



**MINISTERIO DE ECONOMÍA Y HACIENDA**

TRIBUNAL DE OPOSICIONES AL CUERPO SUPERIOR DE  
INSPECTORES DE HACIENDA DEL ESTADO



**OPOSICIONES AL CUERPO SUPERIOR DE INSPECTORES DE  
HACIENDA DEL ESTADO**

**RESOLUCIÓN DE 25 DE MAYO DE 2005 (BOE DE 10 DE JUNIO)**

**EJERCICIO DE IDIOMAS**

**INGLÉS**

**TRADUCCIÓN**

**Free Circulation of Capital. Taxation**

**Taxation of savings income**

**The European Union is pursuing its ultimate goal of enabling interest on savings received in one Member State by individuals who are resident for tax purposes in another Member State to be made subject to effective taxation in accordance with the laws of the latter Member State**



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## ACT

Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments.

## SUMMARY

### Aim of the Directive

The aim of the Directive is to enable savings income, in the form of interest payments made in one Member State to "beneficial owners" \* who are individual residents for tax purposes in another Member State, to be made subject to effective taxation in accordance with the laws of the latter Member State. The automatic exchange of information between Member States concerning interest payments \* is the means chosen to achieve effective taxation of these "interest payments" in the Member State where the beneficial owner is resident for tax purposes. Member States must therefore take the necessary measures to ensure that the tasks necessary for the implementation of this Directive - cooperation and exchange of banking information - are carried out by paying agents established within their territory, irrespective of the place of establishment of the debtor of the debt claim producing the interest.

### Scope of application

The scope of this Directive is limited to taxation of savings income in the form of interest payments on debt claims, to the exclusion of the issues relating to the taxation of pension and insurance benefits. At territorial level, the Directive applies to interest paid by a "paying agent" \* established within the territory to which the Treaty applies.

### The general system: exchange of information

- Information reporting by the paying agent

Where the beneficial owner is resident in a Member State other than that in which the paying agent is established, the Directive stipulates that the latter must report to the competent authority of its Member State of establishment a minimum amount of information, such as the identity and



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residence of the beneficial owner, the name and address of the paying agent, the account number of the beneficial owner or, where there is none, identification of the debt claim giving rise to the interest, and information concerning the interest payment.

Moreover, the minimum amount of information concerning interest payment to be reported by the paying agent must distinguish between the specific categories of interest listed in the Directive. However, Member States may restrict the minimum amount of information to the total amount of interest or income and to the total amount of the proceeds from sale, redemption or refund.

- **Automatic exchange of information**

Under the Directive, the competent authority of the Member State of the paying agent must communicate - at least once a year, within six months following the end of the tax year of the Member State of the paying agent - the information referred to above to the competent authority of the Member State of residence of the beneficial owner.

### **Transitional provisions: withholding tax (Belgium, Luxembourg and Austria)**

During a transitional period, Belgium, Luxembourg and Austria are not required to exchange the information on savings income covered by this Directive if they apply a withholding tax to this income. These three Member States may apply the transitional system until the Swiss Confederation, the Principality of Andorra, the Principality of Liechtenstein, the Principality of Monaco and the Republic of San Marino ensure effective and complete exchange of information upon request concerning payment of interest, and until the Council agrees unanimously that the United States of America is committed to exchange of information upon request as defined in the OECD Model Agreement. The Directive does, however, authorise these three Member States to receive information from the other Member States.



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As regards the withholding tax system, the Directive lays down that where the beneficial owner is resident in a Member State other than that in which the paying agent is established, Belgium, Luxembourg and Austria shall levy a withholding tax at a rate of 15% during the first three years of the transitional period, 20% for the subsequent three years and 35% thereafter

As regards revenue sharing, the Directive lays down that Member States levying withholding tax shall retain 25% of their revenue and transfer 75% of the revenue to the Member State of residence of the beneficial owner of the interest.

As regards double taxation, the Directive lays down that the Member State of residence for tax purposes of the beneficial owner is to ensure the elimination of any double taxation that might result from the imposition of the withholding tax.

Lastly, the Directive does not preclude Member States from levying other types of withholding tax than that referred to above in accordance with their national laws or double-taxation conventions.



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## PREGUNTAS TIPO TEST

1. Complete the sentence: I think it ..... worth a fortune in a few years' time.
  - a) will be
  - b) might be
  - c) is
  - d) is going to be
  
2. Complete the sentence: By the end of next week she ..... on a beach and drinking cocktails.
  - a) will sit
  - b) would sit
  - c) will be sitting
  - d) has to be
  
3. Complete the sentence: There's the car ..... I was telling you about.
  - a) who
  - b) which
  - c) whose
  - d) where
  
4. Complete the sentence: That's Sandra ..... mother works in the library.
  - a) who
  - b) who's
  - c) which
  - d) whose



5. Complete the sentence: What I love about this place is that you can buy anything you .....possibly think of.
- a) can
  - b) may
  - c) could
  - d) will be able
6. Complete the sentence: I don't remember the end of that film. I ..... asleep.
- a) must have been
  - b) can't be
  - c) have been
  - d) was
7. Complete the sentence: I know I put my passport in my bag. It ..... in here somewhere.
- a) could be
  - b) might be
  - c) must be
  - d) can't be
8. Complete the sentence: *I didn't mean that.* She ..... she'd seen a ghost.
- a) looked
  - b) looked like
  - c) looked at
  - d) looked as if



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9. Complete the sentence: The robbers ..... have escaped on a motorbike.
- a) are belived to
  - b) to
  - c) have belived to
  - d) never
10. Complete the sentence: ..... you ever won a competition?
- a) Are
  - b) Have
  - c) Do
  - d) Could
11. Complete the sentence: ..... anyone ever told you what beautiful eyes you´ve got?
- a) Did
  - b) Had
  - c) Has
  - d) Have
12. Complete the sentence: I´ve considered ..... my own flat but I can´t afford it.
- a) to buy
  - b) buying
  - c) to have bought
  - d) having bought



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13. Complete the sentence: What kind of sports are you interested .....
- a) in
  - b) on
  - c) at
  - d) with
14. Complete the sentence: Are you optimistic ..... the future?
- a) with
  - b) in
  - c) about
  - d) to
15. Complete the sentence: If it rained, we usually ..... indoors.
- a) play
  - b) played
  - c) will play
  - d) have played
16. Complete the sentence: I ..... my best friend for more than ten years.
- a) know
  - b) knew
  - c) have been knowing
  - d) have known





17. Complete the sentence: I want ..... new hobbies and interests.
- a) to develop
  - b) develop
  - c) developing
  - d) to have develop
18. Complete the sentence: It has been claimed that ..... carrots improves eyesight.
- a) ate
  - b) eaten
  - c) eating
  - d) to eat
19. Complete the sentence: Politicians are not regarded ..... very honest.
- a) as being
  - b) being
  - c) to be
  - d) been
20. Complete the sentence: Our city is reckoned ..... the highest crime rate in the country.
- a) has
  - b) have
  - c) having
  - d) to have



21. Complete the sentence: I get my car ..... at the local garage.
- a) washed
  - b) washing
  - c) washes
  - d) has washed
22. Complete the sentence: It used ..... that beauty was in the eye of the beholder.
- a) to be said
  - b) to say
  - c) saying
  - d) being said
23. Complete the sentence: People think I'm unfriendly, but ..... I'm just shy.
- a) really
  - b) actually
  - c) eventually
  - d) currently
24. Complete the sentence: I think I'm quite level-headed sort of person. I haven't done anything crazy .....
- a) never
  - b) yet
  - c) already
  - d) always



25. Complete the sentence: Mary thought that James wasn't interested in ..... her.
- a) to know
  - b) getting to know
  - c) knowing to
  - d) to be known
26. Complete the sentence: Assuming money ..... no object, what would be your ideal evening out?
- a) been
  - b) to be
  - c) is
  - d) were
27. Complete the sentence: What happened ..... time they were together?
- a) late
  - b) latest
  - c) last
  - d) later
28. Complete the sentence: What kind of people is this advertisement ..... ?
- a) produced
  - b) aimed to
  - c) directed
  - d) watched



29. Complete the sentence: Do you think celebrity scandals help  
..... magazines?

- a) sold
- b) selling
- c) to sell
- d) sell

30. Complete the sentence: What I don't understand is where  
they get this stuff .....

- a) from
- b) at
- c) in
- d) for