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**A RESOLUTION**

**to approve the accession of the Republic of the Marshall Islands to the Convention on Mutual Administrative Assistance in Tax Matters, as amended by the 2010 Protocol**

**WHEREAS**, the Convention on Mutual Administrative Assistance in Tax Matters, as amended by the 2010 Protocol (the “Convention”) came into force on June 1, 2011; and

**WHEREAS**, the Republic of the Marshall Islands is conscious of the need for international co-operation to counter tax evasion and other forms of tax non-compliance and has committed to the new international standard for automatic exchange of information; and

**WHEREAS**, the Republic of the Marshall Islands recognizes that to honor its commitment to the automatic exchange of information it must take the steps necessary to implement automatic exchange of information, including the establishment of an underlying legal basis for exchanging information; and

**WHEREAS**, the Convention provides the necessary legal basis for member States to enter automatic exchange of information relationships with other member States; and

**WHEREAS**, the Republic of the Marshall Islands desires to maintain its standing as an active member of the international community by signing, acceding, and adhering to relevant international instruments and agreements; and

**WHEREAS**, upon receipt of a letter of invitation from the Parties to the Convention to accede to the Convention, the Republic of the Marshall Islands wishes to accede to the Convention pursuant to Article 28 of the Convention; and

25           **WHEREAS**, the Republic of the Marshall Islands wishes to accede to the  
26 Convention with the following reservations pursuant to Article 30:

27       ***Republic of the Marshall Islands Reservation***

28           *In connection with the ratification by the Republic of the Marshall Islands of the*  
29 *Convention, the Government of the Republic of the Marshall Islands declares that it reserves*  
30 *the right:*

31           *a. not to provide any form of assistance in relation to the taxes of other Parties in any*  
32 *of the categories listed in sub-paragraph b. of paragraph 1 of Article 2 of the*  
33 *Convention, provided that it has not included any domestic tax in that category under*  
34 *Annex A of the Convention;*

35           *b. not to provide assistance in the recovery of any tax claim, or the recovery of an*  
36 *administrative fine, for all taxes;*

37           *c. not to provide assistance in respect of any tax claim, which is in existence at the*  
38 *date of entry into force of the Convention in respect of the Republic of the Marshall*  
39 *Islands;*

40           *d. not to provide assistance in the service of documents for all taxes; and*

41           *e. to apply paragraph 7 of Article 28 of the Convention exclusively for administrative*  
42 *assistance related to taxable periods beginning on or after 1 January of the third year*  
43 *preceding the one in which the Convention entered into force in respect of a Party, or*  
44 *where there is no taxable period, for administrative assistance related to charges to*  
45 *tax arising on or after 1 January of the third year preceding the one in which the*  
46 *Convention entered into force in respect of a Party.*

47           **NOW THEREFORE, BE IT RESOLVED** by the people of the Republic of the  
48 Marshall Islands, through their Nitijela in its 37<sup>th</sup> Constitutional Regular Session, 2016, that for  
49 the purposes of Article V, section 1(3)(d) of the Constitution, the Nitijela hereby APPROVES  
50 the accession of the Republic of the Marshall Islands to the Convention on Mutual  
51 Administrative Assistance in Tax Matters, as amended by the 2010 Protocol.

52           **BE IT FURTHER RESOLVED** that the Minister of Foreign Affairs or the Minister of  
53 Finance are authorized to execute the appropriate letters and transmittals associated with the  
54 deposit of the accession document.

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56 Date: March 2, 2016

Introduced by:

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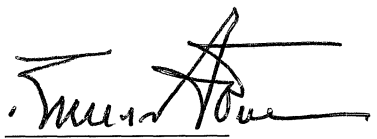
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Brenson S. Wase

PRINT NAME



Signature

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