

Jurisdiction's name:	Curaçao
Information on residency for tax purposes	
Section I – Criteria for Individuals to be considered a tax resident	
<p>According to Article 1, paragraph 1 of the National Ordinance Income Tax a natural person is considered subject to income tax when he can be considered a resident in Curaçao. Article 1, paragraph 2, of the National Ordinance Income Tax and Article 4, paragraph 1 of the National Tax Ordinance states that the place of tax residency of a natural person is based on facts and circumstances of each case.</p> <p>Residency is determined by applying a closer connection test, in other words, a taxpayer is considered as a resident if the center of the taxpayer's vital interest is in Curaçao and if the closest social and economic ties the taxpayer has are with Curaçao. The criteria used to determine the closer connection test are</p> <p>Where a person:</p> <ul style="list-style-type: none"> • spends the greatest amount of time; • maintains a permanent home; • supports a spouse and children/ his children receive an education; • is employed; • is registered with the local authorities and/or bank. 	
Section II – Criteria for Entities to be considered a tax resident	
<p>According to Article 1, paragraph 1 of the National Ordinance Profit Tax an entity is subject to Curaçao profit tax if the entity resides in Curaçao. Article 1, paragraph 2 of the National Ordinance Profit Tax states that an entity is considered a resident of Curaçao if it is incorporated under Curaçao law or if it is actually established in Curaçao. Furthermore, Article 4, paragraph 1 of the National Tax Ordinance states that residency depends on the specific facts and circumstances of each case. The place of effective management is the most important factor. The criteria to determine the place of effective management are:</p> <p>The place where:</p> <ul style="list-style-type: none"> • the important business decisions are made, and; • where the directors work and meet, and; • the business records are kept and the financial statements are prepared. <p>The following circumstances can also be indications of the place of effective management:</p> <ul style="list-style-type: none"> • the place where the shareholders live and meet; • the place where the entity is registered; • the place of incorporation or organization. 	
Section III – Entity types that are as a rule not considered tax residents	
<p>The following entities organized under Curaçao law are considered fiscally transparent in Curaçao:</p> <ul style="list-style-type: none"> • 'Personenvennootschappen' (partnerships); • 'Openbare vennootschap' (public company); • 'Transparante vennootschap' (transparent company). 	
Section IV – Contact point for further information	
<p>Department of Taxes Regentesselaan z/n Willemstad Curaçao</p>	

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