

Law No 43 of November 24, 2015 ¹

Exchange of Tax Information

Article 1:

Without prejudice to the provisions of Article 52 of the Lebanese Constitution, the Minister of Finance is authorized, in the context of international cooperation, to conclude or join bilateral or multilateral agreements to exchange information on tax evasion or tax fraud, in accordance with the adopted legislative rules and the stipulations of this Law.

Article 2:

The information request on tax evasion or tax fraud must be submitted to the Ministry of Finance by its foreign counterparts or by the foreign taxation authority.

Article 3:

The information request submitted by the requesting country must either be based on a final judgment incriminating the person under investigation of tax evasion or tax fraud, or include conclusive evidence or facts that this person has engaged in tax evasion or tax fraud in the requesting country, along with sufficient information on the offender's relevant bank accounts in the banks operating in Lebanon.

Article 4:

In case the required information is covered by the Law on Banking Secrecy of September 3, 1956 or by Article 151 of the Code of Money and Credit, the information request shall be directly forwarded, along with the opinion of the Ministry of Finance, to the Special Investigation Commission (SIC) established under Law No 318² of April 20, 2001 on Fighting Money Laundering. The latter shall take the appropriate decision in compliance with the legal provisions and international conventions relating to the exchange of information on tax evasion or tax fraud.

¹ This Law was repealed by virtue of Law No 55 of October 27, 2016.

² This Law shall be replaced by virtue of Law No 44 of November 24, 2015.

Whenever the Special Investigation Commission decides to provide the requesting party with the requested information, it shall send a written notification thereof to the person under investigation who may object to the Commission's decision before the State Council, within 15 days from the notification date.

The State Council shall determine in a definitive manner whether the legal conditions that require the exchange of information are met, within three months from the submission of the recourse. After this deadline, the Commission shall implement the required procedures.

Article 5:

In the implementation process of the provisions of Article 4 of this Law, and any other matter that is not at variance therewith, the Special Investigation Commission shall adopt the mechanism and rules stipulated in Law No 318¹.

The SIC shall directly and exclusively notify its decision or provide the required information to the foreign requesting authority.

Article 6:

The provisions of this Law shall apply to cases of tax evasion or tax fraud occurring after its issuance.

Article 7:

This Law shall come into force upon its publication in the Official Gazette.

Beirut, November 24, 2015

Promulgated by the Council of Ministers

The President of the Council of Ministers

Signed: Tammam Salam

¹ This Law shall be replaced by virtue of Law No 44 of November 24, 2015.