in the banking and securities sectors respectively.

The Financial Action Task Force ("FATF") has carried out its own review of the Island's defences against money-laundering. Its positive report concluded that the Island is a co-operating jurisdiction with measures in place which are close to full adherence with FATF recommendations.

The Financial Stability Forum ("FSF") has also considered the effect which offshore centres generally can have on global financial stability. The Isle of Man was placed in the top group of centres reviewed.

The Isle of Man has also worked closely with the United Nations Office for Drug Control and Crime Prevention, particularly in support of its Offshore Initiative.

The Island has received confirmation that it has been moved to a list of countries approved by the U.S. Internal Revenue Service ("IRS") under its Withholding Tax legislation. Broadly, the legislation requires local financial institutions to apply for Qualified Intermediary Status if they wish to invest in U.S. securities and claim exemption from U.S. withholding tax for their clients.

4. Blacklists

The Isle of Man has been labelled in the past either as a "tax haven" or as having "harmful tax practices", or both. Whilst not accepting the legitimacy or methodology that formed the basis of such labelling the Isle of Man nevertheless wishes to ensure that its international reputation is that of a well-regulated country that is prepared to comply with appropriate worldwide economic and fiscal standards. As a

consequence, the Isle of Man has played both an active role in, for example, the OECD Global Forum on Taxation and has rapidly updated its domestic legislation and practices to meet international benchmarks.

Certain countries have included so-called "subjective tests" in their fiscal legislation in relation to the OECD "tax haven" list. This list is acknowledged to be out of date. The OECD has now posted a covering memorandum to its 2000 Harmful Tax Practices Report that states:

"The report includes a list of tax havens on page 17. That list should be seen in its historical context and as an evaluation by OECD member countries at a particular point in time of which countries met the criteria set out in the 1998 Report, Harmful Tax Competition: An Emerging Global Issue. More than five years have passed since the publication of the OECD list contained in the 2000 Report and positive changes have occurred in individual countries' transparency and exchange of information laws and practices since that time. The list has not been updated to reflect such changes.

If a country chooses to use a list of countries derived from the OECD list, it should do so based on the relevant current facts. Thus, progress made in the implementation of the principles of transparency and effective exchange of information in tax matters should be taken into account by such countries and their legislatures. This statement does not reflect any judgment on the tax or other policies underlying country lists."

The Committee's attention is respectfully drawn to the testimony of Mr. Jeffrey Owens from the OECD in relation to blacklisting:

"Lack of transparency and lack of effective exchange of information are the key attractions for tax cheats because they can place their assets in a jurisdiction with these features in the knowledge that information on their activities will not be disclosed to the tax authorities back home. They are also the key factors in identifying tax havens."

The Isle of Man has a transparent tax system, provides prompt and effective cooperation to countries which request assistance in accordance with the CJA and is able to provide tax information on the basis of TIEAs.

5. Summary

The Isle of Man is committed to delivering effective regulation. It fully complies with international standards. It is at the forefront of the development by small jurisdictions of a network of TIEAs, based on mutual economic benefit. It has a transparent tax code, and does not have banking secrecy laws. It has shown itself consistently to be a co-operative jurisdiction in terms of the international fight against criminal activity. It should be seen as "part of the solution, not part of the problem".

Submitted May 17, 2007



**Isle of Man
Government**

Keilrys Ellan Vannin

Isle of Man Mission ~~to~~ Washington DC

November 2007

W&C Draft: (Washington, DC) November 5, 2007]

~~The Isle of~~ Man Is ~~a~~ Co-Operative Jurisdiction

~~It~~ The Isle of Man co-operates in a positive and constructive manner in relation to criminal investigations and the exchange of information on taxation.

The Isle of Man has an ~~excellent-good~~ track record of co-operation with the United States in criminal investigations. Examples include work with the office of the District Attorney ~~of County of New York County~~, Robert Morgenthau, who has confirmed in writing his view that the ~~IoM-Isle of~~ isMan is well-regulated and co-operates ~~with them~~ in investigations.

The Isle of Man is As a party to a Multilateral Memorandum of Understanding developed by the **International Organisation of Securities Commissions** to promote the fullest mutual assistance possible to ensure compliance and enforcement of securities and derivatives laws and regulations. As a result, ~~the IoM's-Isle of Man's~~ regulations have been subjected to careful scrutiny and judged to be compliant with the best international standards.

The Isle of Man's Financial Crime Unit is a member of the Egmont Group, which is a coordinating body for the international group of financial intelligence units formed in 1995 to promote and enhance international cooperation in anti-money laundering and counter-terrorist financing.

~~IoM-~~The Isle of Man has also worked closely with the **United Nations Office for Drug Control and Crime Prevention**, particularly in support of its Offshore Initiative.

The Chair of the Organisation for Economic Co-Operation and Development's ("OECD") ~~D's~~ Committee on Fiscal Affairs, Paolo Ciocca, welcomed the ~~IoM's~~ Isle of Man's October 2007 tax information exchange agreements with the Nordic Council members: "The agreements show that the Isle of Man is forging ahead in implementing its commitment to international standards. We hope that this example will encourage other economies that have committed to these standards but that have been slow to implement them to move forward quickly."

~~These comments further strengthen the endorsement of the OECD. In 2005 then Secretary General Donald J. Johnston welcomed the signing of the IoM-Netherlands TIEA as an important step forward in the global effort to detect and deter abuses of the global financial system: "I congratulate both parties for having strengthened their bilateral co-operation to counter tax abuses. This agreement confirms the Isle of Man's commitment to implement high international standards, thereby reinforcing its stature as a responsible international financial centre."~~

The Isle of Man has **International Monetary Fund** endorsement that it fully meets international standards in such areas as banking, insurance, securities, anti-money laundering and combating the financing of terrorism.

For nearly 25 years, the Isle of Man has been a member of the Offshore Group of Banking Supervisors ("OGBS"). The conditions for membership include a requirement that a clear political commitment be made to implement the Financial Action Task Force's Forty-Four and Eight-Nine Recommendations. Since In June 2001, the OGBS has implemented its 3-year strategic plan of action to combat money laundering and terrorist financing. The OGBS supported the programme of assessment of financial regulation and anti-money laundering measures undertaken by the IMF and actively participated in developing the new methodology to be used for assessing compliance with the revised Forty Recommendations.

In a recent case the High Court in the Isle of Man has demonstrated that in appropriate circumstances the Court will assist the courts of the United States to restrain and recover the proceeds of ~~serious~~ crime perpetrated in the United States. The Court recognised that the proceeds of crime can easily be transferred from jurisdiction to jurisdiction and that "international co-operation in this area is of the greatest importance."



Isle of Man
Government

Ryllys Eilan Vannin

Isle of Man Mission To Washington DC November 2007

Isle of Man Is Not a Haven for Terrorist Financing because:

A number of international organisations have assessed the Isle of Man's practices against global standards to ensure that they do not present a weak link in the financial system generally. The Isle of Man has been shown to be a well-regulated jurisdiction.

The Isle of Man ~~IoM~~ has the endorsement of the **International Monetary Fund ("IMF")** that it fully meets international standards in such areas as banking, insurance, securities, anti-money laundering and combating the financing of terrorism. The 2003 IMF Report states that the regulatory and supervisory system of the Isle of Man complies well with the assessed international standards. The IMF commended the ~~IoM~~ Isle of Man for the attention it has given to upgrading ~~the~~ its financial regulatory and supervisory system to meet international standards.

~~IoM~~ The Isle of Man's Financial Supervision Commission ("the Commission") is a member of the **Offshore Group of Banking Supervisors (of the Basel Committee on Banking Supervision)** and ~~and of The~~ **International Organization of Securities Commissions ("IOSCO")**. ~~The Commission~~ Commission is also a signatory to the IOSCO Multilateral Memorandum of Understanding. The Basel Committee and IOSCO are the main bodies responsible for the setting of international standards in the banking and securities sectors.

The Isle of Man's Financial Crime Unit is a member of the Egmont Group, which is a coordinating body for the international group of financial intelligence units formed in 1995 to promote and enhance international cooperation in combating money laundering and terrorist financing.

The Financial Action Task Force ("FATF") completed its own review of the Island's defences against money laundering in 2000. Its report concluded that the Isle of Man is a co-operating jurisdiction with measures in place that closely adhere to the FATF recommendations.

In 2000, the

Financial Stability Forum has also considered the effect which offshore centres generally can have on global financial stability. ~~IoM~~ The Isle of Man was placed in the top group of centres reviewed.

~~IoM~~ The Isle of Man has also worked closely with the **United Nations Office for Drug Control and Crime Prevention**, particularly in support of its Offshore Initiative.

The Island has received confirmation that it has been moved to a list of countries approved by the **U.S. Internal Revenue Service** under its Withholding Tax legislation. Broadly, the legislation requires local financial institutions to apply for Qualified Intermediary Status if they wish to invest in U.S. securities and claim exemptions from U.S. Withholding Tax for their clients.

The ~~IoM~~ Isle of Man has an excellent ~~good~~ track record of co-operation with ~~USA~~ the United States in criminal investigations. For example, in 2004 the District Attorney of New York County, Robert Morgenthau, expressed his view in writing that the Isle of Man is well-regulated and co-operative in assisting his office in investigations.



Isle of Man
Government

Railiva Ellan Vannin

Isle of Man Mission to Washington

November 2007

The Isle of Man Is Not A 'Tax Haven' And an 'Offshore Secrecy Jurisdiction' and Should Not Be Included In US "Blacklisted in Legislation

s"

The Isle of Man has a fully operational tax information exchange agreement ("TIEA") with the United States and has agreed protocols with the Internal Revenue Service ~~RS~~ to ensure that information exchange requests are handled smoothly. Tax "treaty" partners should not blacklist each other.

~~The Isle of Man and the Netherlands also have a fully operational tax information exchange agreement:~~

On 30 October 2007, the Isle of Man signed a further seven new TIEAs tax information exchange agreements with each of the members of the Nordic Council (Denmark, the Faroe Islands, Finland, Greenland, Iceland, Norway and Sweden) and has received commendation from the Organisation for Economic Co-operation and Development ("OECD") for "forging ahead in implementing its commitment to international standards." The OECD observed that:— "The latest agreements bring to nine the number of such agreements entered into by the Isle of Man, thus enhancing its international standing and strengthening its integration into the international financial system. The Isle of Man has played a leading role in the OECD's initiative to improve transparency and exchange of information in tax matters."

The Isle of Man and the Netherlands also have a TIEA in force. In a press release, then OECD Secretary-General congratulated both parties for "having strengthened their bilateral co-operation to counter tax abuses. This agreement confirms the Isle of Man's commitment to implement high international standards, thereby reinforcing its stature as a responsible international financial centre."

Ongoing positive negotiations with Australia have led the Australian Tax Office to state that ~~the Isle of Man is no longer regarded as a tax haven:~~ "the Isle of Man, which [is] is "no longer regarded as [a] tax haven because they have signed (or have agreed to sign) a TIEA with Australia." (Australian Taxation Office publication "Tax Havens and Tax Administration")

The Isle of Man continues to be an active and constructive player in the OECD Global Forum on Taxation. As noted by Jeffrey Owens, the OECD Director of the Centre for Tax Policy and

Administration, before the Senate Finance Committee this year, " Offshore tax evasion is not about small islands that do not impose income taxes: it is about all countries that lack transparency and that are not prepared to cooperate to counter tax abuse." The Isle of Man is transparent and cooperative.

~~In a Press Release dated 12th October 2005, then OECD Secretary General Donald J. Johnston said, in relation to the agreement signed between the Isle of Man and the Netherlands: "I congratulate both parties for having strengthened their bilateral co-operation to counter tax abuses. This agreement confirms the Isle of Man's commitment to implement high international standards, thereby reinforcing its stature as a responsible international financial centre".~~

The Isle of Man became an important partner in the OECD's initiative to improve transparency and exchange of information in tax matters in December 2000, when it committed to work with OECD member countries to further develop and implement these OECD's principles. Since that time, the Isle of Man has played an active role in taking forward promoting the work in this area through the OECD Global Forum on Taxation. Notably, the Isle of Man was one of 11 jurisdictions that worked with OECD countries to develop the Model Agreement on Exchange of Information in Tax Matters, on which the bilateral agreements with the Netherlands and the Nordic Council members are based.

The Isle of Man has ~~IMF~~the endorsement of the International Monetary Fund ("IMF") that it fully meets international standards in such areas as banking, insurance, securities, anti-money laundering and combating the financing of terrorism.

~~The Report dated October 2003 states that the regulatory and supervisory system of the Isle of Man complies well with the assessed international standards. The IMF commended the IoM for the attention they have given to upgrading the financial regulatory and supervisory system to meet international supervisory and regulation standards.~~

The Isle of Man is proud of its reputation as a well-regulated international financial centre. While its financial sector services many non-resident companies and individuals, it has no bank secrecy laws and requires that persons forming corporations or trusts obtain information on the beneficial owners of these accounts.



**Isle of Man
Government**

Reillys Ellan Vannin

Isle of Man Mission To Washington DC

November 2007

Multistate Tax Commission Proposed Model Statute For Combined Reporting

The Multistate Tax Commission ("MTC") has drafted model legislation ("Proposed Model Statute") that state lawmakers can use as a template to enact "combined reporting" tax legislation. The Proposed Model Statute permits corporations to make a "water's-edge election" that limits the businesses issuing the combined report to domestic and certain other corporations, including corporations doing business in tax havens. The Proposed Model Statute defines a tax haven as a jurisdiction that "is identified by the Organisation for Economic Co-operation and Development ("OECD") as a tax haven or as having a harmful preferential tax regime" or which exhibits certain characteristics "established by the OECD in its 1998 report entitled Harmful Tax Competition: An Emerging Global Issue." This definition of "tax haven" relies on outdated information and would create a blacklist that includes countries like the Isle of Man, which cannot be accurately classified today as a tax haven.

In 2005, the OECD advised that its tax haven list "should be seen in its historical context and as an evaluation by OECD member countries at a particular point in time of which countries met the criteria set out in the 1998 Report, Harmful Tax Competition: An Emerging Global Issue. More than five years have passed since the publication of the OECD list contained in the 2000 Report and positive changes have occurred in individual countries' transparency and exchange of information laws and practices since that time. The list has not been updated to reflect such changes." The OECD further noted that if a country chooses to create a list of tax-haven countries, "it should do so based on the relevant current facts. Thus, progress made in the implementation of the principles of transparency and effective exchange of information in tax matters should be taken into account by such countries and their legislatures. This statement does not reflect any judgment on the tax or other policies underlying country lists."

Jeffrey Owens, the Director of the OECD's Centre for Tax Policy and Administration, summed up the issue in testimony before the Senate Finance Committee this year, noting that "Offshore tax evasion is not about small islands that do not impose income taxes: it is about all countries that lack transparency and that are not prepared to cooperate to counter tax abuse."

The Isle of Man is transparent and cooperative on all international legal matters, including tax enforcement. The Isle of Man has signed and implemented a Tax Information Exchange Agreement ("TIEA") with the United States. It has no bank secrecy laws and requires that persons forming a corporation or trust in the Isle of Man obtain information on the beneficial owners of these accounts.

On 30 October 2007, the Isle of Man signed seven new TIEAs with each of the members of the Nordic Council (Denmark, the Faroe Islands, Finland, Greenland, Iceland, Norway and Sweden) and has received commendation from the OECD for "forging ahead in implementing its commitment to international standards." The OECD observed that: "The latest agreements bring to nine the number of such agreements entered into by the Isle of Man, thus enhancing its international standing and strengthening its integration into the international financial system. The Isle of Man has played a leading role in the OECD's initiative to improve transparency and exchange of information in tax matters."

In addition, the Financial Action Task Force ("FATF") reviewed the Island's defences against money-laundering and concluded that the Island is a co-operating jurisdiction with measures in place that adhere to the FATF's recommendations. Finally, an International Monetary Fund ("IMF") report, dated October 2003, states that the regulatory and supervisory system of the Isle of Man complies well with the assessed international standards. The IMF commended the Isle of Man for the attention it has given to upgrading its financial, regulatory and supervisory system to meet international supervisory and regulation standards.

The Proposed Model Statute's reference to the 1998 OECD designation of "tax havens" does not reflect current facts and should be omitted from the model language.

Section V - Informational Materials

Copy of materials disseminated on behalf of the Government of The Isle of Man to Rober Roach, Esq. via mail and email as indicated in item 12

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January 16, 2008

Robert L. Roach, Esq.
 Counsel & Chief Investigator to the
 Minority Permanent Subcommittee on Investigations
 United States Senate
 199 Russell Senate Office Building
 Washington, DC 20510

Re: Isle of Man -- Objective Criteria for Defining an "Offshore Secrecy Jurisdiction"

Dear Bob:

On November 8, 2007, government officials from the Isle of Man and I met with you to discuss S. 681 the "Stop Tax haven Abuse Act of 2007," introduced by Senator Carl Levin, Norm Coleman, and Barack Obama. S. 681 include an initial list of 34 foreign jurisdictions that will be treated as "offshore secrecy jurisdictions," including the Isle of Man. As you know, the list of jurisdictions in S. 681 is based on a 2005 request of the Internal Revenue Service ("IRS") for a "John Doe summons" regarding bank and credit card transactions between U.S. persons and banks and financial institutions located in the 34 specified jurisdictions.

The Isle of Man is concerned that being listed as an offshore secrecy jurisdiction would impugn its well-deserved reputation for meeting or exceeding international standards for the regulation of its financial services sector and cooperating with other jurisdictions, including the United States, to counter tax evasion. In addition, being treated as an offshore secrecy jurisdiction would deter U.S. persons from entering into legitimate and fully disclosed transactions involving entities or financial accounts located in the Isle of Man.

As we have noted before, the initial list of offshore secrecy jurisdictions in S. 681 does not reflect the relevant facts as they exist today. In our meeting, it was suggested that if it is necessary to have a list of offshore secrecy jurisdictions, such a list should not include any jurisdiction that lacks all objective characteristics of an offshore secrecy jurisdiction. This approach would encourage jurisdictions to cooperate in countering tax evasion by eliminating such characteristics.

The attached memorandum identifies and discusses the objective criteria that we suggest be incorporated in S. 681 to determine if a jurisdiction should be treated as an offshore secrecy

ALMATY ANKARA BANGKOK BEIJING BERLIN BRATISLAVA BRUSSELS BUDAPEST DRESDEN DÜSSELDORF FRANKFURT HAMBURG
 HELSINKI HONG KONG ISTANBUL JOHANNESBURG LONDON LOS ANGELES MEXICO CITY MIAMI MILAN MOSCOW MUNICH
 NEW YORK PALO ALTO PARIS PRAGUE RIYADH SÃO PAULO SHANGHAI SINGAPORE STOCKHOLM TOKYO WARSAW WASHINGTON, DC

January 16, 2008

WHITE & CASE

jurisdiction. If a jurisdiction has none of the objective characteristics, such jurisdiction would not be considered to be an offshore secrecy jurisdiction. If a jurisdiction has one or more of the objective characteristics, the jurisdiction would be considered to be an offshore secrecy jurisdiction.

Thank you for taking the time to review this memorandum. If you have any questions regarding this issue, please contact me at (202) 626-3666 or lcarlisle@whitecase.com.

Sincerely,



Linda E. Carlisle

LEC:jw

Attachment

cc: Mr. David Eiselsberg
Ian Solomon, Esq.

Edward D. Kleinbard, Esq.
Mr. Thomas A. Barthold
Christopher A. Gerke, Esq.
Brion D. Graber, Esq.
Allen J. Littman, Esq.
Allen Huffman, Esq.
Christopher L. Javens, Esq.
Joshua D. Odintz, Esq.
Aruna Kalyanam, Esq.
Kase W. Juboori, Esq.
Jonathan G. Traub, Esq.

John Harrington, Esq.

MEMORANDUM

WHITE & CASE
LIMITED LIABILITY PARTNERSHIP

Washington, DC

Date: January 16, 2008
To: Robert L. Roach
From: Linda E. Carlisle
Geoffrey B. Lanning
Re: Isle of Man - Objective Criteria for Defining an "Offshore Secrecy Jurisdiction"

On November 8, 2007, government officials from the Isle of Man met with you to discuss S. 681, the "Stop Tax Haven Abuse Act of 2007," introduced by Senators Carl Levin, Norm Coleman, and Barack Obama. As explained by Senator Levin in his introductory statement, "offshore secrecy jurisdictions" are foreign jurisdictions that maintain corporate, bank, and tax secrecy laws and industry practices that enable U.S. taxpayers to evade U.S. taxes by preventing U.S. tax authorities from gaining access to key financial and beneficial ownership information. S. 681 includes an initial list of 34 foreign jurisdictions that will be treated as "offshore secrecy jurisdictions," including the Isle of Man. The list of jurisdictions in S. 681 is based on a 2005 request of the Internal Revenue Service ("IRS") for a "John Doe summons" regarding bank and credit card transactions between U.S. persons and banks and financial institutions located in the 34 specified jurisdictions.

The Isle of Man is concerned that being listed as an offshore secrecy jurisdiction under S. 681 would impugn its well-deserved reputation for meeting or exceeding international standards for the regulation of its financial services sector and cooperating with other jurisdictions, including the United States, to counter tax evasion. In addition, being treated as an offshore

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secrecy jurisdiction would deter U.S. persons from entering into legitimate and fully disclosed transactions involving entities or financial accounts located in the Isle of Man.

As we have noted before, the initial list of offshore secrecy jurisdictions in S. 681 does not reflect the relevant facts as they exist today. No jurisdiction should be “blacklisted” as an offshore secrecy jurisdiction based on out-of-date facts. In addition, in our meeting it was suggested that if it is necessary to have a list of offshore secrecy jurisdictions, such a list should not include any jurisdiction that lacks any objective characteristics of an offshore secrecy jurisdiction. In order to encourage jurisdictions to cooperate in countering tax evasion, S. 681 should include a “safe harbor” of objective criteria that a jurisdiction can satisfy in order to be excluded from the list of offshore secrecy jurisdictions.

We suggest that S. 681 set forth specific objective characteristics that if present indicate that a jurisdiction should be treated as an offshore secrecy jurisdiction. If a jurisdiction has none of the objective characteristics, such jurisdiction would not be considered to be an offshore secrecy jurisdiction. If a jurisdiction has one or more of the objective characteristics, the jurisdiction would be considered to be an offshore secrecy jurisdiction.

The following discusses the characteristics that we suggest should be incorporated in S. 681.

I. Objective Characteristics.

A. The jurisdiction allows for the issuance of bearer shares.

A “bearer share” is a stock certificate that is the property of whomever is in possession of the certificate. Where a jurisdiction permits the issuance of bearer shares, the share register of the issuing company generally shows only the fact that the share has been issued, the date of

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issuance and the number of shares issued. The share register does not contain information regarding the identity of the shareholder. Because the owner of bearer shares cannot be determined, bearer shares may be used for tax evasion or avoidance, i.e., because tax authorities do not know who holds bearer shares, they cannot determine which parties may be subject to tax with respect to such shares.

B. The jurisdiction has statutory bank or business secrecy laws.

Statutory bank secrecy laws protect the identity of bank customers. Such laws inhibit countries from enforcing their tax laws or cooperating with other countries' efforts to enforce their tax laws.

Foreign jurisdictions may also have laws which have the effect of prohibiting or restricting the disclosure of business information ("business secrecy laws"). Business information hidden by statutory business secrecy laws may include information regarding the identity of business owners, the identity of relevant non-business owners, e.g., fiduciaries, agents, trustees, as well as accounting information. Because such information is often needed in a tax compliance investigation, it is important that the United States have the ability to obtain such information from other countries. If other countries lack the authority to obtain such information, the ability of the United States to enforce its tax laws is diminished.

C. The jurisdiction lacks a tax information exchange agreement ("TIEA") or income tax treaty in force with the United States covering the exchange of information with respect to both civil and criminal tax matters.

A TIEA provides the legal authority for a signatory country to provide information requested by the tax authority of the other signatory country for the purpose of investigating tax evasion or avoidance by persons subject to the internal tax laws of the requesting country. Since

the mid-1980s, the United States has maintained a policy of not entering into comprehensive income tax treaties, which generally provide for tax information exchange, with no or low income tax jurisdictions because a principal purpose of such income tax treaties, *i.e.*, the elimination of double income taxation of cross-border activities and investment flows, would not be served.¹ The United States initiated its TIEA program in 1983 to encourage entry into information exchange agreements by jurisdictions with which the United States would not enter into comprehensive income tax treaties.² Under a TIEA, the United States may obtain information from the signatory country that enables the United States to enforce its internal tax laws and prosecute U.S. taxpayers for tax evasion. The ability of the United States to obtain information from signatory countries also serves to deter U.S. taxpayers from attempting to evade tax through entities or accounts formed in such signatory countries.

D. The jurisdiction lacks “know-your-customer” rules approved by the IRS pursuant to Revenue Procedure 2000-12.

A qualified intermediary (“QI”) is any foreign financial intermediary, *e.g.*, a bank, broker or financial institution, that has entered into a QI withholding agreement with the IRS. Revenue Procedure 2000-12, 2000-1 C.B. 387 (“Rev. Proc. 2000-12”) provides guidance for entering into a QI withholding agreement and contains the application procedures for becoming a QI. Pursuant to Rev. Proc. 2000-12, the IRS will not enter into a QI withholding agreement with a foreign financial intermediary unless the IRS has approved of the “know-your-customer” rules that apply to the foreign financial intermediary. “Know-your-customer rules” are the applicable

¹ Statement of Paul H. O’Neill before the Senate Committee on Governmental Affairs Permanent Subcommittee on Investigations OECD Harmful Tax Practices Initiative, PO-486 (July 18, 2001), available at <<http://www.treas.gov/press/releases/po486.htm>>.

² Id.

country's laws, regulations, rules and administrative practices and procedures that apply to foreign financial intermediaries and require that they obtain documentation regarding the identity of their customers. Pursuant to Rev. Proc. 2000-12, the IRS publishes lists of countries for which it has approved such "know-your-customer rules." The IRS will not approve "know-your-customer rules" for countries that do not provide effective procedures for providing tax information to the United States for both civil tax administration and criminal tax enforcement purposes or have not taken significant steps towards achieving effective provision of such information.³

- E. The jurisdiction lacks anti-money laundering rules that comport with Financial Action Task Force recommendations or similar international standards.

The Financial Action Task Force ("FATF") is an inter-governmental body whose purpose is the development and promotion of international standards and policies to combat money laundering. The United States has been a member of FATF since 1990. In 1990, the FATF issued a report containing a set of forty recommendations that countries may implement to effectively combat money laundering.⁴ These recommendations include measures that make the identity of account holders readily available to governmental authorities. For example, recommendation 5 provides that financial institutions should not maintain anonymous accounts or accounts in obviously fictitious names, and furthermore that financial institutions should undertake customer due diligence measures, including verification of the identity of their customers. Similarly, recommendation 10 provides that financial institutions should maintain records on domestic and international transactions in order to swiftly comply with information

³ Rev. Proc. 2000-12, 2000-1 C.B. 387.

⁴ The list of forty recommendations is available at <<http://www.fatf-gafi.org>>.

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requests from governmental authorities. The recommendations, although aimed primarily at combating money laundering, seek to make information on the identity of account holders readily available to governmental authorities, information which may also be used to prevent tax evasion. The FATF periodically updates its recommendations to reflect changes that have occurred in money laundering practices and techniques.

Since 2000, the FATF has, on an annual basis, designated jurisdictions that do not adequately apply the FATF recommendations as “Non-Cooperative Countries and Territories.”⁵ If, however, a jurisdiction designated as a Non-Cooperative Country or Territory makes substantial progress in implementing anti-money laundering reforms, *i.e.*, the jurisdiction enacts laws and regulations necessary to adequately apply the FATF recommendations, the jurisdiction will not be designated a Non-Cooperative Country or Territory in the succeeding annual review.⁶

- F. The jurisdiction lacks laws requiring that information regarding the ownership of trusts, partnerships and other business entities formed in the jurisdiction be obtained and made available to the jurisdiction’s tax authority for purposes of exchanging tax information with the United States.

Foreign jurisdictions often have laws which require that information regarding the ownership of trusts, partnerships and other business entities formed in the jurisdiction be kept by governmental authorities, the entities themselves, or third party service providers, *e.g.*, trustees, or persons in the business of setting up partnerships or trusts. These laws assist in preventing the

⁵ Financial Action Task Force on Money Laundering, Report on Non-Cooperative Countries and Territories (February 14, 2000), available at <<http://www.fatf-gafi.org>>.

⁶ See, e.g., Financial Action Task Force on Money Laundering, FATF Annual Review of Non-Cooperative Countries and Territories (October 12, 2007) June 23, 2006), available at <<http://www.fatf-gafi.org>>.

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use of trusts or business entities to hide the identity of the ultimate owners of property held by such entities, which can facilitate tax evasion.

II. Application of Objective Characteristics.

If a jurisdiction lacks all of the characteristics described above, it would not be considered to be an offshore secrecy jurisdiction under S. 681. If a jurisdiction has one or more of the characteristics described above, it would be considered to be an offshore secrecy jurisdiction. This approach provides certainty to jurisdictions and encourages them to adopt practices that allow the United States access to information necessary to enforce U.S. tax laws.

Applying the above characteristics, the Isle of Man would not be categorized as an offshore secrecy jurisdiction for purposes of the list in S. 681 because it has none of these characteristics.

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Please let me know if you have any questions. Thank you for your consideration of this proposal.