

**AUTOMATIC EXCHANGE OF INFORMATION ON FINANCIAL ACCOUNTS FOR TAXATION PURPOSES**

**Information and instructions for customers**

**The purpose of adopting the uniform standard for automatic exchange of information about financial accounts and Council Directive 2014/107/EU**

Countries, which are members of the Organisation for Economic Cooperation and Development (OECD), have committed themselves to combat together cross-border tax frauds, tax evasion and agressive tax planning. With such purpose, on 29 October 2014 Slovenia also acceded to the signature of Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information, with which it has committed itself to notify other states of information about financial accounts.

With the purpose that the extended automatic exchange of information about financial accounts within the European Union will be in compliance with the international development in this field, on 9 December 2014 EU Council adopted Council Directive 2014/107/EU amending Council Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation.

**Transposition of Directive 2014/107/EU and OECD standard into the Tax Procedure Act**

The Directive and OECD standard were transposed into the Slovene legal order with the Act amending the Tax Procedure Act – ZDavP-2l (Official Gazette of the RS, no. 91/2015), which came into force on 1 January 2016.

**The influence of reporting about financial accounts on operations of customers in financial institutions**

Financial institutions shall report the information on financial accounts of non-residents to the Financial Administration of the Republic of Slovenia annually. This is the reason why financial institutions shall obtain the prescribed data from customers, including also the data on the residence of customers for tax purposes. Customers send those data to financial institutions on the special form – self-certification.

Individuals are residents for tax purposes in those states, where they shall pay taxes on all their incomes, which they achieve anywhere in the world, due to their permanent residence or any similar criterion (residence, presence exceeding 183 days in the fiscal year or any period of 12 months, centre of personal and economic interests). Individuals are not residents for tax purposes in those states, where they pay taxes only on income with the source in those states. The information on tax residence may be obtained also at the competent tax authority. Such authority in Slovenia is the Financial Administration of the Republic of Slovenia, which may issue a tax residence certificate upon request of the customer, and the competent authority abroad is a foreign tax authority.

When individuals are residents for tax purposes in two or several states at the same time, the tax number and the state of residence shall be stated on the self-certification for all states, where such persons are residents. In case of doubt which state is considered to be the state of residence of individuals (or legal entities), both or several residences for tax purposes are stated.

Legal persons are considered residents for tax purposes in that state, where they shall pay taxes on all of their worldwide incomes due to their registered office, place of effective management or other similar criterion.

The Financial Administration of the Republic of Slovenia sends the prescribed information about financial accounts from 2017 onwards annually to the competent authority of another state, in which the customer is a resident for tax purposes. The following items are reported: account balance, interest, dividends, gross proceeds of sale or redemption and other possible incomes, which are attributed to the account.

The information is reported about financial accounts of natural and legal persons and about controlling persons of passive non-financial entities.

**Publication and use of forms**

Financial institutions may obtain the data, which are a constituent part of self-certification, from customers through the form, which is published non-exhaustively on the website of the Financial Administration of the Republic of Slovenia under the section 'Detailed descriptions'.

Customers are responsible for the accuracy of data entered in the form and they shall immediately inform the financial institution about any change of their data.

Financial institutions will obtain and use the data for the purposes of implementing the Tax Procedure Act.

**Additional information**

For additional information on the content of legislation, go to the website of the Financial Administration of the Republic of Slovenia: [www.fu.gov.si/crs](http://www.fu.gov.si/crs).

Customers may consult also their tay advisers.

Financial institutions and the Financial Administration of the Republic of Slovenia don't perform taxation advisory services.

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