

No. 13323

UNITED STATES OF AMERICA
and
TRINIDAD AND TOBAGO

Exchange of notes constituting an agreement relating to technical assistance in tax administration. Port of Spain, 20 June 1968

Exchange of notes constituting an agreement amending the above-mentioned Agreement. Port of Spain, 17 and 28 December 1970

Exchange of notes constituting an agreement amending the above-mentioned Agreement of 20 June 1968, as amended. Port of Spain, 18 April and 30 August 1973

Authentic text: English.

Registered by the United States of America on 30 May 1974.

ÉTATS-UNIS D'AMÉRIQUE
et
TRINITÉ-ET-TOBAGO

Échange de notes constituant un accord relatif à une assistance technique en matière d'administration fiscale. Port of Spain, 20 juin 1968

Échange de notes constituant un accord modifiant l'Accord susmentionné. Port of Spain, 17 et 28 décembre 1970

Échange de notes constituant un accord modifiant l'Accord susmentionné du 20 juin 1968, tel que modifié. Port of Spain, 18 avril et 30 août 1973

Texte authentique : anglais.

Enregistrés par les États-Unis d'Amérique le 30 mai 1974.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
TRINIDAD AND TOBAGO RELATING TO TECHNICAL AS-
SISTANCE IN TAX ADMINISTRATION

I

*The American Ambassador to the Prime Minister and Minister of Finance
of Trinidad and Tobago*

Port of Spain, June 20, 1968

Excellency:

I have the honor to refer to (a) the Report of Tax Administration in Trinidad and Tobago, which, at the request of your Government, was prepared in September 1967 by the Foreign Tax Assistance Staff of the United States Internal Revenue Service, (b) subsequent discussions between officials of our two Governments related to the availability of additional technical assistance from the United States in the field of tax administration, and to (c) a letter addressed to me by Your Excellency under the date of January 22, 1968, confirming the desire of the Government of Trinidad and Tobago to obtain technical assistance in this field on a reimbursable basis. Therefore, the United States Government proposes that our two Governments cooperate in such a program of technical assistance in accordance with the following conditions and precepts.

I. *Purpose and scope of the program*

The central purpose of the program will be to collaborate with the Government of Trinidad and Tobago in the design of measures aimed at achieving a modernized, strengthened, and equitable administration of its tax laws. To this end it is proposed that:

(1) The scope of the technical assistance effort will cover the administrative and enforcement aspects of all tax laws under the jurisdiction of the Board of Inland Revenue.

(2) The nature of the technical assistance will be advisory only, as distinguished from operational; and the advisory service will be limited to tax administration, as distinguished from tax policy.

(3) The advisory assistance effort will cover such areas, as mutually agreed, as the examination of tax returns; identification of delinquent taxpayers; enforcement of collections; processing and control of tax returns and remittances; the conduct of tax fraud investigations; organizational analysis; training, taxpayer education and assistance; planning and research; taxpayer appeals and personnel administration.

(4) The duration of the program is expected to be about two years, and the total payments under the program by the Government of Trinidad and Tobago to the Internal Revenue Service will not exceed US \$110,000.

¹ Came into force on 20 June 1968, the date of the note in reply, in accordance with provisions of the said notes.

II. *Services to be provided by the United States*

(1) The Internal Revenue Service of the United States Treasury Department, acting with and through its Foreign Tax Assistance Staff, will make available a Senior Tax Advisor who, working with the Ministry of Finance and the Board of Inland Revenue, will provide on-site technical assistance to the Government of Trinidad and Tobago for a period of at least one year, and for such additional time as may be mutually agreed. In addition, short-term specialists will be made available under this program as necessary and as mutually agreed.

(2) The Internal Revenue Service will accept responsibility for determining the qualifications and suitability of advisors selected for this assignment, and will select personnel who are acceptable to the Government of Trinidad and Tobago.

(3) The Internal Revenue Service will provide, as mutually agreed, for the training in the United States of officials of the Board of Inland Revenue. This training normally will involve short-term tours to observe and study the organization, programs, and operations of the Internal Revenue Service.

(4) The Internal Revenue Service advisory team will operate under and receive technical direction and support, including materials and publications, from the Foreign Tax Assistance Staff.

III. *Services to be provided by Trinidad and Tobago*

(1) The Government of Trinidad and Tobago will assign, as necessary, officials of the Board of Inland Revenue to collaborate with the Internal Revenue Service advisory personnel in designing measures to promote the tax administration modernization effort with a view toward the timely and effective implementation of such measures which, in its judgment, will advance this effort.

(2) The Government of Trinidad and Tobago will finance the travel of its officials who are selected for training in the United States, including costs covering transportation, per diem, and salaries.

(3) The Government of Trinidad and Tobago will provide the Internal Revenue Service advisory team with office space, supplies, and equipment, and with secretarial services and essential transportation within Trinidad and Tobago.

(4) The Government of Trinidad and Tobago will grant to Inland Revenue Service Advisors exemption from any form of direct taxation on salaries, remunerations and allowances paid by the Government of the United States of America or derived from sources outside Trinidad and Tobago; from taxes and other charges on the purchase and use of one motor-car each; and from the payment of customs duties and other charges on imports in respect of their furniture and effects, including one motor-car each, on first installation in Trinidad and Tobago in connection with this program. The Senior Tax Advisor will in addition be entitled to exemption from the payment of customs duties on imports in respect of articles imported for his use. Articles purchased or imported under such exemptions shall not be sold within Trinidad and Tobago except with the consent of and under the conditions agreed by the Government of Trinidad and Tobago.

IV. *Financing*

(1) The costs of salaries and fringe benefits, international travel, and per diem of all the Internal Revenue Service Advisors, plus the allowances to which the Senior Tax Advisor and members of his immediate household are entitled under the United States Foreign Service Act, as amended, will be defrayed, in the first instance, by the Internal Revenue Service.

(2) The Government of Trinidad and Tobago will reimburse the Internal Revenue Service for the foregoing direct costs actually incurred, plus 22 per cent of such direct costs to cover indirect costs.

(3) Payments will be made quarterly in US dollars on the basis of accounts to be presented by the Internal Revenue Service.

(4) The United States Government agrees that this project is to be regarded as an approved project for financing under the Agreement between Trinidad and Tobago and the United States, signed November 20, 1962, in London, and further agrees that a portion of the accumulated interest accruing from funds provided under that Agreement may be used to defray the cost of the project.

V. *Amendment and termination*

(1) Either of the two Governments may request renegotiation of any or all of the foregoing provisions.

(2) Either Party may terminate the program before completion of the services provided herein, with the understanding that there will be advance consultation between the Parties, and that the termination date will be fixed sufficiently in advance to permit orderly withdrawal of personnel and other adjustments.

VI. *Effective date*

The Government of the United States of America will consider that this note and your reply note concurring in the foregoing proposal constitute an agreement between our two Governments, to enter into effect on the date of your reply.

Accept Excellency, the renewed assurances of my highest consideration.

WILLIAM A. COSTELLO

Dr. the Right Honorable Eric Williams
Prime Minister and Minister of Finance
Government of Trinidad and Tobago
Port of Spain

II

*The Prime Minister and Minister of Finance of Trinidad and Tobago
to the American Ambassador*

MINISTRY OF FINANCE
PORT OF SPAIN

20 June 1968

Excellency,

I have the honour to refer to your note dated 20 June 1968, which reads as follows:

[See note I]

I have the honour to confirm that the abovementioned proposals are acceptable to the Government of Trinidad and Tobago and that Your Excellency's note, together with this reply, shall be regarded as constituting an agreement between our two Governments.

Please accept, Excellency, the renewed assurances of my highest consideration.

ERIC WILLIAMS
Prime Minister and Minister of Finance

His Excellency Mr. William A. Costello
Ambassador Extraordinary and Plenipotentiary
Embassy of the United States of America
Port of Spain

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
TRINIDAD AND TOBAGO AMENDING THE AGREEMENT
OF 20 JUNE 1968² RELATING TO TECHNICAL ASSIS-
TANCE IN TAX ADMINISTRATION

I

The American Ambassador to the Prime Minister of Trinidad and Tobago

No. 91

Port of Spain, December 17, 1970

Excellency:

I have the honour to refer to note No. 820 dated 20th August, 1970* from the Ministry of External Affairs of Trinidad and Tobago to the Embassy of the United States of America requesting an additional 68 man-months of services of United States tax experts under the arrangements for technical co-operation in tax administration provided for in the agreement embodied in the exchange of notes between my predecessor, Ambassador Costello, and Your Excellency under date of June 20, 1968.² My Government is prepared to extend and amplify this technical cooperation project as requested. With this end in view, I propose that the Agreement of June 20, 1968, be amended as follows:

(1) Section I, paragraph (4), to be altered to read as follows: "The duration of the program is expected to be about four years, and the total payments under the program by the Government of Trinidad and Tobago to the Internal Revenue Service will not exceed US \$335,000.00".

(2) Section II, paragraph (1). The last sentence to be altered to read "In addition, long-term and short-term specialists will be made available under this program as necessary and as mutually agreed".

(3) Section III, paragraph (4). The second sentence to be altered to read "Resident Tax Advisors will in addition be entitled to exemption from the payment of customs duties on imports in respect of articles imported for their use".

(4) Section IV, paragraph (1). The passage beginning with "Senior Tax Advisor" and ending with "household" to be altered to read "Resident Tax Advisors and members of their immediate households".

The Government of the United States of America will consider that this note together with Your Excellency's reply concurring in the foregoing proposals will constitute an agreement between our two Governments to amend the Agreement of June 20, 1968.

J. FIFE SYMINGTON, JR.

Dr. the Right Honorable Eric Williams
Prime Minister of Trinidad and Tobago
Port of Spain

* Not printed.

¹ Came into force on 28 December 1970 by the exchange of the said notes.

² See p. 252 of this volume.

II

The Prime Minister of Trinidad and Tobago to the American Ambassador

OFFICE OF THE PRIME MINISTER
WHITEHALL, PORT-OF-SPAIN, TRINIDAD, TRINIDAD AND TOBAGO

28 December, 1970

Your Excellency,

I have the honour to refer to your note No. 91 dated December 17, 1970, regarding amendments to the Agreement on technical cooperation in tax administration of June 20, 1968, and to inform you that these amendments are acceptable to the Government of Trinidad and Tobago.

It is understood that your note, referred to above, and this reply constitute an agreement between our two Governments to amend the Agreement of June 20, 1968.

Accept, Sir, the assurances of my highest consideration.

[Signed]
ERIC WILLIAMS
Prime Minister

His Excellency Mr. J. F. Symington, Jr.
Ambassador of the United States of America
Port of Spain

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
TRINIDAD AND TOBAGO AMENDING THE AGREEMENT
OF 20 JUNE 1968² RELATING TO TECHNICAL ASSIS-
TANCE IN TAX ADMINISTRATION, AS AMENDED³

I

No. 30

The Embassy of the United States of America presents its compliments to the Ministry of External Affairs of Trinidad and Tobago and has the honor to refer to the recent request made by the Permanent Secretary of the Ministry of Finance to the United States Internal Revenue Service for an extension of the Agreement on technical cooperation in tax administration of June 20, 1968,² as amended on December 28, 1970.³ The Embassy also has the honor to refer to the Ministry's note No. 902 of December 15, 1972, concerning the procedure for processing customs exemptions for Internal Revenue Service Advisors.

The Government of the United States of America is agreeable to an extension of the Agreement as requested. Accordingly the following amendment to the Agreement of June 20, 1968, as amended is proposed: Section I, paragraph (4), be amended to read:

"The duration of the program is expected to be about six years, and the total payments under the program by the Government of Trinidad and Tobago to the Internal Revenue Service will not exceed US \$400,000."

The Government of the United States of America will consider that this note together with the Ministry's reply concurring in the foregoing proposals will constitute an agreement between the two Governments to amend the Agreement of June 20, 1968, as amended.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of External Affairs of Trinidad and Tobago the assurances of its highest consideration.

Embassy of the United States of America

Port of Spain, April 18, 1973.

II

No. 696

The Ministry of External Affairs of Trinidad and Tobago presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's note No. 30 dated 18th April 1973, regarding

¹ Came into force on 30 August 1973 by the exchange of the said notes.

² See p. 252 of this volume.

³ See p. 256 of this volume.

the proposed amendment to section 1, paragraph (4), of the Agreement on technical cooperation in tax administration of June 20, 1968, which reads as follows:

[*See note I*]

and to inform the Embassy that this amendment is acceptable to the Government of Trinidad and Tobago.

It is understood that the Embassy's note, referred to above, and this reply shall be regarded as constituting an agreement between the Governments of the United States of America and Trinidad and Tobago to amend the Agreement of June 20, 1968.

The Ministry of External Affairs of Trinidad and Tobago avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Port of Spain, 30th August 1973.
