Del secreto al intercambio automático

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Singapur y Suiza eran los dos centros financieros cuyo secreto bancario debía eliminar el proyecto de transparencia de la OCDE. Ambos se resistieron, ambos cedieron entre 2009 y 2014, y ambos intercambian hoy automáticamente información sobre cuentas con más de un centenar de jurisdicciones conforme al Common Reporting Standard (CRS, el estándar común de comunicación de información).[1] Los activos digitales quedaron fuera de ese sistema durante una década, porque el CRS se redactó para cuentas financieras mantenidas en entidades de depósito y de custodia, y un monedero en autocustodia no es ni lo uno ni lo otro. El Crypto-Asset Reporting Framework (CARF, el marco de comunicación de información sobre criptoactivos), adoptado por la OCDE en 2022 y al que se han comprometido ambos centros, cierra esa laguna a partir de 2027 y 2028.[2] Este capítulo explica qué exige cada régimen a una empresa de activos digitales y qué revela cada uno a las autoridades tributarias sobre un cliente con activos en ambos centros.

La consecuencia práctica para el lector es fácil de enunciar. Hasta 2026, un residente fiscal en Singapur con tokens en una plataforma de intercambio suiza, o un residente suizo con tokens en una plataforma de Singapur, era invisible para la autoridad

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tributaria de su país salvo que declarara él mismo sus tenencias. A partir de los primeros intercambios CARF, esa autoridad recibe cada año un informe sobre los saldos y las operaciones del cliente procedente de la plataforma extranjera. Todo lo que dicen los capítulos I y II de esta parte sobre la frontera entre operador comercial e inversor, y todo lo que dice la parte G, capítulo VIII, sobre los monederos no declarados, adquiere en ese momento capacidad coercitiva real.

Notas

1. OCDE, *Standard for Automatic Exchange of Financial Account Information in Tax Matters*, 2014 (segunda edición, 2017); Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information, firmado por Suiza el 19 de noviembre de 2014 y por Singapur el 21 de junio de 2017. ↩
2. OCDE, *Crypto-Asset Reporting Framework and Amendments to the Common Reporting Standard*, aprobado por el Comité de Asuntos Fiscales de la OCDE el 26 de agosto de 2022 y publicado el 10 de octubre de 2022. ↩

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