

**No. 1 of 2026**

**VIRGIN ISLANDS**  
**MUTUAL LEGAL ASSISTANCE**  
**(TAX MATTERS)(AMENDMENT) ACT, 2026**  
**ARRANGEMENT OF SECTIONS**

SECTION

1. Short title
2. Section 21 amended
3. Section 26A inserted
4. Section 34 repealed and substituted

**No. 1 of 2026**

**Mutual Legal Assistance (Tax Matters)  
(Amendment) Act, 2026**

**Virgin  
Islands**

**I ASSENT**

**(Sgd.) Daniel Pruce,  
Governor.  
26<sup>th</sup> February, 2026**

**VIRGIN ISLANDS**

**No. 1 of 2026**

AN ACT TO AMEND THE MUTUAL LEGAL ASSISTANCE (TAX MATTERS) ACT, REVISED EDITION 2020, TO GIVE EFFECT TO THE AMENDED COMMON REPORTING STANDARD APPROVED BY THE ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT ON 8<sup>TH</sup> JUNE, 2023: TO INCLUDE DIGITAL MONEY PRODUCTS, TO ENHANCE REPORTING REQUIREMENTS AND TO INCORPORATE FURTHER CLARIFICATION ON TERMS AND DUE DILIGENCE OBLIGATIONS AND FOR ALL MATTERS CONNECTED THEREWITH.

[Gazetted 5<sup>th</sup> March, 2026]

ENACTED by the Legislature of the Virgin Islands as follows:

**Short title**

**1.** This Act may be cited as the Mutual Legal Assistance (Tax Matters) (Amendment) Act, 2026.

**Section 21 amended**

**2.** The Mutual Legal Assistance (Tax Matters) Act, Revised Edition 2020 (hereinafter referred to as the “principal Act”) is amended in section 21 as follows:

(a) in the definition of “Non-reporting Financial Institution”, by repealing paragraph (a) and substituting it with the following new paragraph:

“(a) a Government Entity, International Organisation or Central Bank, other than

- (i) with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution or Depository Institution; or
  - (ii) with respect to the activity of maintaining Central Bank Digital Currencies for Account Holders which are not Financial Institutions, Governmental Entities, International Organisations or Central Banks;”;
- (b) in the definition of “Pre-existing Account”, by repealing paragraph (a) and substituting it with the following new paragraph:
- “(a) a Financial Account maintained by a Reporting Financial Institution as of 31<sup>st</sup> December, 2015 or, if the account is treated as a Financial Account solely by virtue of the Common Reporting Standard amendments, as of 31<sup>st</sup> December, 2025;”;
- (c) by inserting the following definitions in the correct alphabetical order:
- ““Common Reporting Standard amendments” means the amendments made to the standard for automatic exchange of financial account information, including the Commentary thereon, approved by the Organisation for Economic Co-operation and Development on 8<sup>th</sup> June, 2023;
- “New Account” means a Financial Account maintained by a Reporting Financial Institution opened on or after 1<sup>st</sup> January, 2016 or, if the account is treated as a Financial Account solely by virtue of the Common Reporting Standard amendments, on or after 1<sup>st</sup> January, 2026;
- “Resident in the Virgin Islands” means
- (a) being incorporated or established in the Virgin Islands;
  - (b) having in the Virgin Islands a place of effective management as defined under paragraph 109 of the Commentary; or
  - (c) being subject to the financial supervision in the Virgin Islands;”.

**Section 26A inserted**

3. The principal Act is amended by inserting after section 26 the following new section:

**“Application of the amendment of the Common Reporting Standard**

**26A.** (1) The Common Reporting Standard amendments are deemed to be effective as of 1<sup>st</sup> January, 2026.

(2) Notwithstanding subsection (1), under paragraphs A(1)(b) and A(6bis) of Section I of the Common Reporting Standard, with respect to each Reportable Account that is maintained by a Reporting Financial Institution as of 31<sup>st</sup> December, 2025 and for reporting periods ending by the second calendar year following such date, information with respect to the role(s) by virtue of which each Reportable Person is a Controlling Person or Equity Interest holder of the Entity, is only required to be reported if such information is available in electronically searchable data maintained by the Reporting Financial Institution.”.

**Section 34 repealed and substituted**

4. The principal Act is amended by repealing section 34 and substituting it with the following new section:

“34. If a person enters into an arrangement or engages in a practice, the main purpose, or one of the main purposes, of which can reasonably be considered to be to avoid an obligation under this Part, this Part shall have effect as if the person had not entered into the arrangement or engaged in the practice.”.

Passed by the House of Assembly this 29<sup>th</sup> day of January, 2026.

(Sgd.) Corine N. George-Massicote,  
Speaker.

(Sgd.) Bethsaida Smith-Hanley,  
Clerk of the House of Assembly.