



G S P U & ASSOCIATES LLC  
CHARTERED ACCOUNTANTS



## Decision No. 78 / 2020

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On Standards for Automatic Exchange  
of Financial Account Information

**Decision**

**No. 78 / 2020**

**On Standards for Automatic Exchange of Financial Account Information**

Based on the Income Tax Law promulgated by Royal Decree No. 28/2009;  
and

To the Royal Decree 34/2020 Ratifying the Convention on Mutual  
Administrative Assistance in Tax Matters;

In pursuant to the public interest,

**It has been decided as follow:**

**Article One**

The annexed Standards shall be followed for Automatic Exchange of  
Financial Account Information.

**Article Two**

This decision shall be published in the Official Gazette, and shall be  
enforced on the day following its date of publication.

**Issued on: 28 Muharram 1442 Hijri**

**Corresponding to: 17 September 2020**

**Saud Nassir Al Shukaily**  
**Chairman of Tax Authority**

# Standards for Automatic Exchange of Financial Account Information

## Article (1)

In application of this Decision, the words and phrases contained therein shall have the same meaning stipulated in the aforementioned Income Tax Law, and the following words and phrases wherever mentioned shall have the meanings next to them unless the context requires otherwise:

- 1- **The Agreement:** The Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information.
- 2- **CRS:** The Common Standard on Reporting and Due Diligence for Financial Account Information contained in Part II.B of the publication “Standard for Automatic Exchange of Financial Account Information in Tax Matters” approved by the Council of the Organisation for Economic Co-Operation and Development on 15 July 2014, as amended from time to time.
- 3- **CRS Commentaries:** The Commentaries on the CRS, contained in Part III.B of the publication “Standard for Automatic Exchange of Financial Account Information in Tax Matters” approved by the Council of the Organisation for Economic Co-Operation and Development on 15 July 2014, as amended from time to time.
- 4- **Participating Jurisdiction:** A jurisdiction which is listed in a list published by the Tax Authority.
- 5- **Pre-existing Account:** A Financial Account maintained by a Reporting Financial Institution as of 30 June 2019; or any financial account of an Account Holder, regardless of the date such financial account was opened if:
  - a) the Account Holder also holds with the Reporting Financial Institution (or with a Related Entity within the same jurisdiction as the Reporting Financial Institution) a Financial Account that is a Pre-existing Account;
  - b) the Reporting Financial Institution or the Related Entity within the same jurisdiction as the Reporting Financial Institution treats both of the aforementioned Financial Accounts, and any other Financial Accounts of the Account Holder that are treated as Pre-existing Accounts under this paragraph, as a single Financial Account for purposes of satisfying the standards of knowledge requirements set forth in paragraph A of Section VII of the CRS, and for purposes of determining the balance or value of any of the Financial Accounts when applying any of the account thresholds;
  - c) a Financial Account that is subject to AML/KYC procedures, the Reporting Financial Institution is permitted to satisfy such AML/KYC procedures for the Financial Account by relying upon the AML/KYC procedures performed for the Pre-existing Account described in paragraph (a) of this definition; and
  - d) the opening of the Financial Account does not require the provision of new, additional or amended customer information by the Account Holder other than for purposes of the CRS.

- 6- Reportable Jurisdiction:**
- a) For the purposes of applying the CRS due diligence procedures, any jurisdiction other than Oman or the United States of America.
  - b) A jurisdiction that is another party with Sultanate of Oman in an international agreement for the automatic exchange of information for tax purposes, and is a participating jurisdiction for reporting.
- 7- Designated persons:** Any financial institution and customers according to the definition contained in the CRS and its commentaries, and it includes in particular the following: -
- a) **Reporting Financial Institution:** Any Omani Financial Institution that is not a Non-Reporting Financial Institution.
  - b) **Financial Institution in Oman:** Any Financial Institution that is resident in Oman or branches of a Financial Institution that is not resident in Oman if that branch is located in Oman, excluding branches of Financial Institution outside Sultanate of Oman
- 8- Related Entity:** Any Entity that controls other Entity, or two Entities that are under common control, or two Investment Entities that are under common management, and such management fulfils the due diligence obligations of such Investment Entities. For this purpose, control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.

#### **Article (2)**

For the purposes of implementing the provisions of this decision, designated persons shall apply the Common Standard and in its commentaries for the purpose of exchanging financial information. The Chairperson may issue guidelines to implement the provisions of this decision.

#### **Article (3)**

The Commentaries of the Common Reporting Standard are binding on each Reporting Financial Institution.

#### **Article (4)**

Each financial institution that is a Reporting Financial Institution shall apply the due diligence requirements in the CRS to identify Reportable Accounts.

## Article (5)

A Reporting Financial Institution may:

1. apply the due diligence procedures for New Accounts to Pre-existing Accounts, and the due diligence procedures High Value Accounts to Lower Value Accounts;
2. check the residence address as described in subparagraph B(1) of Section III of the CRS to a Lower Value Account;
3. apply paragraphs A to C of Section V of the CRS to determine the due diligence procedures for Pre-existing Entity Account.
4. use as Documentary Evidence any classification in the institution's records with respect to the Account Holder that was determined based on a standardised industry coding system, in accordance with paragraph 154 of the CRS Commentaries on Section VIII of the CRS;
5. use "the alternative documentation procedure" for certain employer-sponsored group insurance contracts or annuity contracts in accordance with the provision contained paragraph 13 of the CRS Commentaries on Section VII of the CRS; and
6. Treat beneficiaries of a trust as Controlling Person(s) of the trust with the scope of the beneficiaries of a trust treated as Reportable Persons of a trust that is a Financial Institution, in accordance with paragraph 134 of the CRS Commentaries on Section VIII of the CRS.

## Article 6

1. For the purpose of applying the provisions of articles 4 and 5, the dates specified in the CRS shall be read as:

Subparagraph C(6) of Section III	30 June 2019
Paragraph D of Section III in respect of High Value Accounts	31 December 2019
Paragraph D of Section III in respect of Lower Value Account	31 December 2020
Paragraph A of Section V	30 June 2019
Paragraph B of Section V in respect in the first instance	30 June 2019
Paragraph B of Section V in the second instance	30 June 2019

subparagraph E(1) of Section V, in the first instance	30 June 2019
subparagraph E(1) of Section V, in the second instance	31 December 2020
subparagraph E(2) of Section V, 30 June 2019	30 June 2019
subparagraph B(8)(b) of Section VIII	1 July 2019
In subparagraph C(10) of Section VIII	1 July 2019
subparagraph C(14) of Section VIII	30 June 2019
subparagraph C(15) of Section VIII	30 June 2019

The term “a subsequent calendar year” or “subsequent year” includes the period from 1 July 2019 to 31 December 2019 for the purposes of applying paragraphs a) and b) of Section I, subparagraph C (6) of Section III, paragraph A of Section V, paragraph B of Section V, subparagraph E (2) of Section V, and subparagraph C (15) of Section VIII of the CRS.

### **Article (7)**

1. A Reporting Financial Institution shall file a report, in respect of the subsequent calendar year, to the Tax Authority including the information required to be reported described in paragraphs A and B of Section I of the CRS, subject to paragraphs C to E in that Section, in relation to every account identified as a Reportable Account that is maintained by the institution at any time during a calendar year.
2. The report referred in paragraph one of this Article shall be filed electronically using a technology approved by the Tax Authority. The report required to be filed shall be submitted on or before 31 May of the year following the calendar year to which the report relates.
3. If a Reporting Financial Institution applies the due diligence requirements in the CRS for a calendar year and no account is identified as a Reportable Account, the institution shall file with the Tax Authority a report stating that the institution maintains no Reportable Accounts for that year.

### **Article 8**

A Reporting Financial Institution shall establish, maintain and document the due diligence procedures required to be applied in order to identify the reportable accounts. This procedure includes keeping records that the institution obtains or creates for the purpose of complying with the CRS and these Rules and Procedures, including self-certifications and records of Documentary Evidence; and retain those records for a period of at least five years after the end of the period within which the institution must report the information required to be reported under the CRS.

### **Article 9**

In determining the balance or value of an account denominated in a currency other than USD for the purposes of the CRS, a Reporting Financial Institution shall translate the relevant USD threshold amount described in the CRS into the other currency by reference to the spot rate of exchange on the date for which the institution is determining the threshold amounts.

### **Article 10**

All USD amounts in the CRS shall be read to include equivalent amounts in Omani Riyals.

قائمة الدول المشاركة مع عمان في التبادل التلقائي لمعلومات الحسابات المالية

**List of reportable jurisdictions participating with Oman for the Automatic Exchange of Financial Account Information**

Reportable Jurisdiction	السلطة المختصة في الدولة	
Portugal	البرتغال	1
Sweden	السويد	2
Denmark	الدنمارك	3
China	الصين	4
United Kingdom	المملكة المتحدة	5
Austria	النمسا	6
India	الهند	7
Japan	اليابان	8
Greece	اليونان	9
Spain	إسبانيا	10
Estonia	إستونيا	11
Italy	إيطاليا	12
Germany	ألمانيا	13
Ireland	إيرلندا	14
Belgium	بلجيكا	15
Bulgaria	بلغاريا	16
Poland	بولندا	17
Czech Republic	جمهورية التشيك	18
Slovak Republic	جمهورية سلوفاكيا	19
Romania	رومانيا	20
Slovenia	سلوفينيا	21
Singapore	سنغافورة	22
France	فرنسا	23
Finland	فنلندا	24
Cyprus	قبرص	25
Croatia	كرواتيا	26
Latvia	لاتفيا	27
Luxembourg	لوكسمبورج	28
Lithuania	ليتوانيا	29
Malta	مالطا	30
Hungary	هنغاريا	31
Netherlands	هولندا	32