

# Cayman Islands

1. The Cayman Islands was reviewed as part of the 2017/2018 and the 2018/2019 peer reviews. This report is supplementary to those previous reports (OECD, 2019<sup>[1]</sup>) (OECD, 2018<sup>[2]</sup>).
2. The first filing obligation for a CbC report in the Cayman Islands applies to reporting fiscal years commencing on or after 1 January 2016.

## Summary of key findings

3. The Cayman Islands' implementation of the Action 13 minimum standard meets all applicable terms of reference (OECD, 2017<sup>[3]</sup>).

## Part A: The domestic legal and administrative framework

4. The Cayman Islands meets all the terms of reference relating to the domestic legal and administrative framework.

### ***(a) Parent entity filing obligation***

5. No changes were identified.

### ***(b) Scope and timing of parent entity filing***

6. No changes were identified.

### ***(c) Limitation on local filing obligation***

7. No changes were identified.

### ***(d) Limitation on local filing in case of surrogate filing***

8. No changes were identified.

### ***(e) Effective implementation***

9. No changes were identified.

### ***Conclusion***

10. The Cayman Islands meets all the terms of reference relating to the domestic legal and administrative framework.

## Part B: The exchange of information framework

### ***(a) Exchange of information framework***

11. As of 31 March 2020, the Cayman Islands has 56 bilateral relationships in place, including those activated under the CbC MCAA and under bilateral CAAs. Within the context of its international exchange of information agreements that allow automatic exchange of information, the Cayman Islands has taken steps to have qualifying competent authority agreements in effect with jurisdictions of the

Inclusive Framework that meet the confidentiality, consistency and appropriate use conditions.<sup>1</sup> Regarding the Cayman Islands' exchange of information framework, no inconsistencies with the terms of reference were identified.

***(b) Content of information exchanged***

12. No changes were identified.

***(c) Completeness of exchanges***

13. No changes were identified.

***(d) Timeliness of exchanges***

14. No changes were identified.

***(e) Temporary suspension of exchange or termination of QCAA***

15. No changes were identified.

***(f) Consultation with other Competent Authority before determining systemic failure or significant non-compliance***

16. No changes were identified.

***(g) Format for information exchange***

17. No changes were identified.

***(h) Method for transmission***

18. No changes were identified.

***Conclusion***

19. The Cayman Islands meets all the terms of reference regarding the exchange of information.

## **Part C: Appropriate use**

***Appropriate use***

20. No changes were identified.

***Conclusion***

21. The Cayman Islands is a non-reciprocal jurisdiction and, as such, will not receive CbC reports submitted to tax authorities in other jurisdictions, and will not apply local filing. As such, it is not necessary for this peer review evaluation to reach any conclusion with respect to these paragraphs of the terms of reference.

## Summary of recommendations on the implementation of country-by-country reporting

Aspect of the implementation that should be improved		Recommendation for improvement
Part A	Domestic legal and administrative framework	-
Part B	Exchange of information framework	-
Part C	Appropriate use	-

## References

- OECD (2019), *Country-by-Country Reporting – Compilation of Peer Review Reports (Phase 2): Inclusive Framework on BEPS: Action 13*, OECD/G20 Base Erosion and Profit Shifting Project, OECD Publishing, Paris, <https://dx.doi.org/10.1787/f9bf1157-en>. [1]
- OECD (2018), *Country-by-Country Reporting – Compilation of Peer Review Reports (Phase 1): Inclusive Framework on BEPS: Action 13*, OECD/G20 Base Erosion and Profit Shifting Project, OECD Publishing, Paris, <https://dx.doi.org/10.1787/9789264300057-en>. [2]
- OECD (2017), *Terms of reference for the conduct of peer review of the Action 13 minimum standard on country-by-country reporting*, OECD Publishing, <https://www.oecd.org/tax/beps/beps-action-13-on-country-by-country-reporting-peer-review-documents.pdf>. [3]

## Note

<sup>1</sup> No inconsistency with the terms of reference will be identified where a QCAA is not in effect with one or more jurisdictions of the Inclusive Framework that meet the confidentiality, consistency and appropriate use conditions, but this is due to circumstances that are not under the control of the reviewed jurisdiction. This may include, for example, where the other jurisdiction intends to exchange CbC reports using the MCAA but it does not have the Convention in effect for the relevant fiscal period, or where the other jurisdiction has declined to have a QCAA in effect with the reviewed jurisdiction



From:

## Country-by-Country Reporting – Compilation of Peer Review Reports (Phase 3)

Inclusive Framework on BEPS: Action 13

Access the complete publication at:

<https://doi.org/10.1787/fa6d31d7-en>

### Please cite this chapter as:

OECD (2020), “Cayman Islands”, in *Country-by-Country Reporting – Compilation of Peer Review Reports (Phase 3) : Inclusive Framework on BEPS: Action 13*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/dded6586-en>

This work is published under the responsibility of the Secretary-General of the OECD. The opinions expressed and arguments employed herein do not necessarily reflect the official views of OECD member countries.

This document, as well as any data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area. Extracts from publications may be subject to additional disclaimers, which are set out in the complete version of the publication, available at the link provided.

The use of this work, whether digital or print, is governed by the Terms and Conditions to be found at <http://www.oecd.org/termsandconditions>.