



Council of the
European Union

Brussels, 30 April 2020
(OR. en)

7446/20
ADD 3

FISC 96

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
To: Code of Conduct Group (Business Taxation)
Subject: The EU list of non-cooperative jurisdictions for tax purposes
– Barbados: final legislation and assessment under criterion 2.2
= Companies (Economic Substance) Amendment Act, 2019

OBJECTS AND REASONS

This Bill would amend the *Companies (Economic Substance) Act, 2019* (Act 2019-43).

Arrangement of Sections

1. Short title
2. Amendment of section 7 of Act 2019-43
3. Amendment of section 9 of Act 2019-43

BARBADOS

A Bill entitled

An Act to amend the *Companies (Economic Substance) Act, 2019*
(Act 2019-43).

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Companies (Economic Substance) (Amendment) Act, 2019*.

Amendment of section 7 of Act 2019-43

2. *Section 7 of the Companies (Economic Substance) Act, 2019 (Act 2019-43), in this Act referred to as the principal Act, is amended by deleting the shoulder note and substituting the following:*

“Tax residence outside Barbados”.

Amendment of section 9 of Act 2019-43

3. *Section 9 of the principal Act is amended*

(a) *in subsection (4) by*

(i) *deleting the words “subsection (4)” and substituting the words “subsection (3)”;*

(ii) *deleting paragraph (b) and substituting the following:*

“(b) where the high risk intellectual property company is incorporated outside Barbados, the Barbados competent authority shall forward the information to the foreign competent authority of the country or territory in which

(i) the holding company;

(ii) the ultimate holding company of the resident company;
and

(iii) the ultimate beneficial owner,

of the company, is resident.”; and

(b) in subsection (5)

(i) by deleting the words “section 8” wherever they appear and substituting the words “section 7”; and

(ii) by deleting the words “; or” appearing at the end of paragraph (a) and substituting the words “; and”.

Read three times and passed the House of Assembly this
day of _____, 2019.

Speaker

Read three times and passed the Senate this _____ day of
, 2019.

President