

**No. 55489\***

---

**Ireland  
and  
St. Christopher and Nevis**

**Agreement between Ireland and Saint Christopher (Saint Kitts) and Nevis for the exchange of information relating to tax matters. London, 20 July 2015**

**Entry into force:** *14 April 2017 by notification, in accordance with article 13*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *Ireland, 20 November 2018*

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

---

**Irlande  
et  
Saint-Christophe-et-Nevis**

**Accord entre l'Irlande et Saint Christophe (Saint Kitts) et Nevis relatif à l'échange de renseignements en matière fiscale. Londres, 20 juillet 2015**

**Entrée en vigueur :** *14 avril 2017 par notification, conformément à l'article 13*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Irlande,  
20 novembre 2018*

*\*Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN  
IRELAND  
AND  
SAINT CHRISTOPHER (SAINT KITTS) AND NEVIS  
FOR THE  
EXCHANGE OF INFORMATION RELATING TO TAX MATTERS**

**The Government of Ireland and the Government of Saint Christopher (Saint Kitts) and Nevis desiring to  
facilitate the exchange of information with respect to taxes have agreed as follows:**

## **Article 1**

### **Object and Scope of the Agreement**

The competent authorities of the Contracting Parties shall provide assistance through exchange of information that is foreseeably relevant to the administration and enforcement of the domestic laws of the Contracting Parties concerning taxes covered by this Agreement. Such information shall include information that is foreseeably relevant to the determination, assessment and collection of such taxes, the recovery and enforcement of tax claims, or the investigation or prosecution of tax matters. Information shall be exchanged in accordance with the provisions of this Agreement and shall be treated as confidential in the manner provided in Article 8. 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**

### **Jurisdiction**

A Requested Party is not obligated to provide information which is neither held by its authorities nor in the possession or control of persons who are within its territorial jurisdiction.

## **Article 3**

### **Taxes Covered**

1. The taxes which are the subject of this Agreement are all taxes imposed or administered on the date of signature of the Agreement.
2. This Agreement shall also apply to any identical taxes imposed after the date of signature of the Agreement in addition to or in place of the existing taxes. This Agreement shall also apply to any substantially similar taxes imposed after the date of signature of the Agreement in addition to or in place of the existing taxes if the competent authorities of the Contracting Parties so agree. Furthermore, the taxes covered may be expanded or modified by mutual agreement of the Contracting Parties in the form of an exchange of letters. The competent authorities of the Contracting Parties shall notify each other of any substantial changes to the taxation and related information gathering measures covered by the Agreement.

## **Article 4**

### **Definitions**

1. For the purposes of this Agreement, unless otherwise defined:
  - a) the term "Contracting Party" means Saint Kitts and Nevis or Ireland as the context requires;
  - b) the term "Saint Christopher (Saint Kitts) and Nevis" means the twin island Federation of Saint Christopher (Saint Kitts) and Nevis and, when used in the geographical sense, means the territories of Saint Kitts and Nevis;
  - c) the term "Ireland" includes any area outside the territorial waters of Ireland which has been or may hereafter be designated, under the laws of Ireland concerning the Exclusive Economic Zone and the Continental Shelf, as an area within which Ireland may exercise such sovereign rights and jurisdiction as are in conformity with international law;
  - d) the term "competent authority" means

- i) in the case of Saint Kitts and Nevis, the Financial Secretary or the Financial Secretary's authorised representative;
  - ii) in the case of Ireland, the Revenue Commissioners or their authorised representative;
  - e) the term "person" includes an individual, a company and any other body of persons;
  - f) the term "company" means any body corporate or any entity that is treated as a body corporate for tax purposes;
  - g) the term "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;
  - h) the term "principal class of shares" means the class or classes of shares representing a majority of the voting power and value of the company;
  - i) the term "recognised stock exchange" means any stock exchange agreed upon by the competent authorities of the Contracting Parties;
  - j) the term "collective investment fund or scheme" means any pooled investment vehicle, irrespective of legal form. The term "public collective investment fund or scheme" means any collective investment fund or scheme provided the units, shares or other interests in the fund or scheme can be readily purchased, sold or redeemed by the public. Units, shares or other interests in the fund or scheme can be readily purchased, sold or redeemed "by the public" if the purchase, sale or redemption is not implicitly or explicitly restricted to a limited group of investors;
  - k) the term "tax" means any tax to which the Agreement applies;
  - l) the term "applicant Party" means the Contracting Party requesting information;
  - m) the term "requested Party" means the Contracting Party requested to provide information;
  - n) the term "information gathering measures" means laws and administrative or judicial procedures that enable a Contracting Party to obtain and provide the requested information;
  - o) the term "information" means any fact, statement or record in any form whatever;
  - p) the term "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 applicant Party;
  - q) the term "criminal laws" means all criminal laws designated as such under domestic law irrespective of whether contained in the tax laws, the criminal code or other statutes.
2. As regards the application of this Agreement at any time by a Contracting 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.

## **Article 5**

### **Exchange of Information Upon Request**