

Jurisdiction's name:	COOK ISLANDS
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Information on Residency for tax purposes
Section I – Criteria for Individuals to be considered a tax resident
<p>Income Tax Act 1997, Section 82(1)</p> <p>82. Place of residence, how determined - (1) For the purposes of this Part, a natural person is deemed to be resident in the Cook Islands if-</p> <p>(a) the person's home is in the Cook Islands; and</p> <p>(b) the person is personally present in the Cook Islands for more than 183 days in a 12-month period.</p>
Section II – Criteria for Entities to be considered a tax resident
<p>Income Tax Act 1997, Section 82(2) (as amended by the Income Tax (Company Residence) Amendment Act 2021)</p> <p>82. Place of residence, how determined – (2) A company is deemed to be resident in the Cook Islands within the meaning of this Part if—</p> <p>(a) the directors of the company, in their capacity as directors, exercise control of the company in the Cook Islands, even if the directors' decision-making also occurs outside the Cook Islands; or</p> <p>(b) the place of effective management of the company is in the Cook Islands; or</p> <p>(c) the company is a Cook Islands company and, at any moment in time during the income year, 3 or more of its directors are resident in the Cook Islands.</p> <p>(3) Subsection (2) applies to all companies on and from 1 January 2023</p> <p>Note that a Cook Islands company means a company incorporated in the Cook Islands.</p>
Section III – Entity types that are as a rule not considered tax residents
Section IV – Contact point for further information
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