



FISCAL EDUCATION NETWORK STATUTE

LATIN AMERICA – EUROPEAN UNION

BACKGROUND

The tax administrations of Latin America and the European Union are increasingly aware that in addition to transmitting the risk of penalty to the taxpayer, there are also other actions that can achieve better tax compliance through improved service to citizens and tax education strategies designed to have citizens internalize voluntary tax compliance as a personal conviction.

Increasingly tax education, linked to democratic values and the exercise of citizenship, has been included as one of the strategic lines of almost all the region's tax administrations, with the support of the Ministries of Education and universities, among other actors.

In the first phase of EUROsociAL, the cooperation programme of the European Union with Latin America for social cohesion, a Tax Education Network was created in 2008 (Buenos Aires Declaration) with the objective of promoting specialized knowledge and disseminating the lessons learnt by the tax and educational institutions of the European Union and Latin America.

The joint work of this community to exchange experiences has made it possible to “regionalize” best practices in formal and non-formal educational environments: curricular insertion strategies, teaching methodologies, university extension and social responsibility initiatives, multimedia and recreational spaces, among others.

Within the framework of EUROsociAL II, important steps were taken in this respect. In June 2013 in El Salvador, the representatives of the tax and educational administrations of ten Latin American countries signed a Regional Letter of Intent. In it they committed themselves to working together to promote tax education as a State policy (already the case in Costa Rica) within the framework of the Network and their desire to strengthen its institutional structure in 2014.

In April 2014, universities in Brazil, Peru, Costa Rica, Mexico, Paraguay, Chile, Honduras and Ecuador committed themselves to the Network (Lima Letter of Intent) to

share the experiences of the Accounting and Tax Support Centres (NAF) for low-income natural and legal persons through same.

In light of the strong interest in formalizing a network to exchange lessons learnt and experiences, the following statutes for the Network were created.

In the preparation of same, other networks supported by the EUROsocial II Programme, such as the Transparency and Access to Information Network (RTA) and the Ibero-American Data Protection Network, were used as references.

CHAPTER I MISSION, PRINCIPLES, OBJECTIVES AND FUNCTIONS OF THE REF

Article 1.- The Tax Education Network (REF) is a space for specialized learning for tax and educational institutions of the European Union and Latin America and the Caribbean designed to strengthen tax education programmes and initiatives.

Article 2.- The principles of the REF are as follows:

I - Cooperation and inclusion: the REF is committed to cooperating with and allowing the incorporation of other bodies or institutions from countries of the European Union and Latin America and the Caribbean that share its purpose and guiding principles;

II - Respect: The REF respects the legal systems of each nation and the postulates of international law, taking into account the independence and sovereignty of each country to take its own decisions;

III - Participation: The REF promotes internal participation, which should be reflected in the decision-making processes between its members, and respect for the political processes of the countries its members represent;

IV - Diversity: The REF recognizes and respects the institutional diversity of its members, recognizing this as an asset;

V - Information: the REF will establish a viable permanent process for exchanging relevant information for the development of its initiatives.

Article 3.- The objectives of the REF are the following:

I - Emphasize the importance of tax education as a public policy to achieve more conscious, prosperous and cohesive societies;

II - Raise the awareness of public, private and civil society institutions as to the importance of tax education as a vehicle for generating greater reciprocity between the State and citizens;

III - Foster an exchange of experiences to strengthen tax education initiatives through peer-to-peer learning;

IV - Promote cooperation, dialogue and shared use of information to develop tax education initiatives and policies;

V - Establish channels and tools for dialogue and cooperation that make it possible to systematize and disseminate knowledge using new technologies and 2.0 communities, generating constant feedback;

VI - Provide technical assistance and knowledge transfer to the members that request it;

VII - Promote agreements with public or private institutions that enable the development and execution of projects of mutual interest;

VIII - Promote systematic research studies on tax education;

IX - Promote the drafting and publication of working documents and papers for disseminating and reporting the results of its activities;

X - Participate in international fora;

XI - Ensure the transparency and universal dissemination of all the activities of the REF;

XII - Strengthen the REF website, created within the framework of EUROsocial II, as a virtual meeting place for exchanging the experiences of the REF and for knowledge management and dissemination.

CHAPTER II COMPOSITION

Article 4.-: The REF shall be comprised of the following members:

I - Full Members;

II - Associated Institutions;

III - Collaborating Bodies:

IV - Observers.

Article 5.- The status of Full Member of the REF shall be available to tax and fiscal administrations of the countries of Latin America and the Caribbean that satisfactorily complete the admission process set out in Chapter III and meet the following criteria:

I - It is a public body, responsible for tax or fiscal administration of the country at the national level, created through an appropriate legal instrument based on the legal traditions of the country or international organization to which it belongs;

II - Its responsibilities include carrying out tax education actions at the national level;

III - It has been granted an appropriate range of legal powers to carry out its functions.

Article 6.- Full Members of the REF shall have the following rights and obligations:

I - Accredite their representatives before the Assembly, attending its sessions with the right to speak and vote. Likewise, they may participate in the seminars and other activities organized by the REF;

II - Elect the President of the REF, the Permanent Secretariat and the members of the Executive Committee;

III - Approve applications for admission by prospective new full members, associated institutions, collaborating bodies and observers;

IV - Support the REF technically in the performance of its functions;

V - Perform the tasks that may be assigned by the Assembly, in coordination with the competent bodies of the REF, reporting regularly to the President and the Permanent Secretariat on the progress of this work;

VI - Participate as members of the bodies and working commissions or groups of the REF under the terms set out in this statute;

VII - Request through the Permanent Secretariat that reflection fora be convened to analyse specific strategic topics related to tax education.

Article 7.- Under the statute of Associated Institutions, the following institutions of Latin America and the Caribbean and the European Union may become members of the REF if they satisfactorily complete the admission process set out in Chapter III of this Regulation:

I - Tax or fiscal administrations of the member countries of the European Union that have responsibilities or carry out actions related to tax education as part of their functions;

II - Educational bodies and entities, public and private, that act in tax education programmes and initiatives.

Article 8.- Associated Institutions shall have the following rights and obligations:

I - Accredite, when applicable, representatives before the Assembly, with the right to speak at sessions of the Assembly;

II - Participate as members of REF Commissions by invitation of same;

III - Enter into conventions or other types of agreements with the REF to carry out specific projects;

IV - Use the services offered by the REF, complying with the corresponding rules;

V - Periodically communicate news and best practices related to the tax education activities they carry out to the Permanent Secretariat;

Article 9.- Under the statute of Collaborating Bodies, the following institutions of Latin America and the Caribbean and the European Union may become members of the REF if they satisfactorily complete the admission process set out in Chapter III of this Regulation:

I - Governments of territories other than national or federal ones, and other public bodies of Latin America and the Caribbean and the European Union that have purposes and objectives compatible with those of the REF;

II - Legal persons under international law that contribute with their technical or financial assistance to the development of the REF.

Article 10.- Collaborating Bodies shall have the following rights and obligations:

I - Accredited, when invited to do so, representatives before the Assembly, with the right to speak at sessions of the Assembly;

II - Use the services offered by the REF, complying with the corresponding rules;

III - Periodically communicate news and best practices related to the tax education activities they carry out to the Permanent Secretariat;

Article 11.- Under the Observer statute, any body and public or private entity may become a member of the REF, as well as non-governmental bodies or legal persons under international law that have purposes and objectives compatible with those of the REF.

Article 12.- The rights and obligations of Observers are the following:

I - Accredited their representatives before the Assembly, if invited to attend its sessions, with the right to speak. Likewise, they may participate in the seminars and other activities organized by the REF;

II - Participate as members of Working Groups at the invitation of same;

III - Enter into agreements with the REF to carry out specific projects;

Article 13.- Experts on tax education may participate in the Assembly, by invitation, with the right to speak but not to vote. Likewise, persons and organizations with specific knowledge and experience in the different matters to be addressed may be invited to participate in the meetings and activities of the REF.

CHAPTER III RULES AND PROCEDURES FOR ADMISSION

Article 14.- Any public organization or body that, in accordance with the regulating procedure and criteria set out in the following sections, expresses its interest in belonging to same and which assumes the functions assigned to it as a member, may become a member of the REF.

Article 15.- The admission application shall be sent, on the basis of reasoned requests, to the Permanent Secretariat, which, in accordance with the criteria and requirements established, shall evaluate the corresponding applications and report their findings in the following Assembly or, in urgent cases, to the Executive Committee, which shall approve them, if applicable, by a simple majority of its members.

Article 16.- This same procedure shall be used for applications to revise REF member status.

Article 17.- For these purposes, the Permanent Secretariat shall conduct a diagnosis of the appropriateness of the applicant's membership and submit a report to the next Assembly so that the plenary can vote to approve or deny the membership application.

Article 18.- A body that is accepted in accordance with the above procedure shall endorse the membership document signed by the corresponding interlocutor, the filing of which shall be the responsibility of the Permanent Secretariat.

CHAPTER IV REGARDING THE ORGANIZATION OF THE REF

Article 19.- The following are the ruling and executive bodies of the REF:

I - The Presidency;

II - The Assembly;

III - The Executive Committee;

IV - The Permanent Secretariat;

V - Focal points.

Section I The Presidency

Article 20.- The President of the REF shall be elected by a simple majority of the Full Members present in the Assembly;

Article 21.- The Presidency shall be occupied for a terms of two years, and may be re-elected for equal periods. In any case, the President shall exercise his or her functions until a new election;

Article 22. - The following corresponds to the Presidency of the REF:

I - Represent the REF in all national and international fora in which aspects related to tax education are addressed;

II - Support the national Ministries of Finance and Education of the REF member countries in all regulatory initiatives related to conventions and strengthening of tax education actions.

III - Promote and represent the REF before the different societal actors that operate within the member countries of the REF and whose activity affects the development of tax education actions;

IV - Chair the Assembly and meetings of the Executive Committee.

Article 23. - The President of the REF may call, after consulting with the members of the Executive Committee, any meetings he or she considers necessary for the purposes of discussing, analysing or resolving particular questions that cannot wait until the next Assembly.

Section II The Assembly

Article 24.- The Assembly is the supreme body of the REF and is comprised of all the Full Members.

Article 25.- The Assembly meets on an ordinary or extraordinary basis.

I - The ordinary sessions of the Assembly are held annually on a virtual basis or, if resources are available, in the host country determined in the previous Assembly;

II - The Assembly meets extraordinarily by agreement of the Executive Committee or at the request of at least one third of the Full Members of the REF.

III - Calls for ordinary or extraordinary meetings of the Assembly are issued by the Permanent Secretariat. In the former case, this must be done with a minimum of ninety days advance notice; in the latter, with a minimum of thirty days. Calls for extraordinary sessions must indicate, in addition to their purpose, the city in which they will be held and the organizing body, or whether they will be held virtually.

Article 26.- Full members have a right to one vote per delegation.

Article 27.- The Assembly, convened and meeting as indicated in this statute, shall constitute a quorum with the presence of a simple majority of the Full Members existing on that date.

Article 28.- The Assembly is led by the President of the REF with the collaboration of the Permanent Secretariat.

Article 29.- The agreements reached in the sessions of the Assembly are adopted by a simple majority of the votes of the full members present in that Assembly.

Article 30.- The Assembly has the following functions:

I - Establish the general policy of the REF;

II - Promote achievement of the objectives of the REF;

III - Elect the President of the REF and the Executive Committee;

IV - Approve the annual work plans after a report from the Executive Committee;

V - Approve the annual report of activities of the REF;

VI - Know, issue an opinion on and approve, as applicable, the conventions and agreements of the REF in accordance with the applicable regulation;

X - Authorize the admission of new members to the REF in their corresponding categories in accordance with the rules and principles contained in this Regulation;

XI - Issue the regulations they deem appropriate within the framework of these statutes, in accordance with the proposal presented by the Executive Committee;

XII - Approve the reforms to the statutes and the dissolution of the REF by a vote of two thirds of the full members of the REF.

XIII - Form working commissions in accordance with the provisions of Section V of Chapter IV of this statute;

XIV - Discuss and, if applicable, vote on any resolutions and declarations proposed.

Section III Regarding the Executive Committee

Article 31.- The Executive Committee shall be comprised of the President and three representatives of members of the REF. The Permanent Secretariat of the REF shall be a member of same.

Article 32.- The persons who occupy the Presidency and the committees may not represent the same country.

Article 33.- The mandate of the Executive Committee shall have the same duration as the term of the Presidency, after which and on the occasion of the next ordinary session of the Assembly, its new members shall be elected.

Article 34.- The Executive Committee meets at least twice a year. One of these meetings must be before the ordinary session of the Assembly to agree on its agenda and the reports to be presented for approval. A meeting of the Committee must also be called when three or more of its members so request. The meetings of the Executive Committee may be held using suitable technological means that allow development of same without the need for its members to travel to another country.

Article 35.- To be in session, the Committee shall require an absolute majority of its members, and their agreements shall be adopted by absolute majority of the members present, except when this statute establishes another quorum for approval.

Article 36.- The Executive Committee has the following functions:

I - Ensure fulfilment of the resolutions of the Assembly and assist in their execution, for which purpose it must supervise the actions of the Permanent Secretariat;

II - Lead the process of strategic planning of the REF's work and, in particular, prepare the work plans and identify the critical issues to be addressed by the REF for their study, analysis and dissemination. Present these plans and definitions for approval in the corresponding Ordinary Assembly;

III - Propose the plans of the REF for the consideration of the Assembly;

IV - Perform tracking of the annual plan of the REF, informing the member institutions of progress on a quarterly basis;

V - Issue its opinion on the annual report of activities of the REF. The opinions shall accompany the report, which shall be submitted for the consideration of the Assembly;

VI - Propose to the Assembly the creation of working commissions;

VII - Approve the reference terms and work plans for the commissions. Annually it must report these work plans and their results to the Assembly;

VIII - Prepare reports in the case of applications for membership in the REF;

IX - Annually evaluate the management of the Permanent Secretariat and the degree of fulfilment of REF objectives and strategic plans. To do this, it shall agree on the framework and conditions of the evaluation system and the performance and impact indicators to be used. The result of this evaluation must be disseminated annually to the Assembly;

X- Issue opinions on regulation projects submitted for the Assembly's approval;

XI - Perform the tasks assigned or delegated to it by the Assembly, and any others related to this statute and the regulations;

XII - Exercise any other governing or administrative function of the REF not reserved for the Assembly;

XIII - Act as the editorial reviewer of the publications or bulletins of the REF.

XIV - Approve the composition of the working commissions;

XV - Cooperate actively and regularly with the Permanent Secretariat in the performance of its functions.

Section IV Regarding the Permanent Secretariat

Article 37.- The Permanent Secretariat of the REF shall assume the tasks of coordination as the technical and monitoring body for the activities of the REF.

Article 38.- The Permanent Secretariat shall ensure the institutional continuity of the tasks and functions of the REF.

Article 39.-The Permanent Secretariat shall assume the following functions:

I - Maintain an ongoing relationship with the REF Executive Committee;

II - Establish contacts with national and international bodies, and similar and cooperating institutions for the purpose of managing possible technical and logistical support for performance of the REF's activities;

III - Carry out, jointly with the working commissions, the decisions and projects approved in Assemblies;

IV - Endeavour to maintain open communication and an exchange of information between the members of the REF, addressing their initiatives and proposals;

V - Promote and coordinate activities and working commissions.

VI - Process applications for membership in the REF;

VII - Convene and collaborate in the organization of the Assemblies;

VIII - Arrange invitations to experts, collaborating bodies and observers of the Assemblies;

IX - Manage the REF Tax Education Portal, distributing the different tasks among the full members or among other REF member institutions;

X - Prepare the Tax Education Network Newsletter with the frequency agreed upon in the Assembly, as well as any other communication strategies considered necessary.

Section V Regarding the Working Commissions

Article 40.- The working commissions are technical bodies dedicated to the study and development of specific themes and matters related to the objectives and activities of the REF.

Article 41.- The creation of different working commissions to undertake systematic and specialized work on certain topics, may be agreed upon.

Article 42.- The working commissions may be of a temporary or permanent nature, depending on their activities and as decided in the Assemblies.

Article 43.- The working commissions must report on a timely basis to the Permanent Secretariat of the REF on the progress of the working documents assigned to them, and present their results before the next Assembly or in the corresponding seminars, depending on the content of same.

Article 44.- The working commissions support the efficiency and effectiveness of the work of the REF. They are created by mandate of the Assembly at the proposal of the Executive Committee and they respond to the definitions and strategic lines in effect.

Article 45.- The working commissions may be comprised of representatives of the Full Members, Associated Institutions, Collaborating Bodies and Observers, in the number deemed sufficient to fulfil their assigned task. Likewise, they can incorporate, on a permanent or temporary basis, one or more expert professionals in the areas being studied by the Commission if the Assembly so decides.

Article 46.- The working commissions have autonomy to organize themselves, adopt the working procedures they deem appropriate to achieve their objectives and prepare their work plan in accordance with the plans of the REF, which must be reported to the Executive Committee.

Article 47.- If funding is required for their work, this may be obtained through contributions or donations from international institutions and persons of any type, or through contributions of human resources as indicated by the Executive Committee.

Section VI Regarding the focal points

Article 48.- Each institution or organization in the REF must formally designate a focal point or institutional liaison to participate in the tasks of the REF, and this should be the person in said institution responsible for tax education actions, communication with the REF and participating in its activities or of designating the corresponding individuals in his or her institution.

CHAPTER V COOPERATION

Article 49.- The REF shall promote dialogue and cooperation among its members.

Article 50.- The principle of cooperation shall preferably be extended to the areas of training and education; information sharing; transmission of experiences; analysis of regulatory projects (legislative cooperation); and the exercise of the respective competencies of execution of tax education actions.

Article 51.- As cooperation instruments, the exchange of information and experiences of common interest, based on economic possibilities and international development cooperation support, shall be fostered among the members of the REF through the activities deemed appropriate.

Article 52.-In particular, the REF shall have a website as an instrument for disseminating the news and activities of the REF itself. Responsibility for its management shall correspond to the Permanent Secretariat, in close coordination with the members of the REF.

Article 53.- Exchanges of experience and, in general, technical training and education of the staff and authorities of the respective institutions and bodies shall be promoted. For this purpose, the organization of visits, technical assistance, workshops, seminars and other joint acts shall be promoted.

Article 54.- As instruments of enhanced cooperation, collaboration conventions may be entered into.

Sole paragraph: The members of the REF may enter into, on a bilateral or multilateral basis, collaboration agreements for the following purpose:

- I - Analysis of regulatory projects;
- II - Exchange of documentation;
- III - Promotion of studies and research projects;
- IV - Exchange of experiences;
- V - Training.

Article 54.- Collaborative relationships with other Networks or fora with objectives similar to those of the REF shall be promoted through the mechanisms deemed most appropriate.

CHAPTER VI REGARDING THE OFFICIAL LANGUAGE AND SYSTEM OF COMMUNICATION

Article 55.- The official language of the REF is Spanish. The REF provides fluid communication and understanding between its members, and for this purpose shall endeavour to translate official documents to the languages used by the different members.

Article 56.- The member bodies declare that the official and valid means of disseminating the documents of the REF is the REF website administered by the Permanent Secretariat.

CHAPTER VII REFORM OF STATUTES AND DISSOLUTION

Article 57.- The Assembly can approve reforms of these statutes by the vote of two thirds of the Full Members of the REF, as long as it has been convened expressly for this purpose, at the request of the Executive Committee or by resolution of the Assembly itself.

Article 58.- The REF shall be dissolved by agreement of the Assembly, with a vote of two thirds of the full members of the REF.

CHAPTER VIII TRANSITIONAL PROVISION

Article 59.- The International and Ibero-American Foundation for Administration and Public Policies (FIIAPP), as the coordinating institution of EUROsocial, shall temporarily act as the Permanent Secretariat for the purpose of processing the incorporation of the members of the REF until the ruling and executive bodies of the REF are formed in accordance with Chapter IV.

Sole paragraph: The FIIAPP shall support the process of consolidating the REF and its web portal in 2015.

CHAPTER IX FINAL PROVISION

Article 60.- In a period of three months, starting on the date this revision is approved, the bodies, organizations and persons who meet the terms and requirements established in Chapters II and III of this regulation shall state their desire to belong to the REF through an application to be sent to the Permanent Secretariat, which, at the conclusion of this period, shall proceed to publish the list of members of the REF and their corresponding statutes. The Permanent Secretariat shall send the corresponding application form within a period of one week following approval of these statutes.