モンゴル国国税庁徴税機能強化及び 国際課税取組支援プロジェクトフェーズ 2

業務完了報告書

2020年3月

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- ベースライン調査報告書
- 国際課税に係る人材育成計画案
- 国際課税に関する教材・カリキュラム
- 国際課税実施体制調查·分析報告書
- 国際課税制度整備提案書
- 滞納整理·催告調查報告書
- 催告センター効果測定・課題報告書
- 税務署内部事務調查報告書
- 徴収関連マニュアル

略語表

APA	Advance Pricing Agreement	事前確認
BEPS	Base Erosion and Profit Shifting	税源浸食と利益移転
CFC	Controlled Foreign Corporation	タックスへイブン対策税制
СР	Cost Plus Method	原価基準法
C/P	Counterpart	カウンターパート
CUP	Comparable Uncontrolled Price Method	独立価格比準法
EFF	Extended Fund Facility	信用拡大供与措置
EOI	Exchange of Information	情報交換
GAAR	General Anti Avoidance Rule	一般的租税回避防止規定
GDT	General Department of Taxation	モンゴル国税庁
IMF	International Monetary Fund	国際通貨基金
JCC	Joint Coordination Committee	合同調整委員会
JICA	Japan International Cooperation Agency	国際協力機構
MNT	Mongolian Tugrik	トゥグルグ(モンゴル通貨単位)
OECD	Organization for Economic Cooperation and	経済協力開発機構
	Development	
PE	Permanent Establishment	恒久的施設
PDCA	Plan Do Check Action	計画→実行→評価→改善
PDM	Project Design Matrix	プロジェクト・デザイン・ マトリ
		クス
PO	Plan of Operation	実施計画
PS	Profit split method	利益分割法
R/D	Record of Discussion	協議議事録
RP	Resale Price Method	再販売価格基準法
RPSM	Residual Profit Split Method	残余利益分割法
SDR	Special Drawing Rights	特別引出権
TNMM	Transactional net margin method	取引単位営業利益法
TP	Transfer Pricing	移転価格
UN	United Nations	国際連合

1. プロジェクトの背景等

1.1 プロジェクトの背景

モンゴル国は、社会主義計画経済から市場経済へ移行し、その過程でJICAの技術支援を受け、徴税システムの近代化を推進した。JICAはモンゴル国の徴税能力を強化する技術支援を実施し、国家の基盤となる税収を増加させるための協力を実施してきた。

2011 年時点で税収は歳入の 82-84%を占め、同所得水準の国に比較して高い税収比率を確保していたが、近年の目覚ましい経済の発展と共に新たな課題が生まれた。例えば、資源開発により多くの外資企業がモンゴルに進出し始めた。また、近隣国からの中小規模の投資も増加してきた。このような経済状況の変化に伴い、法の不備を突いた租税回避行為や移転価格問題が発生するようになったのである。しかしながら、国際課税に関する制度は未整備で、この問題に対応できる人材も多くはなく、調査や交渉に対応できる人材を育成することが急務であった。また、税収が増える一方で滞納額も増加し、税収の 10%を占めるとされていた。この解決のために様々な滞納処理が行われており、催告センターの設立も検討されていた。

かかる状況において、モンゴル国政府より支援の要請がなされ、本プロジェクトの前身のフェーズとなる「国税庁徴税機能強化及び国際課税取組支援プロジェクト」が実施された。当該プロジェクトでは、国際課税と徴収の二つの分野を軸に支援を実施した。国際課税分野においては、将来の国際課税分野の担い手となるコア職員や一般職員の人材育成を図り、同時に制度面での助言を行った。徴収分野においては、少額滞納者の滞納処理のため催告センターを設立、その他徴収制度への助言を実施した。他方、プロジェクト終了時点において、国際課税分野では、国際課税の現場で高度な知識を持った納税者に対応するため、基礎的能力が身に着いた職員を中級・上級へと引き上げる必要が指摘された。同時に、制度的な不備改善の必要性が高まった。また、開所して半年余りの催告センターを本格稼働させ、その他の徴収業務の効率化を図り、さらに着実な滞納処理の実務定着を強化することが急務となった。

以上の背景を踏まえ、本プロジェクトの支援が要請された。

1.2 モンゴル国の税務行政を取り巻く環境

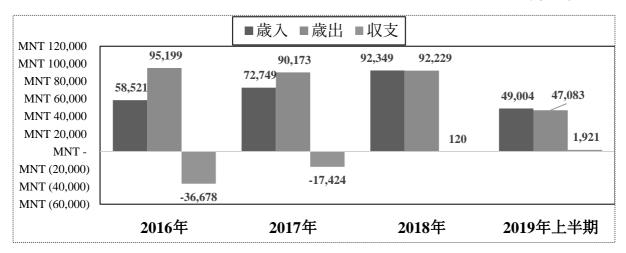
モンゴル経済は資源ブームにより経済が活況を呈し、2012 年には国際金融市場で米ドル建て債を発行するなど、好調な経済成長を背景に国内の開発を進めていた。しかし、その後の資源価格の低迷により経済は苦境に陥り、2017 年に IMF に対して支援要請をすることになった。IMF は支援要請を受けるに当たり、モンゴル国政府に「経済金融政策のメモランダム」(Memorandum of Economic and Financial Policies: MEFP)を作成させた。これを踏まえ、IMF 理事会は 5 月に 314.5 百万 SDR(4.3 億米ドル相当)の EFF プログラムを承認した。IMF は、世界銀行、アジア開発銀行、日本、中国、韓国の主要ドナーとの協調で総額 55 億米ドルの支援パッケージをとりまとめた。この支援パッケージが実施されたことにより、モンゴル国は経済危機を脱出し、国際的信用を回復しつつある。

モンゴル国では、当該支援を受ける条件として、歳出削減や税制見直しによる歳入確保など、財政緊縮策を進めることとなった。結果、従来累積していた大幅な財政収支赤字が 2018 年度に黒字に転換し

た。2019 年上半期における政府歳入は 4 兆 9,004 億 MNT、同歳出は 4 兆 7,083 億 MNT った。財政収支は 1,921 億 MNT の黒字となっている。

とな

単位:億MNT



情報源:国家統計局

図1 モンゴル国の財政収支の推移

財政収支の改善に関する IMF の支援条件の厳守及び政府行動計画 2016-2020 の実行、民間企業、 国内投資家の支援を目的に税法改正案が国会で審議された。本プロジェクトにより提案された法案も多 く、税法改正並びに税法改正に付随する作業への貢献が本プロジェクトにも求められていた。

1.3 プロジェクトの実施体制等

1.3.1 対象地域

本プロジェクトはモンゴル国全土(ウランバートル及び 21 県、ウランバートル市・区税務署) を対象としたものである。



Source: https://www.cia.gov/

図2 プロジェクト対象地域

1.3.2 関係官庁・機関

モンゴル国国税庁 (GDT) 組織図は 2020 年 1 月現在。

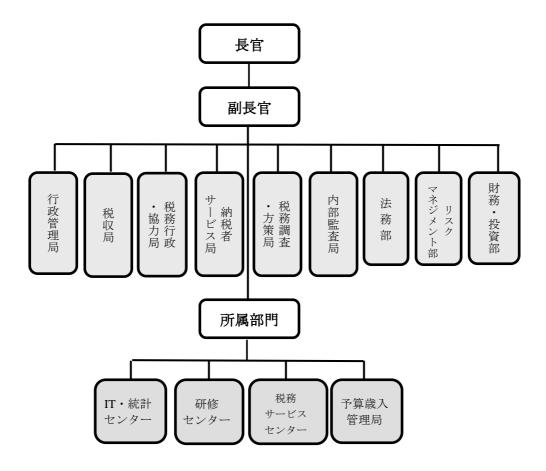


図3 GDT の組織図

1.3.4 プロジェクトの実施体制

表1 プロジェクト実施体制

実施体制

モンゴル国側

日本国側

合同調整委員会

≪プロジェクトディレクター≫

- ▶ B.ザヤバル長官(2019年10月16日~)
- D.ザンダンバト前長官(~2019年10月15日)≪プロジェクトマネージャー≫
- ➤ Ts.エンフジャワハラン税務行政協力局長 (2018 年 6 月 15 日~)
- ▶ B.バドラル前税務行政協力局長(~2018 年 6 月 14 日)
- 《メンバー》
- ▶ L.ネルグイ行政管理局長
- ▶ Ts.エンフジャワハラン税務行政協力局長
- ▶ D.ツォグゾルマ納税者サービス局長
- ▶ D.ツォグトジャルガル税収局長
- ▶ O.テンギス税務調査方策局長
- ▶ B.ガンボルト税務サービスセンター長

- ➤ JICA モンゴル事務所
- ▶ JICA 産業開発・公共政策部

プロジェクトチーム

≪プロジェクトマネージャー≫

- ➤ Ts.エンフジャワハラン税務行政協力局長 (2018 年 6 月 15 日~)
- ▶ B.バドラル前税務行政協力局長(~2018年6月14日)≪カウンターパート≫
- ▶ D.エンフトゥヤー税務行政協力局主任検査官
- ▶ S.ムンフバータル リスクマネジメント課主任検査官
- ▶ Ch.バトチメグ納税者サービス局主任検査官
- ▶ T.タミル税収局主任検査官
- ▶ Sh.ツォグゾルマー予算歳入管理局国家検査官
- ▶ Sh.ウンダラー研修センター検査官
- ▶ S.オユンゲレル税務サービスセンター主任検査官

≪JICA 専門家≫

- ▶ 岩下検一郎(総括/人材育成)
- ▶ 小寺壽成(国際課税1)
- ▶ 田地野幹雄(国際課税 2)
- ▶ 石黒秀明(国際課税3)
- ▶ 小阪満(徴税1)
- ▶ 熊倉茂夫(徴税2)
- ▶ N.サンダグスレン (業務調整 1)
- ▶ 小林耕 (業務調整 2)

2. プロジェクトの概要

上位目標、プロジェクト目標、成果、R/DのPDMに示されている指標は下記の通り。これらを的確に推し進めるため、本プロジェクトは実施された。

2.1 上位目標

国際課税及び徴収に係る税務行政が更に改善される。

【指標】

- 1.海外取引調査による非違発遣割合が増加する。
- 2.成果2指標2.2に関する法制化に向けて、GDTが大蔵省の方針に基づき改善案を同省に提出する。
- 3.催告センターによる徴収が減少しない、または向上する。
- 4.自力執行権の行使による徴収件数が増加する。

2.2 プロジェクト目標

国際課税及び徴収に係る税務行政が強化される。

【指標】

(国際課税)

- 1.ピア・レビューに提出された事案の中で、高度な海外取引調査件数がプロジェクト開始時点に比べて増加する。
- 2.収集及び蓄積された海外取引調査情報を用いた事例研究等により知識が共有される。
- 3.GDTが、国際課税に関する今後の法改正のための提案書を大蔵省に提出し、受理される。 (徴収)
- 4.催告センターの稼働開始時より処理件数が増加する。
- 5.提出された業務マニュアルが市内の他のパイロット区で試行される。
- 6.自力執行権に係る業務から歳入が得られる。

2.3 成果と活動(基本方針と実績)

PDMで設定された下記の指標を念頭に達成するよう進めていく。

成果1 国際課税に関する中級及び上級レベルの知識と技能を習得する。

【指標】

- 1.1 研修員の80%が所定の5回(3年間)の研修を修了する。
- 1.2 100%の研修員が、研修初日のPreテストに比べ、最終日のPostテストにおいてスコアを伸ばす。
- 1.3 ピア・レビューに提出された全事案のうち半数以上が、チェックリスト評価において、高度・ 複雑な国際課税事案のレベルに達する。
- *「ピア・レビュー評価基準の総合評価3.5をもって高度・複雑な国際課税事案に到達したレベルと みなす。」

【成果1における基本方針】

中級及び上級レベルを知識面、技能面で以下のように設定した。

知識面では、OECDモデル条約等の条文及びその趣旨や諸外国の国際課税制度と比較して自国の国際課税制度の特徴を正確に把握できる(中級)、流動的な国際的課税環境の下で自国の制度の問題点をタイムリーかつ的確に把握し、適宜実情に応じた有用・妥当な税制改正案を提言できる(上級)レベルへの到達を目標とした。

技能面では、複雑な国際取引や親子会社間・本支店間等の関係者間の国際取引を正確に把握し、個別の具体的な取引について課税関係を適切に判断できる(中級)、国際取引の中から高度に複雑な国際的租税回避スキームを正確に抽出・把握し、個別の具体的な取引について課税関係を適切に判断できる(上級)レベルへの到達を目標とした。

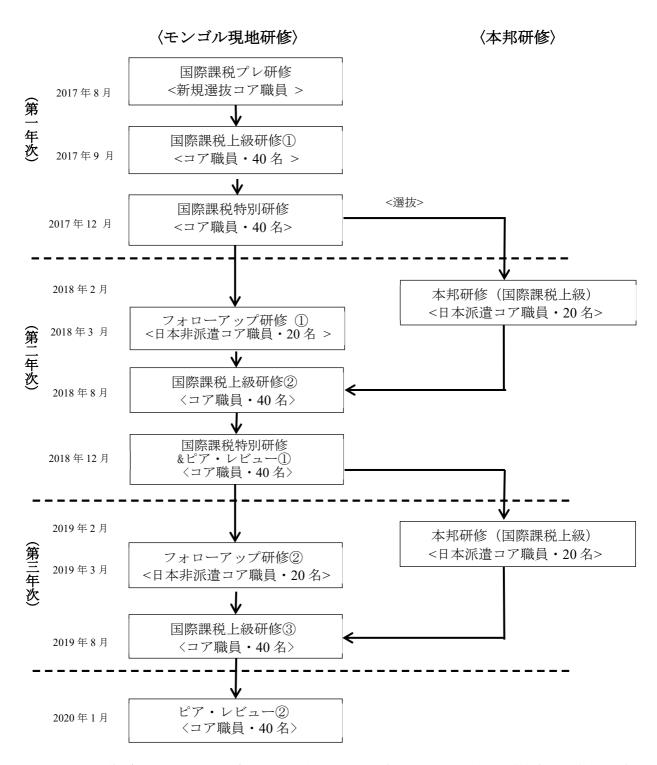
【成果1の活動】

活動1-1:支援対象となる分野に関する既存のカリキュラム・教材・支援対象者に関するベースライン調査を行う。

外部再委託を活用してベースライン調査を実施した。2017年6月、報告書を提出した。

活動1-2:支援期間中の国際課税分野の人材育成計画を作成する。

ベースライン調査の結果と関係部局との協議を実施、以下の表2のとおり人材育成計画を作成した。



- 国際課税プレ研修:新規選抜コア職員を対象に、現コア職員とのレベル差解消のためフェーズ1での教授内容を講義する研修
- 国際課税上級研修:コア職員を対象に、国際課税対応能力を上級レベルに引き上げるための人材育成のメインとなる研修
- 国際課税特別研修:コア職員の業務上での国際課税研修の成果を観察・評価する研修で、日本派遣の選抜考査を兼ねるもの
- 本邦研修:選抜されたコア職員を対象に本邦で実施する研修で、上級レベルの国際課税対応能力を醸成するもの
- フォローアップ研修:日本への非派遣コア職員を対象に、本邦研修の内容をフォローアップする研修
- ピア・レビュー:本邦研修およびフォローアップ研修の実務上の成果を客観的・具体的・総合的に評価するもの

活動1-3:1-2 の計画に基づき、必要に応じて既存の教材・資料・カリキュラムを改訂する。

カリキュラム、教材、資料はほとんど新規で作成した。詳細は別添研修資料参照。

活動1-4: 研修を実施する。(※研修受講前に、研修員の国際課税業務の実施状況につきベースラインデータを取る)

プロジェクト期間中に6回の上級現地研修と3回のフォローアップ現地研修、2回の本邦研修を実施した。

活動1-5: 研修フォローアップの一環で、執行状況をモニタリング調査する(必要に応じて技術的助言を与える)。

研修のフォローアップの一環として、職場で習得した知識とスキルの活用に関するレビューを 実施した。2018年9月、2019年9月に実施され、レビュー結果を要約したレポートはGDTに提出さ れた。

活動1-6:研修終了から1年以内に1度事例検討会(ピア・レビュー)を実施する。

2018年11月、2019年11月に実施した。下記のポイントを念頭に、8グループに分けて評価を実施した。当初予定は1回であったが、進捗の度合いを図るため2回実施した。

- ①課税要件事実を正確に把握(評価)しているか。(調査力)
- ②法令・条約を正確に適用 (解釈) しているか。 (審理力)
- ③妥当な結論が導かれているか。
- ④あるべき結論に到達できなかった場合の問題点と解決法を理解できているか。(問題の分析力と解決法の提言力)
- ⑤高度・複雑な事案に取り組めているか。
- 活動1-7: レビューの結果を人材育成計画に反映し、必要に応じて計画の修正を図る。レビュー結果をGDTと協議し、必要に応じて計画を修正する。

ピア・レビューレポートと参加者のインタビューの結果に基づいて税務行政協力局と意見を交換し、移転価格調整を行う最適な方法の選択と適用を反映させた修正を行った。

成果2. 国際課税に関する業務実施基盤がさらに整備される。

【指標】

- 2.1 GDT戦略開発局国際課税課及びリスクマネジメント局が海外取引調査情報を収集及び蓄積する。
- 2.2 日本側プロジェクトチームが、国内源泉所得に係るソースルールの確立、国際的租税回避防止 諸制度の拡充、国際的二重課税排除制度の整備等を目的とする法制化に向けた提案書を最終化 する。
- 2.3 (GDTが国際課税に関する運営指針(通達)を発遣する。)

【成果2における基本方針】

制度・組織面では、引き続き国際課税の潮流であるOECD/G20のBEPS¹パッケージの方向性と整合

¹ **BEPS** (英: Base Erosion and Profit Shifting、税源浸食と利益移転)とは、近年のグローバルなビジネスモデルの構造変化により生じた多国籍企業の活動実態と各国の税制や国際課税ルールとの間のずれを利用することで、多国籍企業がその課税所得を人為的に操作し、課税逃れを行っている問題を指す(国税庁 HP)。

するように留意した。改正税法の施行に関しては、引き続きワーキンググループを支援するとともに、将来モンゴル国GDT職員自らモンゴル国の税法、通達を作成する上で参考になる日本の関連法、通達を解説した資料を提供することを心がけて実施した。

【成果2の活動】

活動2-1: 国際課税の調査状況や管理体制を定期的に調査・分析し、実施体制の改善に対する提言・助言を行った上で、結果を報告書にまとめる。

2018年8月に報告書を提出した。業務完了報告書において、今後モンゴル国GDTが取り組むべき事項を提案した。

活動2-2: 自国課税権の確保、国際的租税回避防止、国際的二重課税制度(移転価格税制等)、PE 課税(恒久的施設)等に関する現状と課題を調査・分析し、制度整備に向けた提案書を作成する。

国際課税法令面については、日本の経験とモンゴル国の現況を踏まえ、主要な国際課税関連の立法案(GAAR(一般的租税回避防止規定)、移転価格税制TPM、文書化関係、PE関係、EOI関係、外国税額控除関係、相互協議関係、国内源泉所得関係、CFC税制関係とほぼ全分野)につき、専門家が提案を行った。

活動2-3:ワークショップを開催し、2-1 及び 2-2 の調査結果を関係者に共有・周知する。

GDTとMOFで構成されるワーキンググループに2018年8月、10月で3回のワークショップを実施した。

活動2-4: 国際課税制度の整備について、日本の事例紹介や情報共有を行う(必要に応じて関連資料の英訳、モンゴル語訳を行う)。

2018年12月「日本国国際課税法令モンゴル語版」をGDTに提供した。日本との国際税務法令対 比にかなり役に立つ資料として、GDTで活用できるように作成した。

活動2-5:マニュアルや参考資料等の作成を通して、GDTによる制度改善の取り組みを側面支援する。

必要に応じ、日本の国際課税の法令、通達、事務運営要領、事例集そのものを翻訳した。翻訳するだけではなく、法令、通達に解説を入れ、どのような背景、意図に基づく法文なのか等、将来においてGDT職員が法・制度整備の参考にできるよう作成を進めた。

GDTの要望により"OECD Model Tax Convention on Income and on Capital"の改訂版を翻訳し、提供した。

活動2-6:GDTに対して、同庁が大蔵省と行う法令協議について助言を行う。

過去4回の協議が実施されアドバイスを実施した。結果、国際課税関連改正税法が採択された。 活動2-7: 法令に関する問題点を抽出し、共有する。

現況調査、協議を通じて国際関連税法における課題を抽出、報告書、ワークショップの形で共有した。

活動2-8:今後の制度整備の在り方について関係者と協議し、必要な助言を行う。

改正税法採択までは法案を中心に協議、助言し、採択後は通達面で助言を実施した。

(改正税法が国会で承認された場合の活動)

活動2-9: 改正税法の執行に向けた側面支援を行う(通達の整備支援含む)。

2020年1月の施行に向けて支援を行った。GDTが現在作成している国際課税施行令に対し、追加施行令の要望も踏まえた更なる提言を行った。また、日本の国際課税、判例、裁決等の事例集を作成した。

成果3 徴収に係る業務実施基盤が強化される。

【指標】

- 3.1 催告センター業務の役割・対象事案(最適な滞納額の上限を含む)が再整理される。
- 3.2 徴収業務を改善するための業務マニュアルがプロジェクトからGDTに提出され、受理される。
- 3.3 (*GDTにより自力執行権の行使に必要な指針(通達)の発遣、マニュアルの作成などの作業が完了する。)

【成果3における基本方針】

(1) 催告センター業務の役割について

催告センター業務の役割については、催告による納付効果が高いと認められる少額滞納の整理 (件数整理)に特化させるべきである。そして、催告対象事案は、相手との早期接触が求められ る既滞納に合併される割合が高い税目を優先して選定する、あるいは、催告センターの処理能力 を勘案した最適な滞納額の上限を定めて選定するなど再整理を図る。その結果として、催告総件 数の増加、催告件数に占める完結に導いた件数の数(割合)の増加を図る必要がある。

催告センターに関し、再度の効果測定を実施した。GDTは自動電話催告システムの開発に着手する予定であるが、2019年12月時点で同システムは稼働していない。

(2) 法案採択後、改正税法の定着に向けた支援策の内容について

法案採択後は、改正一般税法の円滑な実施のための執行体制、執行環境の整備を図ることが最 重要課題であり、そのためには少なくとも本来数年間の継続した支援が必要となる。

改正税法は、従前の一般税法にない新しい制度が盛り込まれており、GDT内に立ち上げたワーキンググループに対して、これまで指導を兼ねた支援を行ってきたが、新しい制度についての経験及び知識を持った検査官がいないため、全国の税務署の徴収職員への研修の実施、また、広く国民各層に対する法律の周知のための広報活動などを短期間に実施することは困難である。従って、改正税法の円滑な実施に向けて、GDTと協議のうえ、GDTの研修計画に併せて、全面的なバックアップ体制を整える必要がある。

プロジェクト終了時が改正税法の施行に重なるので、それまでに下記事項について、重点的に 取り組む方針とした。

- ① 新しい徴収制度に関するマニュアル、関連する書式等の作成
- ② GDT幹部及び税務署徴収部門の主任検査官(課長)クラスへの研修
- ③ 税務署のコア職員、徴収職員への指導研修
- ④ ②及び③の研修資料の作成

【成果3の活動】

活動3-1:少額滞納事案及び大口・処理困難事案に対する組織:制度的な対応状況についての現況調査を行う(催告センターでの進捗確認を含む)。

2017年下期において、滞納整理状況及び滞納処分実施状況について調査し、滞納繰越分、新規滞納発生分、処理分の状況等及び滞納残高の内容(税額階層別の状況、滞納発生からの滞留期間別の状況)等を把握して少額滞納事案及び大口・処理困難事案に対する組織・制度的な対応状況についてまとめた。

活動 3-2:3-1 の活動により改善すべき点を抽出し、業務の効率化に向けた提言・助言を行う(結果を報告書としてまとめる)。

3-1 の調査をもとに、少額滞納事案及び大口・処理困難事案に対する処理体制(執行体制、事案ごとの対応等)など組織的取組みの状況等を確認し、業務の効率化に向けた提言・助言を行った。その内容は、2017.12.15 付「租税滞納状況及び滞納処分状況について」により報告した。

活動 3-3: 催告センターの運用効果測定の実施方針を作成する。

催告センターの運用効果測定の実施方針については、一定時間をかけて発信件数、納付誓約件数、税務署への返戻件数等について測定を行うというものであり、オペレーターの催告業務の従事状況及び催告対象税目、催告対象税額、催告対象者、催告時期、催告時間帯等様々な観点から、最も効果的な催告の方法、最適状態を追及していくことを検討し、助言してきた。

活動 3-4: 効果測定を実施し、改善点を抽出する。

運用効果については、2016年3月の催告センター運用開始以来、3年8カ月余を経過し、この間 2017年12月、2018年11月、2019年11月と3回にわたり、発信件数、納付誓約件数、税務署への返戻件数等について測定を行ってきた。オペレーターの催告業務の従事状況及び催告対象税目、催告対象税額、催告対象者、催告時期、催告時間帯等様々な観点から、最も効果的な催告の方法、最適状態を業務実績に対して実績評価を行い、その都度、改善点を抽出し、今後の課題についても助言を行ってきた。

活動 3-5: 効果測定結果を催告センターに共有し、センターの運営と改善に関する助言、側面支援を行う。

2016年3月の運用開始以来、定期的に運用実績を把握し、期間中の納付催告件数に占める納付又は納付誓約した件数の割合(以下「納付誓約率」という)、催告件数のうち納付困難、電話番号相違などの理由から税務署に返戻した件数の割合(以下「返戻率」という)等について、報告書(2017.8.31 付「催告センターにおける催告業務の現状と課題」、2017.12.15 付「催告センターにおける催告業務の現状と課題」、2018.11.30 付「催告センターにおける催告業務の現状と課題」、また、2019.11.30 付「催告センターにおける催告業務の現状と課題」)により、催告センターの運営と改善に関する助言を行い、催告センターに共有した。

活動 3-6: 催告センターによる運営 実施体制の改善に向けた取り組みを側面支援する。

2017年4月に至り、モンゴル国の税法が定める各税目の申告期限や納期限等に着目した独自の新運用方針を作成し、運用を開始したことに伴う必要な助言を行った。また、2018年1月以降、自動電話催告システムの開発にあたり、仕様書、機能要件等について助言を行い、催告センターによる運営・実施体制の改善に向けた助言を行った。

活動 3-7: 税務署における内部事務の実施状況を調査し、課題を抽出し、内部事務効率化に向けた 提言 (PC の供与先含む)を作成、GDT と共有する (調査結果報告書)としてまとめる)。

2017 年上半期、内部事務の実施状況を調査するため、税務署を視察し、業務の執行体制、PCの利用状況を調査し、課題を抽出(2017.6.27 付「調査報告書」)した。この中で、内部事務の処理に必要な PC が老朽化し処理速度が遅いこと、また、職員に必要な台数が配付されていない等の問題が判明した。また、業務改善案について報告書(2017.11.30 付「税務署内部事務調査報告書」)を提出した。

活動 3-8: PC を調達供与する。

2017年9月、ウランバートル市内のチンゲルティ区税務署、ソンギノハイルハン区税務署の2 区税務署にそれぞれ40台、32台の合計72台のパソコンが供与され、これに併せて徴収セクションの業務の効率化について提言を行った。

活動 3-9: 徴収関連マニュアルなどの作成を通じ、GDT による内部事務、手続きの強化に向けた活動を側面支援する。

内部事務の処理マニュアルについては、改正税法案が国会に提出される等の動きがあったこと に伴い、改正税法の内容により内部事務も大きく変わることが想定されたため、作業を中断し、 これに代えて、滞納整理一般のマニュアルの作成に取り組むこととした。

2019年3月、改正税法案が国会において承認され、徴収事務が自力執行権の付与、第二次納税 義務制度の導入等により劇的に変わることとなり、その緊急性、必要性の観点から円滑な徴収事 務と徴収手続の強化に資する「滞納整理の手引き」(マニュアル)、「様式集」を作成し、同年8月、 GDTに提供した。

活動 3-10: マニュアルをウランバートル市内の区税務署で試験導入する。

一般税法の改正後、活動 3-9 のレビュー (PC 供与の効果測定を含め) に取り掛かる予定であったが、改正税法の成立が大幅に遅れ、法律の施行が 2020 年 1 月となってしまったことから、マニュアルは試行を経ずに、全国で改正税法施行後活用されることとなった。

活動 3-11:業務実施状況のレビュー (PC 供与による運用効果測定含む)を行う。

活動 3-10 のとおり業務実施レビューは実施が不可能となったため、活動 3-9 のとおり改正税法に則った滞納整理マニュアル及び様式集を作成し、GDT に提供した。

活動 3-12: レビューを踏まえて改善案を JCC 等の会合において提案、共有する。

GDT は、2017年10月5日に開催されたJCCにおいて、2税務署の視察の実施からまとめた徴収部門の執行体制等についての改善案(見直しのポイント)に対して、2税務署における徴収部門の再編成を検討するとの見解を示し、共有された。(2017.12.15付「税務署徴収内部事務調査報告書」参照)。

<見直しのポイント>

- ① 徴収部門の業務について専担化を図り、一般滞納事案担当、処理困難事案担当、車両税担当、 特別機関担当、情報調査出納担当の5セクションに分け、担当人数の見直しする。
- ② 滞納整理業務の処理促進を図るため、滞納整理事案について、一般事案担当と大口・処理困難事案担当に分け、それぞれのセクションに部門長を置いて、指揮命令を行う。
- ③ 大口・処理困難事案を担当する職員は、経験豊富な処理能力の高い職員を配置する。

(改正税法が国会で承認された場合の活動)

活動 3-13: 改正税法の執行に向けた通達作成支援、広報に係る助言を行う。

改正税法案が承認された場合に備えて、2018年から GDT 内に立ち上げた法案作成のためのワーキンググループに対して法案の理解を深めるための指導を行ったが、法案成立後は、改正税法の執行に向けた施行令(長官命令)の作成支援を行った。

具体的には、財産差押え、差押財産の換価、換価代金の配当、納税の猶予、第二次納税義務の 4 手続について、通達(案)を作成した。

また、改正税法案成立後は、改正税法の改正のポイントについて、全国のソム税務署の徴収職員、ウランバートル市内の区税務署、歳入予算局の徴収職員に対する研修を実施し、改正税法定着のための支援を行った。

<一般税法改正のポイント(改正税法案に盛り込まれた内容)>

- ① 租税の優先徴収権の付与(租税は、担保権により担保される債権には劣後するが、一般私債権には優先する地位を付与する。)
- ② 自力執行権の導入(行政機関自らが、滞納者の財産を差押えてその財産を公売し、換価代金を配当して滞納税を徴収することができる権限を付与する。)
- ③ 納税義務の拡張制度の導入(滞納者から滞納税を徴収できない場合に、滞納者と一定の関係のある者に対して補充的に納税義務を負わせて滞納税を徴収できる第二次納税義務制度を導入する。)
- ④ 緊急徴収制度の導入(納期限まで待っていては徴収できなくなる恐れがある場合に、納期限 を繰り上げて納付を請求できる繰上徴収の制度を導入する。)
- ⑤ 納税の緩和制度の導入(納税者が災害を受けたことや事業を休廃止したこと等の事実がある ため滞納税を納付できないと認められるときは、納税を1年間(延長して2年を超えない期間)猶予する納税の猶予制度を導入する。)
- 活動 3-14: 徴収業務の実施及び効率化の向上に向けた GDT の取り組みを側面支援する(自力執行権の行使に関する書類、マニュアルの整備を含む)。

改正税法が成立したことで、徴収事務が自力執行権の付与、第二次納税義務制度の導入等により業務内容が劇的に変わることとなり、その緊急性、必要性の観点から円滑な徴収事務と徴収手続の強化に資するため、活動 3-9 のとおり「滞納整理の手引き」(マニュアル)、「様式集」を作成し、2019 年 8 月、GDT に提供した。

活動 3-15: 今後の制度整備の在り方について関係者と協議し、必要な助言を行う。

自力執行権の導入以降、租税優先権の付与、第二次納税義務制度、納税義務の時効消滅、滞納 処分の停止の導入等、今後、整備が必要と思われる法制度の在り方について、関係者と協議し、 必要な助言を行った。

今後、改正税法の定着を図ることが最重要課題であるが、今回の改正案に盛り込まれなかった 「時効制度」、「滞納処分の停止の制度」の導入、滞納処分と強制執行との調整など新たに整備 が必要と思われる法制度について、関係者と協議し、必要な助言を行った。

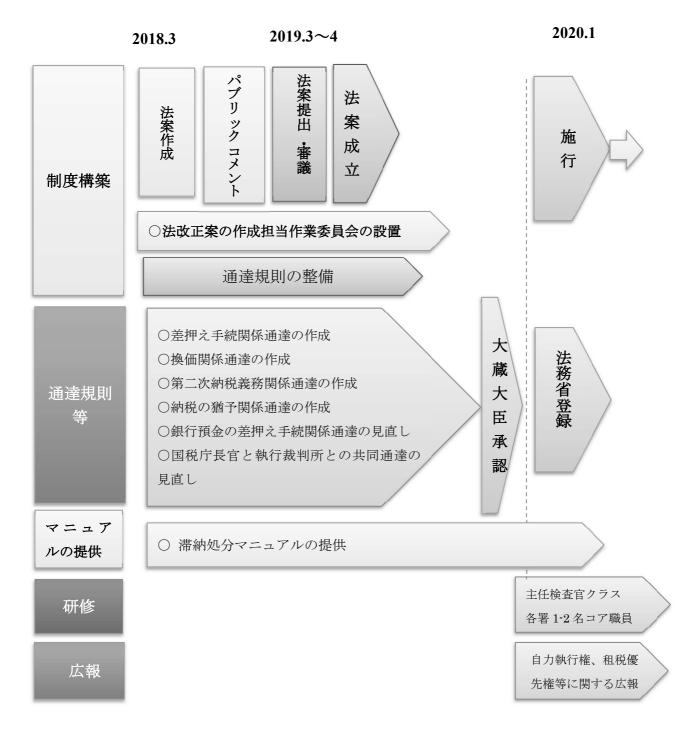


図4 税法改正のロードマップ

2.4 業務の目的

前述のプロジェクトを実施するために、一般社団法人金融財政事情研究会及び株式会社パクサからなる専門家チームは以下のとおり業務を実施した。

本事業は、モンゴル国全土において、国際課税分野を担当する GDT 職員に対して人材育成(中級及び上級レベルの知識・技能の習得)を行い、国際課税の実務実施基盤の整備を支援する。また、徴収実務基盤の整備を行う。以上により、モンゴル国の国際課税及び徴収に関する行政能力の強化を図り、もって、当該分野の税務行政の更なる改善に寄与するものである。

2.5 業務実施の内容

*下記番号はフローチャート、作業計画記載番号で国際課税・徴収共通事項

1-1 関連資料・情報の収集整理

IMFの支援パッケージに関する情報を収集した。また、税制、税務行政の現況に関する情報を確認した。

1-2 業務計画書 Ver.1~Ver.3 の作成

2017年3月にVer.1、2018年9月にVer.2、2019年4月にVer.3を作成した。

1-3 ワーク・プラン Ver.1~Ver.3 案の作成

2017年4月に Ver.1、2018年9月に Ver.2、2019年6月に Ver.3 を作成した。

1-4 ワーク・プラン Ver.1 案の説明

ベースライン調査の結果を反映した Ver.1 案の説明を 2017 年 3 月に実施した。

1-5 実施体制の確立

1-4 と並行して JCC ならびにプロジェクト実施チームの確認を行った。事務所スペースの確認と 設置(モンゴル国側の便宜供与)、作業に必要な機材の整備をし、事務体制を整えた。

1-6 モンゴル国際課税、徴収に係るベースライン調査

外部再委託を活用してベースライン調査を実施した。2017年6月、報告書を提出した。

1-7 ワーク・プラン Ver.1~Ver.3 の協議と合意

GDT に対してワーク・プラン案を説明、協議した。関係者と協議し、プロジェクトの全体像を共有した。作成当時の状況も確認した上で、必要に応じ修正作業をした。各指標の確認、入手手段、担当責任者も C/P、専門家で共有して、プロジェクトのモニタリングの仕組みを確立させた。ワーク・プラン Ver.1、2、3 とも GDT の合意を得た。

1-8 Monitoring Sheet の作成と提出

プロジェクトの進捗を Monitoring Sheet として提出した。内容と提出時期は指示書に基づき下記の通りである。内容は JICA、C/P と相談の上、アレンジした。 Monitoring Sheet を GDT と共有し双方でプロジェクトの進捗をチェックした。

- a) Progress
- b) Delay of Work Schedule and/or Problems(if any)
- c) Modification of the Project Implementation Plan
- d) Preparation of Gov.of Mongolia toward after the completion of the Project

Ver.1 2017年8月 提出済

Ver.2 2018年2月 提出済

Ver.3 2018年8月 提出済

Ver.4 2019年2月 提出済

Ver.5 2019年8月 提出済

Ver.6 2020年1月 提出済

1-9 終了時評価調査の準備と実施支援

終了時評価調査は実施されなかったが、2019年12月実施の第6回JCCにおいて、これまでの全ての技術移転結果、目標達成度、業務実績、指標について取りまとめてレビューを行った。

1-10 業務完了報告書の作成と提出

プロジェクト終了時に業務完了報告書を作成、提出した。業務完了報告書記載項目は下記の通り。

- プロジェクトの概要(背景・経緯・目的)
- ② 活動内容(実施体制、実施内容)
- ③ プロジェクト目標の達成度(上位目標の達成の度合い、プロジェクト目標の達成の度合い)
- ④ プロジェクト実施運営上の課題・教訓
- ⑤ プロジェクト終了後に向けての提言

<添付資料>

PDM (変遷経緯)

業務フローチャート

作業計画

専門家派遣実績

研修員受け入れ実績

供与機材・携行機材実績(引き渡しリスト含む)

合同調整委員会議事録

<技術協力成果品等>

• ベースライン調査報告書

- 国際課税に係る人材育成計画案
- 国際課税に関する教材・カリキュラム
- 国際課税実施体制調查·分析報告書
- 国際課税制度整備提案書
- 滞納整理·催告調查報告書
- 催告センター効果測定・課題報告書
- 税務署内部事務調查報告書
- 徴収関連マニュアル

和文、蒙文、英文、CD-Rを提出した。

【国際課税分野:人材育成】

2-1 人材育成計画の作成

2017年7月に作成した。P7の表2にあるように全ての研修が完了した。

2-2 研修事業のカリキュラム・教材の作成

2-1 の人材育成計画を基に作成した。カリキュラム、教材は別添資料を参照。

2-3 国際課税現地上級研修の準備、実施

プロジェクト開始時から終了時までに6回の上級向け研修を実施した。本邦研修と整合性を図り 現地研修を進めていき、専門家が講師として実施した。知識力においては、流動的な国際的課税環 境の下で自国の制度の問題点をタイムリーかつ的確に把握し、適宜実情に応じた有用・妥当な税制 改正案を提言できることを目標とし、調査力においては、国際取引の中から高度に複雑な国際的 租税回避スキームを正確に抽出・把握し、個別の具体的な取引について課税関係を適切に判断でき るようになることを目標とした。

実施時期と研修員数は以下の通り。詳細は別紙「国際課税に関する教材・カリキュラム」を参照。

- ① 2017年9月 国際課税上級研修(40名)
- ② 2017年11月 国際課税特別研修(40名)
- ③ 2018年8月 国際課税上級研修(40名)
- ④ 2018年11月 国際課税特別研修&ピア・レビュー(40名)
- ⑤ 2019年8月 国際課税上級研修(40名)
- ⑥ 2019年11月 ピア・レビュー (40名)

2-4 国際課税本邦研修の準備・実施(2回)

研修開始までの活動状況と国際課税分野の現況をGDTに情報提供し、内容を調整した。また、研修員選定基準を提示し、GDTの選定作業をサポートした。日本語教材からモンゴル語教材への翻訳

もサポートした。

[研修目的]

国際課税の世界的な潮流(BEPS)を踏まえ対応力を強化することを目的とする。指示書に記載されているように上級レベルの知識力として「流動的な国際的課税環境の中で、自国の制度の問題点をタイムリーかつ的確に把握し、適宜実情に応じた有用・妥当な税制改正案を提案できる」ことを最終目的とした。

[研修の特徴]

各テーマ²に沿って、BEPSパッケージの内容、日本国の対応について講義し、モンゴル国の現状と対応について議論し、知識面の強化を図った。

〔研修対象者内訳〕

コア職員40名の中から選抜された15名程度で「国際課税制度の立案に携わる者」とした。 [研修先]

日本国国税庁を主たる講師先とした。第1回目は2018年4月12日から4月19日の期間に参加者15名で実施された。第2回は2019年1月28日から2月5日の期間に参加者14名で実施された。カリキュラム、参加者リストは添付5. 研修員受入れ実績を参照。

2-5 研修員の業務モニタリング

1回目は2018年9月に、2回目は2019年9月に実施した。研修員がアンケートに記入し、その後、専門家が研修員の職場を訪問し、専門家によるインタビューを実施した。トレーニング中に習得したスキルをどう活かしているかインタビューをすることにより、業務の実態を把握し、レビュー結果をまとめた報告書をGDTに提出した。

2-6 ピア・レビューの準備

2018年10月にピア・レビュー評価方針を取り纏めた。評価の方針と、下記評価フォーマットを明記し、ピア・レビューにおいて活用した。

² 「日本及びモンゴルの国際課税に関する事例研究」(1回目)、「移転価格税制/日本の移転価格調査/事例研究/国際課税を取り巻く最近の動向」(2回目)をテーマとした研修をそれぞれ実施した。

表3 ピアレビュー評価フォーマット

				① 品質		② 事実		③ 審理		④ 結論		総合評
ケース	チーム	素点	得点 (素点×2)	特記事項	得点	特記事項	得点	特記事項	得点	特記事項	⑤ 得点合 計	価 5点満 点 (⑤×1/5)
1	1											
2	2											
3	3											
4	4											
5	5											
6	6											
7	7											
8	8											
N	n											
	計点											
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【評価要素】

- ① 品質:高度・複雑な国際課税事案に取り組めているか。 (5段階により付した素点を2倍し10段階評価)
- ② 事実:取引における課税要件事実を遺漏なく把握できているか。(5段階評価)
- ③ 審理:適用する法令・条約等の規定の抽出・解釈を適切にできているか。 (5段階評価)
- ④ 結論:事実への法令の適切なあてはめにより妥当な結論を得ているか。また必要に応じて適切な法令整備提言ができているか。 (5段階評価)
- 【総合評価】①~④を加算した⑤得点合計に1/5を乗じて5点満点で評価。

2-7 ピア・レビューの実施

2018年11月及び2019年11月に実施した。下記のポイントを念頭に、8グループに分けて評価を実施した。

- ①課税要件事実を正確に把握(評価)しているか。(調査力)
- ②法令・条約を正確に適用(解釈)しているか。(審理力)
- ③妥当な結論が導かれているか。
- ④あるべき結論に到達できなかった場合の問題点と解決法を理解できているか。(問題の分析力と解決法の提言力)
- ⑤高度・複雑な事案に取り組めているか。

2-8 人材育成計画の改定

ピア・レビューの実施によりレベル感を把握し課題を抽出、それを踏まえて各研修の内容をアレンジしながら2017年策定の計画に基づき内容面の改定を実施したが、大幅な改定はなかった。

【国際課税分野:制度整備】

2-9 国際課税に係る実施体制の調査・分析

ベースライン調査も踏まえ、GDTの国際課税に係る体制を調査・分析した。税務行政協力局、税務調査方策局(統計分析係も含む)、リスクマネジメント部、法務部、予算歳入管理局、税務署(調査局が管理している)からヒアリング調査を実施した。報告書に取り纏めて2018年8月に提出した。業務完了報告書において、今後のモンゴル国GDTが取り組むべき事項を提案した。

2-10 国際課税制度に係る課題の抽出

下記の制度を中心にレビューを実施した。

移転価格(TP)、恒久的施設課税(PE)、タックスへイブン、外国子会社配当金の益金不算入制

度、外国税額控除制度、コーポレート・インバージョン、過小資本、過大支払利子税制、国際源泉所得課税、非居住者課税、外国法人課税、国際消費税(国際VAT)、国際的租税回避、国際取引契約、租税条約と国内税法

2-11 国際課税ワークショップの開催

2-10、2-11の調査結果を2018年8月、10月で3回のワークショップで共有した。

2-12 国際課税制度整備に関する支援

採択された国際課税関連税法に関して、執行面(体制を含む)での助言をおこなった。また、今後対応が想定される事例に関しては、日本の実際の調査事例を判例裁決をもとにまとめて、事例集とした。GDT 職員が日本の事例を参考にできるよう纏めた。

2-13 国際課税法令への助言

施行令、通達に関する助言を実施した。BEPS 議論から見て、将来改正が必要な部分についても 提案した。

2-14 C/P との定例会議の実施

定例会議を実施し、調査技法、組織、制度に関して継続的な助言を行った。

徴収分野

3-1 徴収分野本邦研修の準備と実施

本邦研修は2017年2月22日から3月1日の期間に15名の参加者により実施された。運営、資料翻訳を支援した。

3-2 滞納整理・催告に係る調査

GDT における徴収職員のレベルの状況と滞納整理対象事案の内容(量的、質的)を把握する現況 調査を行った。2017 年末に各種報告書を提出した。その後も上記調査のレビューを適宜実施した。 レビュー結果を業務改善に反映させた。

3-3 催告センターの運用にかかる効果測定の準備・実施

運用効果については、2016年3月の催告センター運用開始以来、3年8カ月余を経過し、この間2017年12月、2018年11月、2019年11月と3回にわたり、発信件数、納付誓約件数、税務署への返戻件数等について測定を行ってきた。催告システム稼働後の業務について行う運用効果測定は、詳細な実施方針(オペレーターの催告業務の従事状況及び税目別、税額別、催告時期、催告時間等様々な観点から試行、分析を加えながら、最も効果的な催告対象の選定を行う)を作成し、1年程度の時間をかけて発信件数、納付誓約件数、接触率等について測定を行った。効果測定の結果を催告センターと共有するとともに、測定結果を分析した。

3-4 催告センターの運用にかかる改善の提言

3-3 から催告業務に関する課題、改善点を抽出し、問題を共有、改善に向けた提言をとりまとめた。2017年8月、2017年12月、2018年11月、2019年11月に報告書「催告センターにおける催告業務の現状と課題」を提出した。

3-5 催告センター改善支援

催告業務の運営、実施体制等の改善に向けた取り組みを継続的に側面支援した。

【徵収分野:内部事務効率化】

3-6 税務署における内部事務に係る調査分析

2017年上半期、税務署の内部事務の実施状況を調査するためウランバートル市内税務署を視察し、業務執行体制の課題を抽出して、2017年6月、税務署内部事務調査報告書を提出した。

3-7 内部事務効率化のための PC 供与

2017年9月、ウランバートル市内のチンゲルティ区税務署、ソンギノハイルハン区税務署の2区税務署にそれぞれ40台、32台の合計72台のパソコンを供与した。

3-8 徴収関連マニュアルの作成

一般税法の改正に伴い、様式と徴収マニュアルの作成支援を実施した。内部事務の処理マニュアルについては、改正税法案が国会に提出される等の動きがあったことに伴い、改正税法の内容より内部事務も大きく変わることが想定されたため、作業を中断し、これに代えて、滞納整理一般のマニュアルの作成に取り組むこととした。2019年3月、改正税法案が国会において承認され、徴収事務が自力執行権の付与、第二次納税義務制度の導入等により劇的に変わることとなり、その緊急性、必要性の観点から円滑な徴収事務と徴収手続の強化に資する「滞納整理の手引き」(マニュアル)、「様式集」を作成し、同年8月、GDTに提供した。

3-9 徴収関連マニュアルの試行

一般税法の改正後、活動 3-10 のレビューに取り掛かる予定であったが、改正税法の成立が大幅に遅れ、法律の施行が 2020 年 1 月となってしまったことから、マニュアルは試行を経ずに、全国で改正税法施行後活用されることとなった。

3-10 試行結果のレビュー

一般税法改正後の業務実施状況のレビューは改正税法の施行が 2020 年 1 月のため、プロジェクト終了時期までのレビューは不可能となった。

3-11 内部事務効率化の改善案の作成

内部事務実施状況調査の結果を踏まえ、業務改善案を作成した。改善案は 2017 年 11 月に「税務 書内部事務調査報告書」として提出した。また、2018 年 12 月と 2019 年 12 月に「税務署内部事務 効率化効果測定・課題報告書」として提出した。報告書は JCC で関係者と共有した。

3-12 内部事務効率化支援

内部事務効率化、税法改正にともなう組織改編の助言等支援した。

徴収分野: 改正税法の成立に伴う支援

3-13 改正税法の執行に係る支援

GDT による通達の発遣、自力執行権の付与に伴い新たに必要となる徴収手続マニュアル(主として、差押え、公売の手続についての事務処理マニュアル、様式書類等)の作成、職員研修の実施、広報活動等についての GDT の取り組みを側面支援した。

3-13-1 通達の見直し、整備

改正税法案が承認された場合に備えて、2018 年から GDT 内に立ち上げた法案作成のためのワーキンググループ (以下「WG」という。) に対して法案の理解を深めるための指導を行ったが、法案成立後は、改正税法の執行に向けた施行令 (長官命令) の作成支援を行った。具体的には、財産差押え、差押財産の換価、換価代金の配当、納税の猶予、第二次納税義務の 4 手続について、通達 (案) を作成した。また、改正税法案成立後は、改正税法の改正のポイントについて、全国のソム税務署の徴収職員、ウランバートル市内の区税務署、予算歳入管理局の徴収職員に対する研修を実施し、改正税法定着のための支援を行った。

3-13-2 滞納マニュアルの作成

改正税法が成立したことで、徴収事務が自力執行権の付与、第二次納税義務制度の導入等により業務内容が劇的に変わることとなり、その緊急性、必要性の観点から円滑な徴収事務と徴収手続の強化に資するため、「滞納整理の手引き」(マニュアル)、「様式集」を作成し、2019年8月、GDTに提供した。

3-13-3 執行裁判所等との調整

下記①②を改正税法施行までに見直すこととして提案した。

- ①すでに執行裁判所に移管した事案の取り扱い
- ②租税債権と他の債権(私債権及び他の租税債権)とが競合した場合の配当手続き

3-13-4 広報活動の側面支援

税務機関が独自に差押え、公売を進めることについて、マスメディアを利用し、国民各層への 広報や、弁護士会、税理士会等でのセミナーを開催することを提案した。

3-13-5 徴収職員の研修の側面支援

新しい徴収制度の導入に伴い、滞納整理事務の劇的な変化に対応し、滞納整理事務を円滑に遂 行させるため、専門的な知識と徴収技術を習得させる必要があった。このため、研修の実施に当 たっては、GDT と協力して研修実施要領を作成のうえ、相互に補完し合いながら、改正税法についての知識と徴収技術が一体として習得できるよう共同で実施し、当面、GDT が主催する研修に対して積極的な支援を行った。

2019年9月20日、21日の2日間、改正税法の内容紹介と施行にあたっての留意点を説明するための研修を実施した。この研修には全国のソムの税務調査官330名、全国に21ヵ所あるアイマグの税務署長全員が参加した。

3-14 今後の法改正に向けた助言

今後、改正税法の定着を図ることが最重要課題であるが、今回の改正案に盛り込まれなかった「時効制度」、「滞納処分の停止の制度」の導入、滞納処分と強制執行との調整など新たに整備が必要と思われる法制度について、関係者と協議し、必要な助言を行った。

3. プロジェクト目標の達成度

プロジェクトの目標の達成度について DAC 評価 5 項目による評価の視点から記載している。

妥当性:プロジェクト目標は受益者のニーズに合致しているか、相手国の政府政策や日本の援助政策と

の整合性はあるか

有効性:プロジェクト目標が達成され、受益者や対象会社に便益が持たされているか

インパクト:プロジェクトの実施によってもたらされる正・負の変化を問う。

効率性:投入した資源が効果的に活用されているかを問う

持続性:プロジェクトで生まれた効果が、協力終了後も持続するかを問う

3.1 妥当性

モンゴル国及び日本国の各政策との整合性が見られることから、妥当性は高い。

【モンゴル国の政策との整合性】

モンゴル国政府は、IMFのプログラムの下、世界銀行やアジア開発銀行 (ADB) などと協調し、財政再建と経済成長の基盤強化を目指している。財政再建の一環として税制改正による歳入の強化が必要な状況であった。2016年に発足した新政権の「政府行動計画 2016—2020」基本方針では経済・財政上の困難を克服するための政策としてマクロ経済安定化、外国投資促進、国内生産増大、民間セクター支援のための税制改正が計画されており、プロジェクト活動と当該計画は合致している。

【日本国政府の援助政策】

日本国政府はモンゴル国政府の開発・戦略実現を支援するために「対モンゴル国別援助計画」を策定、3 つの重点分野(中目標)を軸に対モンゴル援助を実施してきた。本案件は対モンゴルの国別援助方針(2012)の中目標の一つである「鉱物資源の持続可能な開発とガバナンス強化」とも整合性が取れており、国際課税分野及び徴収分野の人材育成・制度整備はモンゴル国の安定的な財源確保に基づく持続的成長に繋がるとともに、税制環境整備の観点でも民間セクター支援を通じた経済成長に貢献することから、援助政策と合致している。

2017 年 3 月に両国外相間で署名した「戦略的パートナーシップのための日本・モンゴル中期行動計画」(2017~2021 年)の趣旨を踏まえた「対モンゴル国国別開発協力方針」(2017年12月)では、上記の中目標を"モンゴル政府が経済・財政上の困難を克服し、経済の中長期的な成長・安定化を図るために、政府の財政規律(歳入・歳出管理等)の強化を狙いとした公共財政管理能力の向上、 法・司法制度整備、金融市場の機能強化や投資・ビジネス環境の整備による FDI の促進による活力ある市場経済の推進を通じたガバナンス強化による健全なマクロ経済の実現を支援する"としており、プロジェクト活動は公共財政管理能力の向上、法・制度整備及びビジネス環境の整備とも合致している。

3.2 有効性

上位目標、プロジェクト目標及び成果ともほぼ達成、もしくは達成される見込みであり、有効性が高い。

【上位目標】国際課税及び徴収に係る税務行政が更に改善される。

国際課税、徴収関連の法改正による改善の度合いは、改正が 2020 年 1 月からであるため、測定できないものの、税法改正等インパクトの高い支援結果を出しており、施行によりさらなる改善が期待される。海外取引における非違発遺、催告センター実績もプロジェクト開始当初より向上している。

【プロジェクト目標】国際課税及び徴収に係る税務行政が強化される。

(税法改正が 2020 年 1 月からであるため、この後の徴収額など測定できない部分が指標に存在する)。 国際課税、徴収関連法の改正により GDT に関わる法的基盤を整備した。特に自力執行権は税務職員 の権限を高め、歳入確保に貢献するものと考える。海外取引対応能力、催告センターによる小口の滞納 にかかる徴収も強化されている。国際課税及び徴収に係る税務行政が強化される。

ほぼ達成された。

【指標】

(国際課税)

1) ピア・レビューに提出された事案の中で、高度な海外取引調査件数がプロジェクト開始時点に比べて増加する。

プロジェクト開始時の研修では該当事案はほぼなかった。第1回ピア・レビューは2018年に実施され、8件中4件が該当した。2019年11月実施の第2回ピア・レビューでは8件中7件と増加が認められた。

- 2) <u>収集及び蓄積された海外取引調査情報を用いた事例研究等により知識が共有される。</u> 現地研修においては海外取引における各国及び日本の事例を扱い、その後モンゴル国の事例を扱う ことで、職員による比較研究を容易にするなど工夫して活動を実施した。モンゴル国の事例は、こ れまでに収集及び蓄積された海外取引情報を活用したものであり、十分に活動・共有を行った。
- 3) <u>GDT が、国際課税に関する今後の法改正のための提案書を大蔵省に提出し、受理される。</u> 大蔵省が受理し、最終的に改正税法として成立した。下記法案、通達の整備に貢献した。³

A 一般税法編

移転価格税制関連

一般的租税回避防止規定(GAAR)(16条)

相互協議条項(16条)

情報交換条項(18条)

B 法人税法編

定義条項(国内源泉所得など)(4条)

PE(Permanent Establishment)条項(恒久的施設)(6条)

3 このプロジェクトチームによる支援では、BEPS プロジェクトの議論を念頭に置いて、BEPS の現状とその対抗策の啓蒙をモンゴル国税庁の幹部および国際課税担当職員に並行して行った。同時に、モンゴル国の現行の国際課税税制に内在する欠陥を分析・抽出し、その改正の必要性と具体的な改正内容について、モンゴル国大蔵省の法案作成担当者と綿密な協議を続けてきた。その結果、プロジェクトチームの提言を大幅に取り入れた抜本的な国際課税税制の改正法案が、2019年2月23日から3月24日までのパブリック・コメントの聴取を経て、ようやく2019年3月22日に、一部内容の修正を経て国会を通過、2020年1月から施行されることとなった。(石黒秀明2019年7月16日作成 "モンゴルの国際課税関連税制の改正について"報告書より)。

過大支払利子税制 (過少資本税制) (14条)

外国税額控除(23条)

TP・カントリー・レポート (27条)

CFC (Controlled Foreign Corporation) 条項 (31 条)

(徴収)

4) 催告センターの稼働開始時より処理件数が増加する。

表 4 のとおりに催告数、納付数ともに増加した。プロジェクト期間中の回収額は日本円で約 11 億 2 千万円である。

	所掌法 人数	所掌未納額 (百万トゥグレグ)	このうち納付済み法人数	納付済み額 (百万トゥグレ	電話催告数
2016. 32016.12.31	23201	10,694.6	13745	6405.4	31202

12,215.3

13,221.3

9,682.4

45,813.6

表 4 催告センター実績関連データ」

31706

36461

26486

108,398

7458.9

8243.8

5946.3

28054.4

39930

69665

44245

185,042

5) 提出された業務マニュアルが市内の他のパイロット区で試行される。

50389

54927

42503

171020

業務マニュアを提出したが、パイロット区における試行はできず、そのまま確定版としてモンゴル 国全土の税務署で活用された。

6) 自力執行権に係る業務から歳入が得られる。

改正税法が2020年1月施行されたため、本件の数値は測定することができなかった。

【成果1】 国際課税に関する中級及び上級レベルの知識と技能を習得する。

成果1は達成された。

2017.1.1 -2017.12.31

2018.1.1 -2018.12.31

2019.01.01 -2019.09.30

GDT の国際税務を担当する 49 人のコア職員が上級レベルのトレーニングを受けている。海外取引情報を集積するシステムを作り、その取り引き情報を研修で活用し、共有した。高度で複雑な事案もプロジェクト開始当初より増加し、理解度も向上している。

【指標】

1.1 研修員の80%が所定の5回(3年間)の研修を修了する。

キャッチアップ研修、フォローアップ研修(前フェーズでコアメンバーでなかった職員、本邦研修に行けなかった職員が受ける研修)を除いて 88.1%となった(指標の 5 回には前述の研修を含まない)。ピア・レビューをもう1回追加で実施することとなった。

表 5 研修出席率

	第1回目	第2回目	第3回目	第4回目	第5回目	平均
(出席率:%)	90.5	95	82.5	91.6	81	88.1

1.2 100%の研修員が、研修初日の Pre テストに比べ、最終日の Post テストにおいてスコアを伸ばす。 ほぼ達成された。

事前事後テストのどちらかを受験できていない職員が平均10%程度存在する。これは主に業務命令により、業務のため当該日に出席できなかった職員、また体調不良により出席できない職員がいたため。また事前より事後が低かった職員が2回(2名)あった(業務による上長からの呼び出しによりそのまま退出)。これらを除けば100%を達成できている。

1.3 ピア・レビューに提出された全事案のうち半数以上が、チェックリスト評価において、3.5 レベルに達する。

ピア・レビュー評価書に基づいて、高度で複雑な事案を 3.5 ポイントと設定した。第 1 回ピア・レビューでは 2.95 で 3.5 に届いていない。第 2 回ピア・レビューにおいて 3.58 となり、指標の数字 3.5 に到達した。

【成果2】国際課税に関する業務実施基盤がさらに整備される。

成果2は達成された。

国際課税を扱う GDT 内の組織に関しては、国際課税問題を扱う GDT の税務管理および協力部 (TACD) に加えて、国家税収および管理部 (SBRCD) 内に、国際課税問題にも対処するための新しいユニットが設立され、国際課税実施体制を強化した。成果1の活動と合わせて、海外取引における非違発遺の向上に貢献したと評価できる。

【指標】

2.1 <u>GDT 戦略開発局国際課税課及びリスクマネジメント局が海外取引調査情報を収集及び蓄積する。</u> 2017 年より海外取引情報の集積を始め、2019 年 9 月現在で累計 309 件の事案の調査を行った。

年度	調査対象法人数	海外取引調查対象法人数 (非違発違)
2017	4,968	68
2018	6,207	153
2019	3,567	88

表 6 海外取引データ件数 (データは 2019 年 9 月末現在)

- 2.2 日本側プロジェクトチームが、国内源泉所得に係るソースルールの確立、国際的租税回避防止諸制度の拡充、国際的二重課税排除制度の整備等を目的とする法制化に向けた提案書を最終化する。
- 2.3 (GDT が国際課税に関する運営指針(通達)を発遣する。)

通達に関しては、GAAR 案を専門家が原案を作成、その他はオーナーシップを重視し、まず GDT が作成したものに専門家が助言をする形で通達は作成された。現在、パブリック・コメントを終了し、法務省の最終承認・確認段階に入っている。下記法案、通達の整備に貢献した。

A 一般税法編

移転価格税制関連

一般的租税回避防止規定(GAAR)(16条)

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B 法人税法編

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外国税額控除(23条)

TP・カントリー・レポート (27条)

CFC (Controlled Foreign Corporation) 条項 (31条)

上記税法改正によるアウトカムはまだ測定できない。

【成果3】徴収に係る業務実施基盤が強化される。

成果3は達成された。

【指標】

3.1 催告センター業務の役割・対象事案(最適な滞納額の上限を含む)が再整理される。

業務運営方針を改めた 2017 年月以降、納付誓約の割合が向上し、また、税務署への返戻事案が減少している。これは、催告対象基準を 3 条件(新規発生分であること、3 税目の滞納であること、税目別の総滞納額が 100 万 MNT 未満であること)に絞り込んだことから、効率的な催告が可能となり、また、税務署との連携が功を奏し、返戻事案等の早期解明が図られたことなどが業務の効率化に繋がった。

3.2 徴収業務を改善するための業務マニュアルがプロジェクトから GDT に提出され、受理された。

新税法に即した専門家作成のマニュアルは 8 月に GDT に提出され、受理された。2019 年 12 月時点で、Regulation(通達・施行令)がパブリック・コメント期間となり、それを経てマニュアルが確定された。

3.3 <u>GDT により自力執行権の行使に必要な指針(通達)の発遣、マニュアルの作成などの作業が完了する。</u>

専門家が公売実施及び随意契約による換価手続に関する通達、滞納者の財産の差押、取上げ、保管及び保全に関する通達、滞納税を第二次納税義務者から徴収する通達、納税の猶予に関する通達を作成した。2019年12月時点で、Regulation(通達・施行令)がパブリック・コメント期間となり、それを経て通達が確定された。マニュアルは2019年8月に提出し、パブリック・コメントを踏まえて2020年1月に最終化された。

3.3 効率性

プロジェクトでは効率的な活動実施を常に意識したものの、税法改正という政治的な動きに伴い、現 地調査が効果的に行えなかったことが度々発生した。例えば、プロジェクト活動の結果採用された税法 案が審議された際、国会対応支援のため専門家を投入したものの、国会そのものが審議中止、延期にな ることがあった。結果的に税法改正がプロジェクト終盤にずれ、当初予定していた業務マニュアルを活 用したパイロット税務署での試行ができなくなったため、試行なしでの実施をせざるをえなくなった。 税法改正が大規模となったことで、常時プロジェクトによる支援が必要となり、国内作業が大幅増と なった。プロジェクトチームの業務従事体制の観点で、JICA の現行制度は現地/国内の人月振替が弾力 的であるため、プロジェクト予算の増加はなく、国内から効率的に法案作成支援ができたものの、予見 が困難な法改正支援を含んだことで、少なからず効率性に影響が出たと考えられる。

3.4 インパクト

徴収実績をあげたこと等、インパクトは高いと言える。ただし、税制改正による数値は現時点で測定できない。

【上位目標】国際課税及び徴収に係る税務行政が更に改善される。

国際課税、徴収関連の法改正による改善の度合いは、改正が 2020 年 1 月からであるため、測定できない (特に指標 4 の自力執行権の行使による徴収件数の増加等を測定できない)。しかしながら、大規模な税制改正に直接寄与しており、インパクトは高い。経済的、社会的な効果としては、自力執行権の適切な導入、運用は歳入に寄与するものと考える。また、差し押さえ権限の強化は、社会に対するインパクトも大きい。適切な運用が望まれる。

【指標】

(国際課税)

1 海外取引調査による非違発遣割合が増加する。

(追徴 計 海外取引調查 調査対象 非違発違 加算税、 徴収割 年度 対象法人数 非違発違金額 徴収金額 延滞税、利 法人数 割合 (非違発達) 869,823,026.2 2017 4,680,373,740.9 4.968 68 1.369 43,719,721,329.6 18.6 2018 6,207 153 2,.465 2,191,523,600,031.1 328,930,967,763.3 4,268,848,918.6 1.3 106,572,201,046.8 10.851.937.460.1 1.800.150.399.4 16.6

表 7 海外取引データ

*金額単位: MNT 2019年は9月末までのデータ

2018年から2019年の非違発遣割合は微増であるが、増加している。これまで日本円で2億4千万を徴収した。

2018年の金額が突出している理由は、大企業2社の追徴額が高いことによる。

- A 社(鉱山会社) の追徴額は 296,000,000,000MNT (日本円で 118 億円)。総額の約 90%。
- B社(銀行)の追徴額は、4,000,000,000MNT(日本円で1.6 憶円)。総額の約1.2%。

これらを除けば 192,854,076,802MNT となり、徴収できた割合は 11%となる。なお、その年で徴収できなくとも翌年以降徴収できるものもある。徴収金額、徴収できた割合は増加する。

2 成果 2 指標 2.2 に関する法制化に向けて、GDT が大蔵省の方針に基づき改善案を同省に提出する。 下記を提出受理された。

A 一般税法編

移転価格税制関連

一般的租税回避防止規定(GAAR)(16条)

相互協議条項(16条)

情報交換条項(18条)

B 法人税法編

定義条項(国内源泉所得など)(4条)

PE 条項(恒久的施設) (6条)

過大支払利子税制 (過少資本税制) (14条)

外国税額控除(23条)

TP・カントリー・レポー (27条)

CFC 条項 (31 条)

3 催告センターによる徴収が減少しない、または向上する。

表 4 のように催告数、納付数ともに増加している。プロジェクト期間中の回収額は日本円で約 11 億 2 千万円である。

4 自力執行権の行使による徴収件数が増加する。

施行が2020年1月のため測定不可能。

3.5 持続性

【**政策面**】国際課税関連法、徴収関連法は法律として採択、施行されるので、持続性は高い。特に徴収 関連法は広く国民が関係する可能性があるので、適切な運用が期待される。

【組織面】GDT は国の重要な機関として存続していくので、プロジェクトでの成果を一層活用することが期待される。新税法の執行体制を含む組織面の今後の課題及び対応策について後述で記載する。持続性の観点から実施体制・組織再編は IMF の納税者のセグメント化の助言との整合性を考量する必要があると考えられる。

【財務面】新税法に関する実務面の強化として研修の継続が望まれるが、GDT として毎年の予算編成に研修予算の確保が必要である。

【技術面】自力執行権等徴収分野に関しては、マニュアル等も基本的なものであり、今後事案が出てきた段階で、事例集を作成するなど、能力強化は必須である。国際課税及び徴収分野の持続性の観点からみた技術面については後述で記載する。

3.6 効果発現に貢献した要因、実施プロセスに影響を与えた要因

協調融資が行われる環境下でプロジェクトは開始されたが、融資条件として歳入強化が挙げられ、税法の導入を後押しした。元来納税を回避できやすい環境にモンゴル国は置かれており、国会においても自力執行権や第二次納税義務等の導入には反対意見が多いと見られていたが、財政難を背景として国際機関からの融資を受けていたことも、国会で改正税法が採択された要因の一つであったと考えられる。また、国際課税面においては、2017年にEUがモンゴル国を租税回避対策に非協力的な国としてブラックリストに含めたため、モンゴル国は国内法を改正し、関連条約に加盟することをEUに約束、2018年に同ブラックリストから削除された経緯がある。一連の流れを踏まえ、モンゴル国がBEPS対策に積極的に取り組まざるをえなかったことも効果発現を後押しした。長年にわたりJICAが協力を行ってきたことにより信頼関係が醸成され、専門家の意見が受け入れられやすい土壌があったことも大きかったと考えられる。

4. プロジェクト実施運営上の課題・教訓

4.1 課題

プロジェクトの当初計画では、パイロット税務署で徴収業務改善の試行を行うことが含まれていたが、徴収関連税法の大幅な改正が見込まれ、業務フローに大きな影響が出るため、税法の採択を待ち、マニュアル作成や研修を実施することとなった。しかし、国会の審議が延期されるなど、当初予定から税法の施行が大幅に遅れることとなり、パイロット試行自体ができなくなった。代替策としてマニュアルを作成、同マニュアルを用いた研修を実施し、そのまま施行令に基づき業務を行うという対応となった。大きな業務内容の変更等を志向する場合、法制面の整備が不可欠であるが、特にモンゴル国の場合は国内政局が安定せず、国会審議が延期される等の政治リスクが常に伴う。

国際課税を担当するコア職員の育成をプロジェクトの第 1 フェーズ(初級、中級研修)で実施した。第 2 フェーズでは第 1 フェーズで育成したコア職員を引き続き上級レベルに上げるようにプロジェクトでは計画をした。第 1 フェーズで育成したコア職員を引き続き第 2 フェーズで育成する予定であったが、第 2 フェーズ開始時には産休、人事異動等により、第 1 フェーズで選定された研修員の半分が変わり、新しく選定された研修員のために当初予定されてない初級、中級研修を再度実施し、知識の差異を埋める必要が生じた。更にコア職員の選定基準が英語能力と年齢に重きが置かれたため、実務経験の浅い職員も選定され、実務・事例研究をテーマにした上級研修では研修員間の実務経験のレベルの差が生じた。研修員の選定により育成が難しくなるケースも出てくる。また、モンゴル国の場合、政治的な要因で人事異動が行われ、育成した人材が適正な職位につかないリスクがあるが、GDT の場合、他の国家機関と比べ、比較的に安定していると言える。

4.2 教訓

税法の改正は社会的に大きなインパクトがあり、採択までの道のりは容易でない。GDTにおける法案作成、その後の大蔵省への説明、大蔵省コメントに基づく修正と再提出まではほぼ計画通りに実施できるが、国会審議は開催期間の流動性や政治的要因による延期のリスクがある。プロジェクトで計画を立てても計画通りに進むことがない。他方、より大きなインパクトを出す上で、国会審議は避けては通れないプロセスであることから、日程面で余裕をもつことや、必要なタイミングで必要な活動を実施することができるような弾力的な対応等が教訓として挙げられる。その際、現地作業、国内作業、投入量も含め臨機応変かつ総合的に検討する必要がある。

5. プロジェクト終了後に向けての提言

5.1 国際課税及び徴収分野に共通する課題と提言

(1) 人材育成・研修

【国際課税分野】

1) 国際課税に係る税法改正を受けて、GDT 内部ではそれを今後実務レベルに落とし込む作業が急務となる。研修やケーススタディ、実務指導を通じて、これまでの人材育成支援により一定の能力を得た現在のコア職員の一層の能力向上を図る必要がある。

• 対応策

改正税法により、旧税法では課税できなかった課税対象範囲が拡大することで対象事案が増加・ 複雑化・高度化すると考えられる。強力な新ルールのもとでは公平で実効性ある実施が課題であ り、GDTがこの新ルールを適正に適用して外資の課税逃れを有効に防止できるか、租税条約等 の国際ネットワークを通じて有効な海外の情報収集を推進できるかが成功の鍵となる。

本プロジェクトを通じ、コア職員を育成し、国際課税に対峙できる人材の育成がなされてきたが、新ルールのもとで増加・複雑化・高度化する国際課税事案に持続的に対応するために、更に職員の質的強化を図ると同時に、数的強化も行う必要がある。国際課税に対応できる人材の拡大と底上げのため、研修センターや現場(OJT)を通じての早急な教育・人材供給システムの構築が必要である。

- ①研修センターの機能強化(現在研修センターにより実施されている基礎的な国際課税研修の発展。 例えばコア職員による一般職員向け事例講義等の導入や、国際課税中級プログラムを確立する。日本の国税庁が行っているように現場→研修所→現場等のローテーションを確立し、より実践的な研修プログラムが持続的に供与できるようにする)
- ②ケーススタディ(租税回避スキーム・移転価格・PE 各調査法等)の充実
- ③税務争訟事例集(裁判所判決集・国税不服審判所裁決集)の編纂と配付
- ④税務調査過程における実務指導

【徴収分野】

1) 改正税法による徴収を的確に行っていくためには、研修が必要不可欠であり、特に、自力執行権の 行使に係る知識、経験の習得は急務であることから、研修及び研修教材の作成について取り組む必要 がある。

• 対応策

GDT は改正税法の成立後に採択された新たな税制、改正規定に関する研修を全国のソム検査官、区税務署、市税務署及び予算歳入管理局の検査官を対象に実施しており、プロジェクト専門家は旧税制と新税制の変更点について講義を行った。改正税法の内容に合わせ、関連通達・施行令案の作成作業が展開され、パブリック・コメントを通して最終承認段階に入っているが、当該通達案の承認、更に実施体制の確立後にプロジェクトチームから既に提出されているマニュアル、様式の最終化及びこれに関する下記の研修が必要である。

(第1段階)

GDT 幹部及び税務署徴収部門の主任検査官(課長)クラスに対し、徴収制度の改正点のあらましについての研修を実施すべきである。

税務署のコア職員対し、改正税法の滞納整理事務の基本、財産調査法、財産差押手続、換価、配当の手続、第二次納税義務、納税の猶予関係について、実務的観点から研修を実施すべきである。

(第2段階)

早期に改正税法の知識と徴収技術の習得させるため、税務署のすべての職員に対し、随時、GDT 主催研修、地域別税務署研修及び税務署研修を織り交ぜて、初任者、中級者、上級者別にレベルに合わせた、より実務的な研修を実施すべきである。

(第3段階)

改正税法施行後おおむね2年程度経過した後、その定着が見えてきたところで、専門性の高い徴収技能(例えば、差押財産の評価方法、処理困難事案の徴収方途等)の指導研修を実施すべきである。

(2) 執行体制

【国際課税分野】

1) 銀行調査等の国際、国内税務調査で最重要の調査手続きの必要性

検査官の業務に徴収・課税が混在していた同時業務体制が終了したのは良いが、国内調査で最も重要な銀行臨場調査などが(法令上可能であるのに)実施されていない。

• 対応策

国際的な資金の流れ、脱税の補足のために銀行調査の導入を検討すべきである。

2) 他国の課税事例研究の必要性

日本国では国際税務先進国であった米国等の TP 等の判例研究が役立った。同様の対応がモンゴル国でも有効と考えられる。

• 対応策

GDT は法的検討、業種別調査体制を確立するためにも、他国の判例研究を行うべきである。

- 3) GDT、モンゴル大蔵省によるタイムリーな税法改正
- 対応策

モンゴル国は、毎年のように税制改正ができる体制の構築を検討すべきである。徴収法と異なり、課税する法令は時の経済状況に左右されることがある。また、先進国では OECD 等の国際機関において毎年のように行われる理論の変更等による国際課税法令の変更があり、その都度、法令を改正する必要性がでてきている。改正点があるか否かは毎年チェックしなければ、国際標準から遅れた税制となる。

4) 英文教材の必要性

英文の国際課税教材がない。国際課税は英文で理解しなければ対峙できない問題が多い。

• 対応策

プロジェクト作成の「TP 事例集」の英語-モンゴル語対応版はこの点で優れた教材であり、関係職員 全員と共有し、GDT 自身が今後この教材を使用し研修していくことが必要である。

5) GDT と大蔵省の体系的な国際課税関連組織の必要性

GDT 内に、TP 専門調査セクション、それ以外の租税条約、PE、タックスへイブン等の専門調査機関、

を区分して創設すべきである。このような専門機関がないと職員の専門性が向上せず調査力が下がる。

- 対応策
 - ① GDT 内に 2 つの大企業専門国際課税セクションの設立を検討する必要がある。

TPとそれ以外(PE等)。TPセクションだけでは不十分である。理論的に異なり、職員も同時に2つ処理するのは無理である。日本でも分類されており、分けないと調査経験の集積が薄くなる懸念がある。また、例えばウムヌゴビ税務署等の各地方の国際税務調査を指導できるセクションを特に調査局内に作ることも検討課題である。これがないので、地方の国際課税問題(特にTP)がGDTの重要な問題となってこなかった。

- ② GDT 調査局に国際課税セクションを作り、税務署の TP 問題等を指導できるようにすること。
- 6) 大蔵省への国際課税問題に係る発信
- 対応策

大蔵省・GDTの国際課税連絡事務室を作り連携を図ること。日本でも財務省と国税庁は相互の定期的 人事交流があり(モンゴル国にはこのような人事交流はない)、意思疎通を図っている。

7) GDT 紛争委員会の組織の再検討の必要性

GDT の審判組織であり、訴訟に至る前の納税者クレームの吸い上げを行う GDT 紛争解決委員会は専門性がない。国際部門が独立しておらず、事案の集積、分析が少ないことも十分に機能していない原因の一つと考えられる。

• 対応策

GDT は、日本等の審判所組織をよく検討した上で、適正な審判所体制を構築する。例えば、セクションを①徴収、②国内課税問題、③国際課税問題の3つに分類し、各専門職員を配置できるか検討すべきである。

8) 法人、個人別、国際、国内別の業種別調査法の参照資料の作成の必要性

業種別調査の観点が組織・各職員ともになく、GDT 全セクションの業種別調査法をまとめる部署がないため、各業種での過去の調査経験が組織的に活用されていない。

• 対応策

日本の国税局調査部が業種チーム毎に有している業種別調査の参照資料を、GDT 協力局、GDT 調査局が中心となり作成すべきである。

【徴収分野】

- 1) 組織の持てる力を最大限に発揮し、効果的かつ効率的に滞納税を徴収するために、どのような組織・体制を整備すべきかを長期的に検討する必要がある。
- 対応策

知識や経験が豊富な処理能力の高い徴収職員を大口・処理困難な滞納事案を処理する部署に配置する、広域で滞納整理を進めるため、広域中心署に多くの職員を配置し、広域対象署の滞納を整理する広域運営を導入する、あるいは差押財産の換価を効率的に行うため専門部署を創設するといった具体的な整備の在り方を考えるべきである。

2) 短期的には、効率の良い安定した処理を行うため、どのような処理態勢を取るべきか検討する必要がある。

より多くの滞納者と応接、折衝して滞納を圧縮し、自力執行権の行使を的確に行うため、どのような 事案の所掌分坦が適当であるか、悪質な滞納者に対する折衝や抵抗が予想される動産等の差押えの執行 についての処理態勢はどうあるべきか等の対策である。

5.2 国際課税分野の課題と提言

多国籍企業による国際的租税回避に対抗するため、OECD/G20 により 2012 年 6 月に 15 の項目からなる行動計画を内容とする「BEPS (Base Erosion and Profit Shifting: 税源侵食と利益移転)」プロジェクトが立ち上げられ、2015 年 9 月にその検討結果と提言をまとめた最終報告書が発表された。モンゴル国は、この提言を基軸として国際課税関連税制の抜本的な改正税法を 2019 年 3 月に国会で成立させ、2020年 1 月から新税制は施行された。

今般改正された国際課税関連税制は旧法に比べてより緻密で広範な取引範囲をカバーし、特に外国企業に対する国税当局の課税権を強化するものである。これを適正に執行できなければ、多国籍企業による課税逃れを効果的に防止し、税収を確保するという政策目標を達成することはできず、一方、法令に基づかない不当な課税を行うと多国籍企業が撤退するリスクが生じ、自国経済にネガティブなインパクトを与えかねない。

従って、モンゴル国に必然的に課せられる次の課題は「新税制の適正な運用」となる。近代化された 新税制の定着のため、適切な組織の編成と人材育成による適正な新税制の執行が担保・推進される必要 がある。

5.2.1 租税条約関連の課題

(1) 不平等租税条約の改正の必要性

特に、モンゴル国側へのインバウンド取引において、PE 課税の認定基礎期間の不平等(OECD モデル条約(1年)、UN モデル条約(6ヶ月)等に比べて2年近くになっている条約がある。)がある。インバウンド取引におけるモンゴル国のPE認定期間が長ければ、モンゴル国側での課税が困難となるという問題が解決されていない。

• 対応策

すべての条約を OECD 或いは UN モデル条約を参考として、租税条約の条文改訂作業を行うべきである。また、条約締結において、最新 BEPS 条約との対比もしなければ、モンゴル国は各国と条約交渉をする場合、交渉はかなりモンゴル国に不利となる。国際税務の主要条文が立法化された現在が GDT にとって、最良の不平等条約改正の時期である。

例えば、専門家がこれまで GDT に提出したモンゴル大蔵省締結の「租税条約締結の問題点レポート」を良く参照し、租税条約の条文毎の改正点を整理することを始める必要がある。

(2) 日本モンゴルの租税条約が締結されていない。租税条約締結の検討が必要である。

日本とモンゴル国の経済取引は重要であるにもかかわらず、いまだに租税条約は締結されていないことが大きな課題となっている。租税条約が締結されていないと、日本とモンゴル国の間の二重課税問題が解決できない。これまでに日本とモンゴル国の両大蔵省間で数回に渡る協議が実施されている。

国際税務の現場を熟知し、国際課税の現実の問題に直面している GDT が大蔵省に先駆けて新条約案を作成し、モンゴル大蔵省に提示し、日本・モンゴル租税条約案を早急に策定すべきである。

(3) 多国間条約及び多国間制度への加盟の必要性

国際課税関連の多国間条約にモンゴル国は殆ど加盟しておらず、そのため、多国間条約の加盟国から 得られる情報からモンゴル国は遮断されている。

• 対応策

プロジェクトでは、多国間条約の重要性を GDT に指摘してきたが、モンゴル大蔵省の管轄のため GDT が積極的に検討することができなかった。情報交換など、税務執行に密接に関係している重要な制度もでき始めている。モンゴル大蔵省・GDT も以下の多国間条約や多国間制度を見直し、問い合わせた上で加盟を進めるなど、今後の国際税務行政に活かすべきである。

- 1) BEPS 防止措置条約(2017年6月の暑名国68国)
- 2) 税務執行共助条約(最終的に92ケ国署名)
- 3) 金融情報自動交換制度(CRS制度)(平成29年102ケ国加盟)

(4) GDT 職員、大蔵省税制担当職員の租税条約の最新理論の理解

GDT 職員、大蔵省税制担当職員の租税条約の最新理論への理解が十分と言えない。

- 対応策
 - 1) BEPS 条約そのものの理解のための研修を実施する。

今後の租税条約策定は BEPS 条約条文を理解しない限り先進国に対抗できない。抽象的な理論の理解では不十分であり、GDT 内研修での具体的、逐条的な理解が必要となる。

2) 今後新条約締結が予想されるので、重要モデル条文の研究を早急に行う。

投資関連条項(利子、配当、使用料)、PE条項、移転価格関連条項、情報交換条項、相互協議条項、 外国税額控除条項、GAAR 関連条項等の重要条文について、BEPS、日本等の既締結条約を踏まえ新設 モデル条項策定の研究を行う等の対応が考えられる。

また、外国税額控除についても、条約がないと二重課税の排除としての外税控除が機能せず、国内 法の外税控除しかないため、二重課税の防止が真剣に行われなくなる可能性がある(国内法の外税控 除規定は条約ほど義務的ではない)。

5.2.2 国際課税法令関連の課題

(1) 国際課税新規法令に APA⁴立法の必要性

一般税法 17 条に相互協議条項があるが、事前確認 (APA) の規定はない。プロジェクトでは、APA 創設の提言を行ったが、今回の改正内容に APA 条項は含まれない。

⁴ APA (Advance Pricing Agreement) は移転価格課税に関する納税者の予測可能性を確保するため、その申出に基づき、その申出の対象となった国外関連取引に係る独立企業間価格の算定方法及びその具体的内容について税務当局が事前に確認を行う制度

GDT は APA 法又は規則の創設を考えるべきである。APA 制度の下、国際的二重課税を防止する移転 価格の相互協議が効率的になる。

(2) 国際税務関連の施行令・通達・税務計算事例集の策定

法律で全てをカバーするのは物理的に不可能であり、今後、実際の国際税務の執行(税務計算など)には、日本国と同様にTP等各分野の詳細な施行令・通達・計算事例集が必要である。

• 対応策

GDT は日本等の法令を参考とし、計算事例集等を策定すべきである。

(3) 移転価格通達の整備 (GDT 新法令実施の参考になる)

今回の税法改正を通じ GDT は移転価格の法令を相当整備したが、例えば、日本の通達レベルのものは立案していない。以下は日本の移転価格通達である。GDT はこれらを参考にして実戦的な移転価格課税をしていくべきである。

• 対応策

TP 通達の体系の理解をより進めるべきである。以下は一例として日本の TP 通達の体系である。 以下の項目について、日本は、1) 租税特別措置法、2) 租税特別措置法施行令、3) 同施行規則、4) 同 通達、5) 移転価格事務運営要領、6) 参考事例集(第1プロジェクトで旧版作成済み)で、それぞれ詳 細に規定している。

- 1 国外関連者との取引に係る課税の特例
- 2 BEST method
- 3 基本 3 法
- 4 CUP法
- 5 RP 法
- 6 CP 法
- 7 準ずる方法(その他の政令で定める方法(PS法、TNMMなど)
- 8 比較利益分割法
- 9 寄与度利益分割法
- 10 RPSM
- 11 TNMM (国外関連者への販売)
- 12 TNMM(国外関連者からの購入)
- 13 PS 及び TNMM に準ずる方法
- 14 有形資産の貸借
- 15 委託製造先に対する機械設備等の貸与
- 16 金銭の貸付又は貸与
- 17 役務提供
- 18 無形資産の使用許諾等

- 19 費用分担契約
- 20 寄附金
- 21 価格調整金
- 22 独立企業間価格との申告調整
- 23 国外移転所得金額
- 24 国外所得金額の返還を受ける場合
- 25 非関連者を通じて行う国外関連取引
- 26 推定課税規定
- 27 国外関連者の保存する帳簿書類の提示又は提出
- 28 第三者に対する情報収集
- 29 質問検査権の意義
- 30 身分証明書の提示義務
- 31 罰則
- 32 両罰規定
- 33 別表 17(4)の確定申告書への添付義務
- 34 更正期限の特例
- 35 徴収権の消滅時効の特例
- 36 租税条約の合意等があった場合の延滞税の計算の特例

(4) 図表の作成

以下の必要な図表を GDT は例えば日本法令図表を参考として作成を検討すべきである。

- 1. 国外移転所得金額の返還に関する届出書
- 2. 相互協議の合意について (通知)
- 3. 相互協議の終了について(通知)
- 4. 相互協議申立ての取下書
- 5. 相互協議申立書
- 6. 対応的調整に伴う返還に関する届出書
- 7. 仲裁要請書
- 8. ALP 算定方法の確認に関する届出書
- 9. 別表 17(4)
- 10. TP に関する取組状況確認のためのチェックシート

5.3 徴収分野の課題と提言

5.3.1 プロジェクト終了後に取り組むべき事項

今回の税法改正において、これまでのモンゴル国一般税法にはなかった自力執行権、租税優先権、第二次納税義務及び納税の猶予などの新しい制度が導入された。これにより、モンゴル国の今後の課題は改正税法をいかに適正に運用し、定着させていくかという点にある。そのため、GDTがプロジェクト終了後に取り組むべき事項は、「執行体制の確立」、「職員の知識、能力の向上のための研修」、「マニ

ュアル及び様式の作成」、「執行上の問題の処理」、「個別事案(処理困難事案)の処理相談」「執行環境の整備」、「執行裁判所との手続の調整」等である。

改正税法は、租税の迅速かつ確実な徴収を図るため、徴収職員に強力な自力執行権限を付与している。このため、財産の差押え、換価(公売)、配当の手続等の知識、経験を習得させることが急務であり、改正税法施行後は徴収職員に対する深度ある研修や指導を行い、新制度の円滑な運営と定着を図っていかなければならない。仮にこれらがうまくいかず導入が失敗すれば、徴収の現場に大きな混乱を招くのは必至であり、また、社会全体にも大きな影響を与えることになるなど、多大な損失を招くリスクがある。

(1) マニュアル及び様式の作成

経験が浅い職員でも滞納整理ができるようにするため、滞納整理の基本である滞納者との応接、納付 折衝から納税の猶予、第二次納税義務、財産調査、各種財産の差押え、換価、配当までの各処理手続を 網羅した「滞納整理マニュアル」の作成及び新たに必要となった「各種の滞納処分の関係様式」の整備 について取り組むべきである。

• 対応策

プロジェクト専門家は当該マニュアル及び様式の原案を作成し、GDT に提出したが、プロジェクト終盤までに適用すべき各種通達が承認されておらず、実施体制も再編されてなかったために、マニュアルの内容を今後の改正税法・通達の執行段階で再検討する必要もある。更に実施体制が決まった後、自力執行権を担当する職員用のマニュアル、一般徴収官用のマニュアル等、又は財産調査、財産の差押えなど手続き等、詳細なマニュアルの作成に取り組むべきである。

(2) 執行上の問題の処理

改正税法に基づく徴収により、これからは執行上の障害や執行についての苦情等の様々な問題が発生 してくると見込まれる。

• 対応策

執行上の障害や執行についての苦情等を適切に処理しないと円滑な徴収は期待できない。また、改正 税法の評価にも影響を及ぼしかねないことから、滞納整理の実施に伴い発生した問題とその処理につい ての報告、連絡、相談の窓口を設けて一元的に管理し、将来生ずる問題の対処に活用することなどに取 り組むべきである。

(3) 個別事案(処理困難事案)の処理相談

個別事案(処理困難事案)の処理方法について検討する必要がある。

• 対応策

個別事案(処理困難事案)の処理相談窓口を設ける、あるいは税務署を巡回して個別事案(処理困難事案)を発掘し指導するなどにより、その処理促進に取り組むべきである。

(4) 執行環境の整備

新しい制度による徴収が円滑に実施されるよう啓蒙活動をするべきである。

徴収制度の変更についてのマスコミ、税理士会、弁護士会等に対する GDT の広報活動の取組み(資料作成、セミナー開催等)を進めるべきである。

(5) 改正税法と執行裁判所との手続の調整

改正税法により国の行う滞納処分手続と執行裁判所が行う判決執行手続が併存することになったが、 両手続間の調整が必要である。

• 対応策

二重差押え、換価権、滞納処分の残余金の裁判所への交付などの調整がされていないため、調整に係る法律を設けるべきである。

- 一般税法改正に盛り込まれた主な内容は、次のとおりである。
- ① 租税の優先徴収権の付与(租税は、担保権により担保される債権には劣後するが、一般私債権には 優先する地位を付与する。)
- ② 自力執行権の導入(行政機関自らが、滞納者の財産を差押えてその財産を公売し、換価代金を配当して滞納税を徴収することができる権限を付与する。)
- ③ 納税義務の拡張制度の導入(滞納者から滞納税を徴収できない場合に、滞納者と一定の関係のある者に対して補充的に納税義務を負わせて滞納税を徴収できる第二次納税義務制度を導入する)
- ④ 緊急徴収制度の導入(納期限まで待っていては徴収できなくなる恐れがある場合に、納期限を繰り上げて納付を請求できる繰上徴収の制度を導入する。)
- ⑤ 納税の緩和制度の導入(納税者が災害を受けたことや事業を休廃止したこと等の事実があるため滞納税を納付できないと認められるときは、納税を1年間(延長して2年を超えない期間)猶予する納税の猶予制度を導入する。

本改正税法では、プロジェクトが提案した上記事項以外に納税者に対する下記の優遇措置が盛り込まれた。

- ① 納税が困難な事業者には個別の事情によって最長 2 年間(現行法では 60 日間)の猶予を与える。(プロジェクト提案)⁵
- ② 納税者が自主的に修正申告を行う場合、1年間の猶予を与える。
- ③ 年間売上が 5,000 万 MNT 未満の (付加価値税納税者ではない) 事業者については税務申告の回数を年 1 回に削減し、売上高の 1%の法人所得税を支払う簡易制度を選択することが可能になる。6

5 少口滞納額及び裁判判決執行機関を通しても処理できない処理困難事案に関する滞納額が累積され、旧税法では、GDT が対応できない状況であったため、一般税法に滞納整理を目的とする自力執行権に関する項目を追加する提案を行った。 国際課税についても、旧税法の対応範囲に及ばない国際取引が多発し、関連者間の取引及び国内源泉所得に対する課税が 困難であったために、今回の税法改正を提案する必要があった。

⁶ 年間売上が 5,000 万 MNT 未満の (付加価値税納税者ではない) 事業者は、旧税法では、年 4 回 (四半期ごと) の税務 申告義務があり、法人所得税は課税所得の 10%となっていた。

- ④ 年間売上が5,000 万以上3億 MNT 未満の事業者および年間売上が3億~15億 MNT 未満の事業者は、税務申告義務が年2回(半期ごと)となり、法人所得税は課税所得が1%に軽減される。なお、年間売上が3億 MNT~15億 MNT 未満の事業者は、一旦課税所得の10%の法人所得税を納税し、納税した金額の90%が還付されることになる。(対象事業者数は合計で約10万社以上の見込み)7
- ⑤ 割増税率 (25%) を適用する売上高を 60 億 MNT に引き上げる。8
- ⑥ 業種を問わず損失繰り越しを4年間認める。9
- ⑦ 事業者が保有する建物の減価償却期間が25年に短縮となる。10
- ⑧ 定期税務調査を廃止し、高リスクに分類された事業者および事業者が希望した場合にのみ税務 調査を行う。¹¹

 $^{^7}$ 旧税法では、年間売上が 5,000 万以上 3 億 MNT 未満の事業者および年間売上が 3 億-15 億 MNT 未満の事業者は、税務申告義務が年 4 回で、法人所得税は課税所得が 10%であった。

⁸ 旧税法では、割増税率 (25%) を適用する売上高が 30 億 MNT であった。

⁹ 旧税法では、損失繰り越しの年数を、鉱山・インフラ業界は $4\sim8$ 年間 (期間は投資期間に応じる)、その他の業界は 2 年間と定めていた。

¹⁰ 旧税法では、事業者が保有する建物の減価償却期間が40年であった。

¹¹ 旧税法では、全事業者を対象に3~4年に1度税務調査を行っていた。

添付1. PDM

Project Design Matrix

Project Title: The Project for enhancing tax collection operation and international tax issues of Mongolian Tax Administration (Phase-2).

Implementing Agency:
Target Group: The General Department of Taxation (GDT)
Period of Project: 2017-2019 (36 months)
Project Site: Model Site:

Version 1 Dated August 31, 2017

Project Site:	Model Site:				
Narrative Summary Overall Goal	Objectively Verifiable Indicators 1. Detection rate of misfiling and non-filing on cross	Means of Verification 1. Audit cases, detected cases	Important Assumption	Achievement	Remarks
Mongolian Tax Administration in the field of	Detection rate of misfiling and non-filing on cross border transaction is increased compared with that of the	1. Audit cases, detected cases			
international taxation and tax collection is further	project completion.				
improved.					
	 	Proposal submitted by GDT to the Ministry of Finance.	-		
	 For future amendment of relevant laws related to the indicator 2-2 of Output 2, GDT submits revised proposal to 				
	the Ministry of Finance based on their instruction.				
	 	Centralized tax database at GDT.			
	 Tax Debt Center is not decreased or is increased compared with that the project completion. 				
	4. (* The number of cases dealt as the self-enforcing is	Centralized tax database at GDT.			
	4. (* The number of cases dealt as the self-enforcing is increased)	Centralized tax database at GD1.			
Project Purpose	[In the field of International Taxation]				
	1. The number of advanced1 cases on audit of cross border	Results of check-list evaluation acquired through		 	
Mongolian Tax Administration in the field of	transaction submitted by trainees during the peer-review is increased compared with that of the beginning of the	activity 1-7.			
international taxation and tax collection is reinforced.	Project.				
	Knowledge is shared through case studies utilizing	2. Project Progress Report (PPR)			
	information of cross border transaction collected and				
	accumulated during the project period. 3. A proposal on amendment of laws related to the	3. PPR.			
	international taxation is submitted by GDT, and received by				
	Ministry of Finance.			 	
	[Tax Collection]			 	
	4. The number of cases dealt by the Tax Debt Call Center is	Centralized tax database at GDT.			
	increased compared with that of the commencement of the Center.				
	L	5. PPR			
	 Manual submitted by the Project is utilized at another district tax office in Ulaanbaatar on a trial basis2. 	3. PPK			
	6.(*Revenue is recognized as a result of execution of self-	Centralized tax database at GDT.		[
	enforcing)				
Outputs	11 Volt - Sale- seeins	1.1 ppp]	
 Middle and advanced level knowledge and practical skills necessary for international taxation is acquired. 	1.1 Xx% of the trainees complete training for xx times.	1.1 PPR			
		L	_	L	
	1.2 More than xx % of trainees improve their score of the	1.2 Results of Pre-test and Post-test collected through	Knowledge and information acquired		
	Post-test compared with that of the Pre-test.	activity 1-5.	during the period covered is transferred appropriately to successors when there		
	12 Mars des 1-16 etc.	12 Possibility Calabata Calabata	is personnel changes among counterpart		
	1.3 More than half of the cases submitted for peer-review reach the level of xx as a result of check-list evaluation.	1.3 Results of check-list evaluation through activity 1-7.	personnel.		
Foundation of international taxation is further	2.1. International Taxation Division of Strategy and	2.1. PPR			
developed.	Development Department and Risk Management				
	Department of GDT collect and accumulate information related to the audit on cross border transaction.				
	related to the audit on cross border transaction.		_		
	2.2. Japanese project team finalizes a proposal on future	2.2. Proposal developed by the Project			
	taxation reform including establishment of source rules on				
	domestic source income, expansion of systems related to international tax avoidance, and development of system for				
	the elimination of international double taxation.				
	2.3. (* Regulations related to international taxation based on	2.3. Related regulations issued.	1		
	the amended law are issued by GDT)	-			
Foundation tax collection is strengthened.	3.1. Function and targeted party of the Tax Debt Call	3.1. PPR	1		
	Center is reexamined.				
I	3.2. Manual for Improvement of tax collection and its	3.2. PPR			
	related work is submitted by the Project, and is received by GDT.				
	3.3. (* GDT issues regulations related self-enforcing, and	3.3. Related regulations issued, manuals, etc.	-		
	completes development of necessary materials including				
	manuals)				
A salissiai	Inn	nuto.	T	1	
Activities [Output1: Middle and advanced level knowledge and	Inp	uis	Important Assumption		
practical skills necessary for international taxation is	The Japanese Side	The Mongolian Side	Legal environment for the International taxation is developed.		
acquired.] 1-1 Conduct a baseline survey on existing curriculum,	1. Experts:	Counterpart	Budget and personnel for the Tax Debt		
teaching materials, and target officers in the relevant	(1) Chief advisor (1)	GDT officer (7)	Call Center is continuously secured to		
field.	(2) International Taxation (2)		maintain its function. (*After		
	(3) Tax Collection (2) (4) Project Coordinator (1)		amendment laws are passed at the Parliament)		
	(5) Other short-term expert if necessary				
1-2 Develop human resource development plan for the	2. Training in Japan	2. Office & facility	Implementation structure for self-		
period covered of the Project.		· ·	enforcing is established.		
1-3 Based on the plan developed as a result of 1-2 activity, elaborate contents of teaching materials, and	Training in Japan for international taxation and tax collection will be implemented once a year to enhance	(1) Project Office (in the same building of GDT HQs)			
curriculums if necessary.	knowledge and understanding on the designated issues				
1-4 Conduct trainings. (Before the training is held, it is	among tax officers. 1. Provision of Equipment is provided				
necessary to obtain baseline data of prospective trainees	1. Frovision of Equipment is provided	(2) Facility			
in terms of knowledge and experience on international		(2) Facility			
taxation) 1-5 As a part of training follow-up, conduct a review on	PC (60 PCs max)				
utilization of knowledge and skills acquired during the		1) Internet			
training at work.		Office facility (desk, shelf, etc)			
1-6 Examine actual cases (peer-review) that trainees encountered during the work) within a year after the		Office facility (desk, shelf, etc) other necessary materials			
training session was held.		4)Office should be air-conditioned.			
1-7 Reflect the review results into the human resource		5) other facilities, ie Training facility 3. Local Cost			
1-/ Reflect the review results into the human resource development plan, and modify the plan if necessary.		Local Cost Expenses related to trainings (i.e. allowance and			
	1	travelling expenses for local tax officers)			
[Output2: Foundation of international taxation is further developed.]					
2-1 Conduct periodical research and analysis of			-	1	
current situation and issues of international tax audit					
carried out by GDT and its management mechanism, and make recommendation (Report should be			Pre-Conditions		
and make recommendation (Report should be developed).					
2-2 Conduct research and analysis of current situation			There is no drastic change in taxation]	
and issues of tax jurisdiction, International tax avoidance, international dual taxation (including			policy. Counterpart personnel for the Project is		
transfer pricing), PE (Permanent Establishment), and			appointed.		
make recommendations (a proposal) for future institutional development.					
2-3 Hold a workshop and share results of the analysis					
conducted in 2-1 and 2-2 activities mentioned in above,					
and share it with counterparts.	I	I	ľ	I	

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efficiency of tax collection through development of	regulations, and promoting public awareness, etc	Ī		
efficiency of tax collection through development of	2.14 Posside Assistance Committee	Ī		
	3.14 Provide technical support to GDT in enhancing	Ī		
		Ī		
, · ·	necessary documents and materials on sen-emoreing.	I		
3.15 Have a meeting with counterparts regarding future	3.15 Have a meeting with counterparts regarding future	I		
	institutional development, and provide technical advice.	<u> </u>		

Plan of Operation

peration Ver

Project Title: The Project for enhancing tax collection operation and	l international	tax issues o	ongolian Tax Administration (Phase-2). 2017	2018	2019	2020		onitoring
Inputs Expert		Acti	1 II III IV V VI VII VIII IX X XI XII 1 II I	II IV V VI VII VIII IX X XI	XII 1 II III IV V VI VII VIII IX X XI XII 1	Remarks	Issue	Solution
Kenichiro Iwashita		Pla: Actu						
Toshinari Kodera Mikio Tajino		Actu						
Mikio Tajino Hideaki Ishiguro		Actu						
Mitsuru Kosaka		Pla: Acts						
Shigeo Kumakura		Pla: Acta Pla:						
Narmandakh Sandagsuren Equipment		Actu						
PC to the tax office		Pla						
		Pla: Actu						
		Acta Pla:						
		Pla						
Training in Japan (■ International Taxation. ● Tax Collection)		Pla						
In-country/Third country Training		Actu						
		Pla						
Activities Sub-Activities		Pla	2017 I II III IV V VI VII VIII IX X XI XII I II I	2018	2019	2020 Responsible Organization I II III Japan GOM	Achievements	Issue & Countermeasures
Output 1: Tax inspector gain middle-level and high-level know (Middle-level and high-level training)	vledge and sl		for tax audit in the field of international taxation.	11 17 7 71 711 711 12 2 2	An 1 n m 17 7 71 711 711 1X A AT AN 1	II III Japan GOM		
1.1 Conduct a baseline survey on existing curriculum, teaching materials, and target officers in the relevant field.		Pla						
1.2 Develop human resource development plan for the period covered of the Project.		Pla						
1.3 Based on the plan developed as a result of 1-2 activity, elaborate		Pla	┋	<u>.</u>				
contents of teaching materials, and curriculums if necessary 1.4 Conduct trainings. (Before the training is held, it is necessary to		Actu				0		
obtain baseline data of prospective trainees in terms of knowledge and experience on international taxation)		Actu		 		0 0		
1-5 As a part of training follow-up, conduct a review on utilization of knowledge and skills acquired during the training at work.		Pla	┼┼╫╬┼╬╬╬╬╬			o o		
1-6 Examine actual cases (peer-review) that trainees encountered		Actu			••••••••••••••••••••••••••••••••••••••			
during the work) within a year after the training session was held.		Actu				• •		
1-7 Reflect the review results into the human resource development plan, and modify the plan if necessary. Output 2: The foundation of international taxation is develope		Pla				0 0		
Output 2: The foundation of international taxation is develope (Support for institutional development) 2-1 Conduct periodical research and analysis of current situation and	u.			<u> </u>	<u>;;;;;;;;;;;;;</u> ;;;;;;;;;;;;;;;;;;;;;;;	;;;;;;;;;		
issues of international tax audit carried out by GACT and its management mechanism, and make recommendation (Report should		Pla				• •		
be developed). 2-2 Conduct research and analysis of current situation and issues of tax jurisdiction, International tax avoidance, international dual		Pla						
taxation (including transfer pricing), PE (Permanent Establishment), and make recommendations (a proposal) for future institutional		Actu				• •		
2-3 Hold a workshop and share results of the analysis conducted in 2- 1 and 2-2 activities mentioned in above, and share it with		Pla				o •		
counternarts. 2-4 Introduce referential cases of Japan and related information with regard to institutional development for international taxation (translate		Pla			<u>+ + + + + + + + + + + + + + + + + + + </u>			
relevant documents into English and Mongolian, if required). 2-5 Provide technical support to GDT in improving institutional		Actu						
arrangement through developing manuals and referential materials. 2-6 Provide GDT technical advice regarding agenda for meeting with		Actu				· · · · · · · · · · · · · · · · · · ·		
the Ministry of Finance including related legislation.		Actu				•		
2-7 Extract issues of laws, and share them with counterparts. 4-8 Have a meeting with counterparts regarding future institutional		Acta Plas				0		
development, and provide technical advice. (Support for implementation of amended laws)		Actu				0 0		
2.9 Provide technical support to GDT in executing the revised Law on General Taxation (including development of necessary regulations).		Plas						
Output 3: Foundation tax collection is strengthened. (Support for efficient operation of tax collection)								
3.1 Conduct a survey on the current status of organizational and institutional arrangement with regard to cases on small amount of		Pla						
delinquent taxes and cases of large and difficult delinquent taxes (including a survey on the current status of the Tax Debt Call		Actu						
3.2 Extract issues to be improved based on the survey results (3-1), and make recommendation for realizing efficient implementation of tax collection (a report should be developed)		Pla		X				
3.3 Develop an implementation plan for effective measurement on		Pla						
the Tax Debt Center's operation. 3.4 Conduct effective measurement of the Center, and extract points to be improved.		Acta Pla: Acta						
3.5 Make report to share the results of effective measurement on the operation of the Center with counterparts, and provide necessary		Pla	# # #			0		
support including making recommendation. 3.6 Provide technical support to GDT in improving operation and management of the Center.		Pla			╈╸			
(Enhancing ifficiency of internal administrative work) 3.7 Conduct a survey at tax offices on the current status of internal					······································			
administrative work and procedure, and extract issues to be improved before making recommendation for further improvement of efficiency (Recommendation should be summarized in a report).		Pla				0 0		
3.8 Purchase and provide PCs to designated offices.		Pla						
3.9 Provide technical support to GDT in enhancing efficiency of		Actu						
internal administrative work and procedure including development of manual for tax collection and its related work.								
		Actu						
3.10 Introduce the developed manual at a district tax office in Ulaanbaatar on a trial basis.		Pla						
		Actu				• •		
3.11 Review its utilization (including effective measurement of internal administrative work after PC installation).		Pla				0 0		
3.12 Develop improvement plan (proposal) based on review results and share it at a meeting i.e. JCC.		Pla				• •		
(Support for implementation of amended Law on General Taxation) 3.13 Provide technical support to GDT in execution of the amended laws including support for developing regulations, and promoting		Pla						
public avereness, etc. 3.14 Provide technical support to GDT in enhancing efficiency of tax collection through development of necessary documents and		Actu			<u> </u>			
materials on self-enforcing. 3.15 Have a meeting with counterparts regarding future institutional		Actu			·····································	•		
development, and provide technical advice.		Actu				0 0		
Duration / Phasing		Pla						
Monitoring Plan		Pla	2017 1 II III IV V VI VII VII IX X XI XI	2018	2019	2020 Romorko	Issue	Solution
Monitoring		Actu		N V V VI VII VIII IX X XI		1 11 1111		
Joint Coordinating Committee Set-up the Detailed Plan of Operation		Acts Pla: Acts						
Submission of Monitoring Sheet		Pla: Acta Pla:						
Monitoring Mission from Japan Joint Monitoring		Acta Pla						
Post Monitoring		Acta Pla Acta						
Reports/Documents		Pla						
Project Completion Report		Acta Pla Acta						
Public Relations		Pla						
		Pla				1111111		-

Project Design Matrix

Project Title: The Project for enhancing tax collection operation and international tax issues of Mongolian Tax Administration (Phase-2).

| Implementing Agency: | Target Group: The General Department of Taxation (GDT) | Period of Project: 2017-2019 (36 months) |
| Project Site: | Model Site: |

Version 2 Dated August 31, 2018

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption	Achievement	Remarks
Overall Goal	Detection rate of misfiling and non-filing on cross	1. Audit cases, detected cases	Important Assumption	Achievement	Kemarks
Mongolian Tax Administration in the field of	border transaction is increased compared with that of the				İ
international taxation and tax collection is further	project completion.				İ
improved.					
	For future amendment of relevant laws related to the	Proposal submitted by GDT to the Ministry of Finance.			
	indicator 2-2 of Output 2, GDT submits revised proposal to				
	the Ministry of Finance based on their instruction.				ĺ
		Centralized tax database at GDT.		 	
	Tax Debt Center is not decreased or is increased	5. Comunica da dadouse de GD 1.			ĺ
	compared with that the project completion.				
	4. (* The number of cases dealt as the self-enforcing is	Centralized tax database at GDT.			ĺ
	increased)				
Project Purpose	[In the field of International Taxation]			{	ļ
	 The number of advanced1 cases on audit of cross border transaction submitted by trainees during the peer-review is 	Results of check-list evaluation acquired through activity 1-7.			ĺ
Mongolian Tax Administration in the field of	increased compared with that of the beginning of the	activity 1-7.			ĺ
international taxation and tax collection is reinforced.	Project.				
		2. Project Progress Report (PPR)			
	27 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2. Floject Flogless Report (FFR)			
	Knowledge is shared through case studies utilizing information of cross border transaction collected and				
	accumulated during the project period.				
	A proposal on amendment of laws related to the	3. PPR.			f
	international taxation is submitted by GDT, and received by				ĺ
	Ministry of Finance.				ĺ
	[Tax Collection]				i
	The number of cases dealt by the Tax Debt Call Center is	Centralized tax database at GDT.		 	
	increased compared with that of the commencement of the	. Comment and damage at GD1.			ĺ
	Center.				
	5. Manual submitted by the Project is utilized at another	5. PPR	[1
	district tax office in Ulaanbaatar on a trial basis2.				L
	6.(*Revenue is recognized as a result of execution of self-	Centralized tax database at GDT.		1 	l
	enforcing)			ļ	
Outputs 1. Middle and advanced level knowledge and practical	11 909/ -64	1.1 PPR		1	1
skills necessary for international taxation is acquired.	1.1 80% of the trainees complete training for 5 times.	I.I PPK			ĺ
sains necessary for international taxation is acquired.					ĺ
	1.2 More than 100% of trainees improve their score of the	1.2 Results of Pre-test and Post-test collected through	Knowledge and information acquired		f
	Post-test compared with that of the Pre-test.	activity 1-5.	during the period covered is transferred		
			appropriately to successors when there		ĺ
	1.3 More than half of the cases submitted for peer-review	1.3 Results of check-list evaluation through activity 1-7.	is personnel changes among counterpart personnel.		f
	reach the level of xx as a result of check-list evaluation.			1	
Foundation of international taxation is further	 	2.1. PPR	•		h
developed.	2.1. International Taxation Division of Strategy and	2.1. FFK			
1	Development Department and Risk Management				ĺ
	Department of GDT collect and accumulate information related to the audit on cross border transaction.				
	related to the audit on cross border transaction.				
	2.2. Japanese project team finalizes a proposal on future	2.2. Proposal developed by the Project			ĺ
	taxation reform including establishment of source rules on				
	domestic source income, expansion of systems related to				
	international tax avoidance, and development of system for				
	the elimination of international double taxation.				ĺ
		2.3. Related regulations issued.	1		
	2.3. (* Regulations related to international taxation based on	_			
	the amended law are issued by GDT)				ĺ
Foundation tax collection is strengthened.	 	3.1. PPR	•		h
5. Foundation tax concerton is strengthened.	3.1. Function and targeted party of the Tax Debt Call	5			
	Center is reexamined.				
					ĺ
		3.2. PPR			f
	3.2. Manual for Improvement of tax collection and its				
	related work is submitted by the Project, and is received by				ĺ
	GDT.				ĺ
	3.3. (* GDT issues regulations related self-enforcing, and	3.3. Related regulations issued, manuals, etc.	1	[t
	completes development of necessary materials including			1	1
	manuals)			<u> </u>	<u> </u>
Activities	Inp	uts	Important Assumption	1	
	inp		important resumption	1	
[Output1: Middle and advanced level knowledge and practical skills necessary for international taxation is	The Japanese Side	The Mongolian Side	Legal environment for the International	Ì	
acquired.]	,	g	taxation is developed.	Ì	
1-1 Conduct a baseline survey on existing curriculum,	1. Experts:	1. Counterpart	Budget and personnel for the Tax Debt		
teaching materials, and target officers in the relevant	(1) Chief advisor (1)	GDT officer (7)	Call Center is continuously secured to	Ì	
field.	(2) International Taxation (2)		maintain its function.	Ì	
	(3) Tax Collection (2) (4) Project Coordinator (1)		(*After amendment laws are passed at the Parliament)		
	(5) Other short-term expert if necessary		the Fariament)		
1-2 Develop human resource development plan for the			Implementation structure for self-	Ì	
period covered of the Project.	2. Training in Japan	2. Office & facility	enforcing is established.		
1-3 Based on the plan developed as a result of 1-2	Training in Japan for international taxation and tax	(1) Project Office (in the same building of GDT HQs)			
activity, elaborate contents of teaching materials, and	collection will be implemented once a year to enhance			Ì	
curriculums if necessary.	knowledge and understanding on the designated issues			Ì	
1-4 Conduct trainings. (Before the training is held, it is	among tax officers. 1. Provision of Equipment is provided			Ì	
1-4 Conduct trainings. (Before the training is held, it is necessary to obtain baseline data of prospective trainees	1. 1 tovision of Equipment is provided	(a) F . W.		Ì	
in terms of knowledge and experience on international		(2) Facility		Ì	
taxation)	L				
1-5 As a part of training follow-up, conduct a review on utilization of knowledge and skills acquired during the	PC (60 PCs max)	1) Internet			
training at work.		1) interact		Ì	
1-6 Examine actual cases (peer-review) that trainees		2) Office facility (desk, shelf, etc)		Ì	
encountered during the work) within a year after the		other necessary materials			
training session was held.		4)Office should be air-conditioned. 5) other facilities in Training facility		Ì	
1-7 Reflect the review results into the human resource		other facilities, ie Training facility Local Cost		Ì	
development plan, and modify the plan if necessary.		Local Cost Expenses related to trainings (i.e. allowance and			
L	<u> </u>	travelling expenses for local tax officers)	L	j	

[Output2: Foundation of international taxation is further developed.]

- 2-1 Conduct periodical research and analysis of and issues of international tax audit rried out by GDT and its management mechanism, id make recommendation (Report should be
- 2-2 Conduct research and analysis of current situation 2-2 Conduct research and analysis of current situation and issues of tax jurisdiction, International tax avoidance, international dual taxation (including transfer pricing), PE (Permanent Establishment), and make recommendations (a proposal) for future institutional development.
- 2-3 Hold a workshop and share results of the analysis conducted in 2-1 and 2-2 activities mentioned in above and share it with counterparts.
- 24 Introduce referential cases of Japan and related information with regard to institutional development for international taxation (translate relevant documents into English and Mongolian, if required).

 2.5 Provide technical support to GDT in improving institutional arrangement through developing manuals and referential materials.
- 2-6 Provide GDT technical advice regarding agen for meeting with the Ministry of Finance including related legislation.
- 2-7 Extract issues of laws, and share them with
- 2-8 Have a meeting with counterparts regarding futur institutional development, and provide technical advice

(Planned support after the amendment of relevant laws

are passed by the Parliament)

2-9 Provide technical support to GDT in executing the revised Law on General Taxation (including development of necessary regulations).

[Output3: Foundation tax collection is strengthened.]

- 3.1 Conduct a survey on the current status of organizational and institutional arrangement with reg to cases on small amount of delinquent taxes and case of large and difficult delinquent taxes (including a survey on the current status of the Tax Debt Call Center).
- 3.2 Extract issues to be improved based on the survey results (3-1), and make recommendation for realizing efficient implementation of tax collection (a report should be developed)
- 3.3 Develop an implementation plan for effective measurement on the Tax Debt Center's operation.
 3.4 Conduct effective measurement of the Center, and extract points to be improved.
- 3.5 Make report to share the results of effective measurement on the operation of the Center with counterparts, and provide necessary support including naking recommendation.
- 3.6 Provide technical support to GDT in improving operation and management of the Center. (Enhancin, efficiency of internal administrative work)
- 3.7 Conduct a survey at tax offices on the current status of internal administrative work and procedure, and extract issues to be improved before making recommendation for further improvement of efficiency (Recommendation should be summarized in a report).
- 3.8 Purchase and provide PCs to designated tax office
- 3.9 Provide technical support to GDT in enhancing efficiency of internal administrative work and procedurincluding development of manual for tax collection and its related work.
 3.10 Introduce the developed manual at a district tax office in Ulaanbaatar on a trial basis.
- 3.11 Review its utilization, (including effective urement of internal administrative work after PC installation)
- 3.12 Develop improvement plan (proposal) based on review results. (Planned support after the amendment of relevant laws are passed by the Parliament)
- 3.13 Provide technical support to GDT in execution of the amended laws including support for developing regulations, and promoting public awareness, etc
- 3.14 Provide technical support to GDT in enhancing efficiency of tax collection through development of necessary documents and materials on self-enforcing.
- 3.15 Have a meeting with counterparts regarding futurinstitutional development, and provide technical advice

There is no drastic change in taxation erpart personnel for the Project is

<Issues and countermesures>

Major tax law reforms are ongoing now in Mongolia. Relating with this the self-enforcement right, tax priority right and other issues which is necessary for tax collection are expected to introduce to the tax law. Once the articles are introduced, the flow of tax collection will be changed and this needs to be matched with the internal work flow such as organization systems, working method and job description. Carrying on enhancement on efficiency of internal administrative works, not intending the tax law reform may cause considerable amounts of extra work and confusion for officials.

(countermeasures) We were planit to improve internal work efficiency wi the introduction of PC to tax offices. After the approval of the draft bill, workflow will be revised and manual will be prepared based on the amended tax laws.

Plan of Operation Mikio Tajino Shigeo Kumaku PC to the tax office Pilo Attail | Pin | 2017 | 2018 | 2019 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2 Sub-Activities tput 1: Tax inspector gain middle-leve (Middle-level and high-level training) Actual

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Project Design Matrix

Project Title: The Project for enhancing tax collection operation and international tax issues of Mongolian Tax Administration (Phase-2).

Implementing Agency:
Target Group: The General Department of Taxation (GDT)
Period of Project: 2017-2019 (36 months)
Project Site:

Model Site:

Normalian Suprement

Project site:	Model Site:				ъ .
Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumption	Achievement	Remarks
Overall Goal	Detection rate of misfiling and non-filing on cross handon temperature is increased compared with that of the	1. Audit cases, detected cases			
Mongolian Tax Administration in the field of international taxation and tax collection is further	border transaction is increased compared with that of the project completion.				
improved.	project compactors				
	For future amendment of relevant laws related to the	Proposal submitted by GDT to the Ministry of Finance.			
	indicator 2-2 of Output 2, GDT submits revised proposal to				
	the Ministry of Finance based on their instruction.				
	Tax Debt Center is not decreased or is increased	Centralized tax database at GDT.	 		
	compared with that the project completion.				
	4. (* The number of cases dealt as the self-enforcing is	Centralized tax database at GDT.			
	increased)	4. Centralized tax database at GD1.			
Project Purpose	[In the field of International Taxation]		<u> </u>		
1 toject i urpose	The number of advanced1 cases on audit of cross border	Results of check-list evaluation acquired through			
Mongolian Tax Administration in the field of	transaction submitted by trainees during the peer-review is	activity 1-7.			
international taxation and tax collection is reinforced.	increased compared with that of the beginning of the				
	Project.				
	2. Knowledge is shared through case studies utilizing	2. Project Progress Report (PPR)			
	information of cross border transaction collected and				
	accumulated during the project period.				
	A proposal on amendment of laws related to the	3. PPR.	 		
	international taxation is submitted by GDT, and received by				
	Ministry of Finance.				
	[Tax Collection]		 		
		Centralized tax database at GDT.	 		
	4. The number of cases dealt by the Tax Debt Call Center is	4. Centralized tax database at GD1.			
	increased compared with that of the commencement of the Center.				
	Center.	5. PPR			
	5. Manual submitted by the Project is utilized at another	5. PPR			
	district tax office in Ulaanbaatar on a trial basis.				
		Centralized tax database at GDT.			
	 (*Revenue is recognized as a result of execution of self- enforcing) 	o. Centralized tax database at GD1.			
	enforcing)				
Outputs 1. Middle and advanced level knowledge and practical	1.1 80% of the trainees complete training for 5 times.	1.1 PPR			
skills necessary for international taxation is acquired.	1.1 80% of the trainees complete training for 5 times.	I.I FFK			
,,	1.2 More than 100% of trainees improve their score of the	1.2 Results of Pre-test and Post-test collected through	Knowledge and information acquired		
	Post-test compared with that of the Pre-test.	activity 1-5.	during the period covered is		
	-	, and the second	transferred appropriately to		
	1.3 More than half of the cases submitted for peer-review	1.3 Results of check-list evaluation through activity 1-7.	successors when there is personnel		
	reach the level of Advanced and complicated international taxation cases as a result of check-list evaluation.		changes among counterpart personnel.		
	taxation cases as a result of cheek-list evaluation.		personnei.		
	* Note: "With an overall rating 3.5 of peer review evaluation				
	criteria considered as a level that has reached the advanced				
	and complicated international taxation cases"				
Foundation of international taxation is further	 	2.1. PPR	†		
developed.	2.1. International Taxation Division of Strategy and				
	Development Department and Risk Management Department of GDT collect and accumulate information				
	related to the audit on cross border transaction.				
	L				
	2.2 I	2.2. Proposal developed by the Project			
	2.2. Japanese project team finalizes a proposal on future taxation reform including establishment of source rules on	2.2. Proposal developed by the Project			
	taxation reform including establishment of source rules on domestic source income, expansion of systems related to	2.2. Proposal developed by the Project			
	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for	2.2. Proposal developed by the Project			
	taxation reform including establishment of source rules on domestic source income, expansion of systems related to	2.2. Proposal developed by the Project			
	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation.	2.2. Proposal developed by the Project 2.3. Related regulations issued.			
	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the climination of international double taxation. 2.3. (* Regulations related to international taxation based on				
	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the climination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT)	2.3. Related regulations issued.			
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT) 3.1. Function and targeted party of the Tax Debt Call				
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the climination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT)	2.3. Related regulations issued. 3.1. PPR			
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT) 3.1. Function and targeted party of the Tax Debt Call Center is reexamined. 3.2. Manual for Improvement of tax collection and its	2.3. Related regulations issued.			
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT) 3.1. Function and targeted party of the Tax Debt Call Center is reexamined. 3.2. Manual for Improvement of tax collection and its related work is submitted by the Project, and is received by	2.3. Related regulations issued. 3.1. PPR			
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT) 3.1. Function and targeted party of the Tax Debt Call Center is reexamined. 3.2. Manual for Improvement of tax collection and its	2.3. Related regulations issued. 3.1. PPR 3.2. PPR			
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT) 3.1. Function and targeted party of the Tax Debt Call Center is reexamined. 3.2. Manual for Improvement of tax collection and its related work is submitted by the Project, and is received by GDT. 3.3. (* GDT issues regulations related self-enforcing, and	2.3. Related regulations issued. 3.1. PPR			
3. Foundation tax collection is strengthened.	taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation. 2.3. (* Regulations related to international taxation based on the amended law are issued by GDT) 3.1. Function and targeted party of the Tax Debt Call Center is reexamined. 3.2. Manual for Improvement of tax collection and its related work is submitted by the Project, and is received by GDT.	2.3. Related regulations issued. 3.1. PPR 3.2. PPR			

Activities	In	outs	Important Assumption
[Output1: Middle and advanced level knowledge and practical skills necessary for international taxation is acquired.]	The Japanese Side	The Mongolian Side	Legal environment for the International taxation is developed.
	I. Experts: (I) Chief advisor (1) (2) International Taxation (2) (3) Tax Collection (2) (4) Project Coordinator (1) (5) Other short-term expert if necessary	1. Counterpart GDT officer (7)	Budget and personnel for the Tax Debt Call Center is continuously secured to maintain its function. (*After amendment laws are passed at the Parliament)
1-2 Develop human resource development plan for the period covered of the Project.	2. Training in Japan	2. Office & facility	Implementation structure for self- enforcing is established.
1-3 Based on the plan developed as a result of 1-2 activity, elaborate contents of teaching materials, and curriculums if necessary.	Training in Japan for international taxation and tax collection will be implemented once a year to enhance knowledge and understanding on the designated issues among tax officers.	(1) Project Office (in the same building of GDT HQs)	
1-4 Conduct trainings. (Before the training is held, it is necessary to obtain baseline data of prospective trainees in terms of knowledge and experience on international taxation)	1. Provision of Equipment is provided	(2) Facility	
1-5 As a part of training follow-up, conduct a review on utilization of knowledge and skills acquired during the training at work.	PC (60 PCs max)	1) Internet	
1-6 Examine actual cases (peer-review) that trainees encountered during the work) within a year after the training session was held.		2) Office facility (desk, shelf, etc) 3) other necessary materials 4) Office should be air-conditioned. 5) other facilities, ie Training facility	
1-7 Reflect the review results into the human resource development plan, and modify the plan if necessary.		Local Cost Expenses related to trainings (i.e. allowance and travelling expenses for local tax officers)	

[Output2: Foundation of international taxation is further developed.] 2-1 Conduct periodical research and analysis of current situation and issues of international tax audit carried out by GDT and its management mechanism, and make recommendation (Report should be 2-2 Conduct research and analysis of curr and issues of tax jurisdiction, International tax avoidance, international dual taxation (including avoidance, international dual taxation (including transfer pricing), PE (Permanent Establishment), and make recommendations (a proposal) for future institutional development. 2-3 Hold a workshop and share results of the analy conducted in 2-1 and 2-2 activities mentioned in ab and share it with counterparts. 2-4 Introduce referential cases of Japan and related information with regard to institutional development for international taxation (translate relevant documents in English and Mongolian, if required). 2-5 Provide technical support to GDT in improving institutional arrangement through developing manuals and referential materials. Provide GDT technical advice regarding agenda for meeting with the Ministry of Finance including related legislation.

2-7 Extract issues of laws, and share them with

2-8 Have a meeting with counterparts regarding future institutional development, and provide technical advice

(Planned support after the amendment of relevant laws

are passed by the Parliament)
2-9 Provide technical support to GDT in executing the revised Law on General Taxation (including development of necessary regulations).

[Output3: Foundation tax collection is strengthened.]

3.1 Conduct a survey on the current status of organizational and institutional arrangement with regard to cases on small amount of delinquent taxes and cases of large and difficult delinquent taxes (including a survey on the current status of the Tax Debt Call Center).

3.2 Extract issues to be improved based on the survey results (3-1), and make recommendation for realizing efficient implementation of tax collection (a report should be developed)

3.3 Develop an implementation plan for effective measurement on the Tax Debt Center's operation. 3.4 Conduct effective measurement of the Center, and extract points to be improved.

3.5 Make report to share the results of effective measurement on the operation of the Center with counterparts, and provide necessary support including naking recommendation

3.6 Provide technical support to GDT in improving operation and management of the Center. (Enhancing efficiency of internal administrative work)

3.7 Conduct a survey at tax offices on the current status of internal administrative work and procedure, and extract issues to be improved before making recommendation for further improvement of efficiency (Recommendation should be summarized in a report).

3.8 Purchase and provide PCs to designated tax offices

3.9 Provide technical support to GDT in enhancing efficiency of internal administrative work and procedur including development of manual for tax collection and its related work.

its related work.
3.10 Introduce the developed manual at a district tax office in Ulaanbaatar on a trial basis.
3.11 Review its utilization. (including effective measurement of internal administrative work after PC

3.12 Develop improvement plan (proposal) based on review results. (Planned support after the amendment relevant laws are passed by the Parliament)

3.13 Provide technical support to GDT in execution of the amended laws including support for developing regulations, and promoting public awareness, etc

3.14 Provide technical support to GDT in enhancing efficiency of tax collection through development of necessary documents and materials on self-enforcing

3.15 Have a meeting with counterparts regarding futu institutional development, and provide technical advice

Pre-Conditions

There is no drastic change in taxat erpart personnel for the Project

<Issues and countermesures</p>

The amendment law was aproved in March and the law will be enforced in January 2020. However, the preparation period for notifications staff training, taxpayers, etc. is extremely short.

countermeasures) JICA project (countermeasures) JICA project experts also carry out manuals and notification work in Japan. In addition, outside the project activities, project experts have tax collection field in Japan and provide support such as giving advice to GDT executives. The project will be completed shortly after the revised law comes into effect, so it is important that JICA continues to follow up on GDT. Plan of Operation

Dated Feb 28, 2019 | Collection operation and international tax issues of Mongolian Tax Administration (Phase-2).
| Fig. | 2017 | 2018 | 2019 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 2020 | 202 Project Title: The Project for enhancing tax collection operation and international tax issues of Mongolian Tax Administration (Phas nandakh Sandaş (
International Taxation, • Tax Collection Plan Actual

添付2. 業務フローチャート

モンゴル国際課税、徴収に係るベースライン調査

作 集 項 目(現地)

- > o r - 案の説明・ワーク・ブラン・実施体制の確立

・関連資料・情報の収集整理・楽務計画書>ゥィーの作成徴収分野本邦研修の準備と実施

作業項目(国内)

合同調

遊職 セミナー 報告書

添付3. 作業計画

作 業 計 画 (第1年次)

作業	計	四	\牙	51年	(()		, .							
期間		-		l -	-		7年度	_	_		1	-		_
作業項目 1 国際課稅,微切升通事項	2	3	4	5	6	7	8	9	10	11	12	1	2	3
1. 国際課税・徴収共通事項														
1-1 関連資料・情報の収集整理														
1-2 業務計画書Ver. 1~Ver. 3の作成	Ш													
1-3 ワーク・プランVer. 1~Ver. 3案の作成			Ш											
1-4 ワーク・プランVer.1案の説明														
1-5 実施体制の確立														
1-6 モンゴル国際課税、徴収に係るベースライン調査														
1-7 ワーク・プランVer. 1~Ver. 3の協議と合意														
1-8 Monitoring Sheetの作成と提出														
1-9 終了時評価調査の準備と実施支援														
1-10 業務完了報告書の作成と提出														
2. 国際課税分野														
2-1 人材育成計画の作成														
2-2 研修事業のカリキュラム・教材の作成														
2-3 国際課税現地上級研修の準備、実施														
2-4 国際課税本邦研修の準備・実施(2回)														
2-5 研修生の業務モニタリング														
2-6 ピアレビューの準備														
2-7 ピアレビューの実施														
2-8 人材育成計画の改定														
2-9 国際課税に係る実施体制の調査・分析														
2-10 国際課税制度に係る課題の抽出														
2-11 国際課税ワークショップの開催														
2-12 国際課税制度整備に関する支援														
2-13 国際課税法令への助言														
2-14 C/Pとの定例会議の実施														
3. 徵収分野														
3-1 徴収分野本邦研修の準備と実施														
3-2 滞納整理・催告に係る調査														
3-3 催告センターの運用にかかる効果測定の準備・実施														
3-4 催告センターの運用にかかる改善の提言														
3-5 催告センター改善支援														
3-6 税務署における内部事務に係る調査分析														
3-7 内部事務効率化のためのPC供与														
3-8 徴収関連マニュアルの作成														
3-9 徴収関連マニュアルの試行														
3-10 試行結果のレビュー														
3-11 内部事務効率化の改善案の作成														
3-11 内部事務効率化の収音系の11-成														_
3-13 改正法の執行に係る支援														
										_				
3-13-1 通達の整備、見直し														
3-13-2 滞納マニュアルの作成	-													<u> </u>
3-13-3 執行裁判所等との調整														
3-13-4 広報活動の側面支援	-												 	<u> </u>
3-13-5 徴収職員研修の側面支援													 	
3-14 今後の法改正に向けた助言														
凡例:事前作業期間						現:	地業務	努期間				国内包	作業期	間

作 業 計 画 (第2年次)

	期間					201	8年月	ぎ (芽	₹績)				
作業	項目	4	5	6	7	8	9	10	11	12	1	2	3
1.	国際課税・徴収共通事項												
1-1	関連資料・情報の収集整理												
1-2	業務計画書Ver.1~Ver.3の作成												
1-3	ワーク・プランVer. 1~Ver. 3案の作成												
1-4	ワーク・プランVer. 1案の説明												
1-5	実施体制の確立												
1-6	モンゴル国際課税、徴収に係るベースライン調査												
1-7	ワーク・プランVer. 1~Ver. 3の協議と合意												
1-8	Monitoring Sheetの作成と提出												
1-9	終了時評価調査の準備と実施支援												
1-10	業務完了報告書の作成と提出												
2.	国際課税分野												
2-1	人材育成計画の作成												
2-2	研修事業のカリキュラム・教材の作成						t						٥
2-3	国際課税現地上級研修の準備、実施												
2-4	国際課税本邦研修の準備・実施(2回)	\vdash_{\Box}										╁	
2-5	研修生の業務モニタリング	Г										f	
	ピアレビューの準備					H							
	ピアレビューの実施												
	人材育成計画の改定								_				-
	国際課税に係る実施体制の調査・分析											-	
	国際課税制度に係る課題の抽出												
								_				-	
	国際課税ワークショップの開催												
	国際課税制度整備に関する支援			E								E	
	国際課税法令への助言												
	C/Pとの定例会議の実施												
3.	徵収分野	-										<u> </u>	
	徴収分野本邦研修の準備と実施	-										<u> </u>	
	滞納整理・催告に係る調査												
	催告センターの運用にかかる効果測定の準備・実施											<u> </u>	
	催告センターの運用にかかる改善の提言												L
3-5	催告センター改善支援												
3-6	税務署における内部事務に係る調査分析											<u> </u>	_
3-7	内部事務効率化のためのPC供与	<u> </u>										<u> </u>	
3-8	徴収関連マニュアルの作成									j			
3-9	徴収関連マニュアルの試行												L
3-10	試行結果のレビュー												
3-11	内部事務効率化の改善案の作成												
3-12	内部事務効率化支援												
3-13	改正法の執行に係る支援			L	L								Ĺ
3-13	-1 通達の整備、見直し												
3-13-	-2 滞納マニュアルの作成												
3-13-	-3 執行裁判所等との調整												
3-13-	-4 広報活動の側面支援												
3-13	-5 徴収職員研修の側面支援												
3-14	今後の法改正に向けた助言												
口個	: ——	1	_	1	垂垂		务期間				国内	作業期	明

作 業 計 画 (第3年次)

	期間					2019	年度	(実	績)				
作業	項目	4	5	6	7	8	9	10	11	12	1	2	3
1.	国際課税・徴収共通事項												
1-1	関連資料・情報の収集整理												
1-2	業務計画書Ver.1~Ver.3の作成												
1-3	ワーク・プランVer. 1~Ver. 3案の作成												
1-4	ワーク・プランVer. 1案の説明												
1-5	実施体制の確立												
1-6	モンゴル国際課税、徴収に係るベースライン調査												
1-7	ワーク・プランVer. 1~Ver. 3の協議と合意												
1-8	Monitoring Sheetの作成と提出												
1-9	終了時評価調査の準備と実施支援												
1-10	業務完了報告書の作成と提出]
2.	国際課税分野												
2-1	人材育成計画の作成												
2-2	研修事業のカリキュラム・教材の作成												
2-3	国際課税現地上級研修の準備、実施												
2-4	国際課税本邦研修の準備・実施(2回)												
2-5	研修生の業務モニタリング												
2-6	ピア・レビューの準備								\vdash				
2-7	ピア・レビューの実施												
2-8	人材育成計画の改定												
2-9	国際課税に係る実施体制の調査・分析												
2-10	国際課税制度に係る課題の抽出												
2-11	国際課税ワークショップの開催												
2-12	国際課税制度整備に関する支援												
2-13	国際課税法令への助言												
2-14	C/Pとの定例会議の実施												
3.	徴収分野												
3-1	徴収分野本邦研修の準備と実施												
	滞納整理・催告に係る調査												
	催告センターの運用にかかる効果測定の準備・実施												
3-4	催告センターの運用にかかる改善の提言												
3-5	催告センター改善支援												
	税務署における内部事務に係る調査分析												
3-7	内部事務効率化のためのPC供与												
	徴収関連マニュアルの作成												
	徴収関連マニュアルの試行					Ė		Ť					
	試行結果のレビュー												
	内部事務効率化の改善案の作成												
-	内部事務効率化支援					H							
	改正法の執行に係る支援										Ξ		
	-1 通達の整備、見直し												
	-2 滞納マニュアルの作成										_		
	-3 執行裁判所等との調整				Ë	<u> </u>]					
	-4 広報活動の側面支援												
	-5 徴収職員研修の側面支援												
	- つ												
	学校の伝改正に向けた明言 : ――事前作業期間					地業務	7 tha 88					作業期	I BB

添付 4. 専門家派遣実績

現地・国内実績合計 1764 70.10

専門家派遣実績(2020年1月24日時点)

					2017年度				201	8年度			201		1	
	氏名	担当業務	2 3 4	5 6	7 8 9 10	11 12 1 2	3 4	5 6 7			2 3	4 5 6	7 8 9		日数 合計	人月 合計
	岩下 検一郎	総括/人材育成	(5日) (11日)	6/3-7 回 (5日)	8/9-15 9/29-10/6 (7日) (8日)	2/5-9 画 (5日)	4/23-28 画 (6日)		9/10-14 ■ (5日		/25-3/1 間 (5日)	5/6-11 6/24- 画 (6日) (6日	3)	12/2-6 1/20-23	78	2. 60
	小寺 壽成	国際課税1 (制度整備1)	3/24-4/20 4, (28日) (/27-5/14 7/2- 18日) (10i			3/21-4/8 (19日) 4/24-5 (15日	i/8 1)	8/22 9/1 (25日)		3 2/25 8日) 3/21 (14	4/3 (21 H) 6/22 HB) (12	9/8- 7/3 (10E		354	11. 80
現地	田地野 幹雄	国際課税2 (制度整備2)			9/12-20 画 (9日)				8/25-9/2 ■ (9日)		3/16-24 画 (9日)		8/25-31 (7日)		34	1. 13
業務	石黒 秀明	国際課税3 (人材育成)	4/24-	b b	8/20-31 9/10-20 (12日) (11日)	11/27-12/8 (12日)	4/23-5/ (17日)	/9 	8/20-9/2 (14日)	11/20-30 (11日)	3/4-20 (17日)	4/30-5/8 (9日)	8/21-30 (10日)	11/25-12/6 (12日)	137	4. 57
	小阪 満	徴収1 (法規則)	4/5-17 二 (13日)	5/26-6/9 (15日)	9/27-10/11 (15日)	1/17-28 三 (12日)	4/15-29 (15日)	6/20-7/3 (14日)	9/10-25		3/10-16 二 (7日)	5/4-13 6/23 (10日) (7E	1 1 1	3-27 11/27-12/7 1/19-24	164	5. 47
	熊倉 茂夫	徴収2 (徴収業務)	3/26-4/18 (24日)	5/10-6/3 6/14-7/ (25日) (24日)	/7 8/23-9/15 (24日)		/19-4/8 (21日)	5/14-6/24 (42日)	9/5-			4/24-5/15 6/1-15 (22H) (15H)	9/3-14 二 (12日)		319	10. 63
														実績合計	1086	36. 20
	岩下 検一郎	総括/人材育成	2/20-24, 27, 28 3/21-24 (7日) (4日)		8/1-3 9/25-27 (3H) (3H)	3/6.) 4/5-7 (1 (3日)	(日)	8/12-20 (9日) 9/8. (2日)		,	4/19, 22 (2日) 6/19 (2日) (3日)	8/13-16 □ (4日)	11/1-3 1/11, 12 12/1 (2H) (1H)	65	3. 25
	小寺 壽成	国際課税1 (制度整備1)	2/20-23 国 (4日)	6/27-30 ■ (4日)	8/1-2 ■ 9/4-6 (2日) ■ (3日)	11/20-24 2/10-19 (5日) 12/18-20 (10日) 3/1 (3日) (4	4/10, 11 日 13-16 (2日) 日 4日)	6/18-20 (3日) 7/1-8 (8日)	,	10/29, 30 12/3-5 2/4 (2日) 11/6-8 (3日) 1/15, 16 (2日)	(4日)	/19, 22 (2日) 5/15, 16 (2日)			69	3. 45
	田地野 幹雄	国際課税2 (制度整備2)			8/1-2 9/4-6 (2日) 9/4-6 (3日)				8/16-19 ■ (4日)		3/7,8 ■ (2日)		8/19-21 ■ (3日)		14	0. 70
国	石黒 秀明	国際課税3 (人材育成)	2/20-22 (3日)	7/3-7 (4日	7) 8/1-3 (3日)	(2日)	(16 日) 4/11-14 日) (4日)	7/9-1 ■ (3日	0.447.40	(28)	3/1, 2	4/19, 22 国 (2日)	8/15, 16 Ⅲ (2日)	11/22 (1B)	42	2. 10
内業務	小阪 満	徴収1 (法規則)	2/20-22 (3日)		8/1-3 10/15-19 9/4-6 (3H) (5H) (5H)	11/20-24 (3日) 1/10-11 (10日) 3, (5日) (2日) (4日	a) ((5日)		10/28-30 12/3-8 2/5- (3H) 11/1-3 (6H) 1/15, 16 (4H (3H) (2H)	8 3/7.8 (2日)		(1, 2	10/1 11/26 1/16.17 (1日) (1日) (2日)	85	4. 25
	熊倉 茂夫	徴収2 (徴収業務)	(3日)	/22,23 (2日) 6/27-30 (4日)		3/i5, I (2E	5/1 3) 4/10,11 ((2日)	10, 11 7/9-11 (2日) (3日)	9/1-4 8/11-13 (4日) (3日)	11/23-25 1/21, 22 10/17-19 (3H) 12/4-7 (2H) (3H) (4H)	2/27, 28 (2日) (2日) (2日)		/1, 2 (2日) 8/1, 2 (2日)		49	2. 45
	ナルマンダヒ・ サンダグスレン	業務調整1 (現地在住)	3/13-31 (P	6/1-8 7/ (A6E) (I 6/14-30 911E) (A73E) (A73E) (A73E) (A73E)	(3–11 9/1–28 рян (разва) (ра	1/1-30	16日) (内:	6/1-30 (内6日) /1-31 7/1- 8日) (内8	9/1-	(内7日) (内8日) (内 30 11/1-30 1/1-31 日) (内6日) (内8日)	3/1-31 (内2日)	4/1-30 6/1-30 (内4日) (内4日 5/1-31 (内4日)	ı 💳	10/1-31 12/1-31 (内1日) (内1日) 1/1-24 (内1日) (内1日)	330	16. 50
	小林 耕	業務調整2	2/20-24, 27, 28 (7日)				4/10-18 	/10, 11 ■ 【 (2日)		12/3,4 2/ (2H) 1/15,16 (3		(1日) 5/16 (1日) (1日)			24	1. 20
														実績合計	678	33. 90

報告書等	業務計画書V1		教材・カリキュラム)		Monitoring V3	催告センター報告書 Mo △ 内部事務効率化報告	3 Monitoring		zンター報告書 △	Monitoring V6
		 		△				内部马	び	A

添付 5. 研修員受入れ実績

第1回本邦研修 プログラム

日付	時刻		研修内容	講師又は見学先担当者等		言	研修場所
디기			班修內谷	氏名(敬称略)	所属先及び職位	語	研修场所
	10:00	~ 12:00	JICA 規定ブリーフィング	ブリーフィング担当	JICA 東京	日	
2/23(木)	12:00	~ 12:30	プログラムオリエンテーション	岩下 検一郎	金融財政事情研究会	Ш	JICA 東京 SR402
	13:30	~ 17:00	日本の徴収制度(日本国税庁)	大田氏	国税庁税務大学校	日	
2/24(金)	9:30 13:30	~ 12:30 ~ 17:00	納税催告センター メンタルヘルス研修	釘宮 悦子	ジャイロ総合コンサル ティング(株)	日	JICA 東京 SR402
	9:30	~ 12:00	日本の公売制度	熊倉 茂夫	JICA プロジェクト専門 家	日	JICA 東京 SR402
	14:00	~ 17:30	国税庁催告センター視察				
	14:10	~ 14:15	室長挨拶	會田室長			
	14:15	~ 15:00	概要説明	會田室長 原田総括主査	5階 会議室	日	国税庁作 告一(務庁舎内)
	15:00	~ 15:30	スーパーバイザー業務説明 催告端末説明	田村納税催告専門官			
2/27(月)	15:40	~ 16:10	センター内視察	會田室長 原田総括主査 田村納税催告専門官 亀割管理係長	マンションルーム (亀割管理係長) オペレータールーム (原田総括主査)		
	16:10	~ 16:15	徴収部長挨拶	岡村徴収部長			
	16:15	~ 16:35	研修員プレゼンテーション	研修員	JICA 行財政・金融チー ム課長		
	16:45	~ 17:25	質疑応答	會田室長 原田総括主査			
	17:25	~ 17:30	研修員代表者答礼	田村納税催告専門官 亀割管理係長	5階 会議室		
2/28(火)	9:30	~ 10:30	タックススペース UENO 見学	植山広報広聴官	上野税務署	日	上野 税務署
	12:30	~ 14:00	課題解決に向けた意見交換会	小阪 満 熊倉 茂夫	JICA プロジェクト専門 家	日	JICA 東京
	14:00	~ 15:30	評価会・修了書授与式	石塚 賢司	JICA 産業開発・公共政 策部	日	SR402

第1回本邦研修 研修員リスト

連番	氏名	所属・役職
1	Balsan	国税庁、納税者サービスセンター所長
	GANBOLD	
2	Sanjaa	国税庁、納税者サービスセンター「納税催告センター」税
	TSERENJAMTS	務主任検査官
3	Erdenebileg	国税庁、納税者サービスセンター「納税催告センター」税
	ZOLJARGAL	務検査官
4	Namkhainyambuu	国税庁、納税者サービスセンター「納税催告センター」税
	BOLDBAYAR	務検査官
5	Dorj	国税庁、納税者サービスセンター「納税催告センター」税
	DAVAASUREN	務検査官
6	Magsarjav	国税庁、納税者サービスセンター「納税催告センター」税
	TSEVEENGEREL	務検査官
7	Byamba	国税庁、納税者サービスセンター「納税催告センター」税
	JARGALSAIKHAN	務検査官
8	Chuluuntogtokh	国税庁、納税者サービスセンター「納税催告センター」税
	ALIGIRMAA	務検査官
9	Ganzorig	国税庁、納税者サービスセンター「納税催告センター」税
	AGIIMAA	務検査官

10	Darkhaijav	国税庁、税収局、税務検査官
	TUNGALAG	
11	Tsedenpil	国税庁、税収局、税務主任検査官
	ALTANTSETSEG	
12	Dorjpurev	Songinokhairkhan 区税務署長
	BAZAR	
13	Nokhoijav	国税庁研修センター教師
	GANBAATAR	
14	Dandar	国税庁、税収局、税務主任検査官
	ENKHTUYA	
15	Namsraijav	Chingeltei 区税務署税収課長
	AMARBAYASGALAN	-

第2回本邦研修 プログラム

日付	吐 切	時刻 研修内容	講師又は見学先担当者等		言語	研修場所
מום	时刻		氏名(敬称略)	所属先及び職位	語	听 修场所
4/12(7 K)		来日				
	10:00 ~ 12:00	JICA 東京ブリーフィング	ブリーフィング担当	JICA 東京	日	
4/13(金)	12:00 ~ 12:30	プログラムオリエンテーション	奥山 浩太郎 山田 理恵子	税務大学校 教授 税務大学校 教育官	日	JICA 東京 SR403
	13:30 ~ 16:30	これまでの復習…事例で扱う項 目のポイントなど	奥山 浩太郎 山田 理恵子	税務大学校 教授 税務大学校 教育官	日	511.05
4/14(土)		休日				
4/15(日)		休日				
(4.5.F)	9:30 ~ 12:30	事例研究①(モンゴル事例)	奥山 浩太郎 山田 理恵子	税務大学校 教授 税務大学校 教育官	日	JICA 東京 SR406
4/16(月)	14:00 ~ 16:30	芝税務署 視察	佐藤 純夫 国際税務専門官	芝税務署 署長 芝税務署	日	芝税務署
4/17(火)	9:30 ~ 12:30	事例研究②(モンゴル事例)	奥山 浩太郎	税務大学校 教授	日	JICA 東京
4/17(入)	13:30 ~ 16:30	事例研究③(モンゴル事例)	山田 理恵子	税務大学校 教育官	П	SR402
	9:30 ~ 12:30	事例研究④(モンゴル事例)	奥山 浩太郎	税務大学校 教授		
4/18(水)	13:30 ~ 16:30	事例研究⑤(モンゴル、日本事例)	山田 理恵子	税務大学校 教育官	JICA 東京 SR402	
	17:00 ~ 18:00	評価会、閉講式	石塚 賢司	JICA 産業開発・公共政策部		
4/19(木)		帰国				

第2回本邦研修 研修員リスト

氏名	役職
MS.Tsultem KHANDAA	国家予算歳入管理局、税務調査課、課長
MS.Bakhnaa BADAMTSETSEG	国税庁、研修センター、所長
MS.Tserendorj BAYARMAA	国税庁、内部監査局、国家主任検査官
MS.Altantsetseg SUVDAA	国税庁、納税者サービス局、国家検査官
MS.Khukhuu SUVD ERDENE	国税庁、行政管理局、国家検査

MS.Sembee GUNJINLKHAM	国税庁、税務サービスセンター、国家検査官
MS.Baatar BATCHIMEG	国税庁、税務サービスセンター、国家検査官
MS.Namsum TUUL	国税庁、研修センター、国家検査官
MS.Shunaibaatar ENKHJARGAL	国家予算歳入管理局、税務調査課、国家検査官
MR.Purevgyal OTGONSUREN	国家予算歳入管理局、税務調査課、国家検査官
MS.Otgonshar TSEND AYUSH	首都税務署、税務調査課、国家検査官
MS.Jugder ERDENEBUREN	首都税務署、税務行政課、国家検査官
MR.Sanjid DUUBAYAR	Umnugovi県税務署、リスク・統計課、課長
MS.Tsevegjav UNURMUNKH	Orkhon県税務署、納税者サービス課、国家検査官
MR.Sumiya NARANBAATAR	Dornod県税務署、国家検査官

第3回本邦研修 プログラム

日付	時刻			研修内容	講師又は見学先担当者等		言	
					氏名(敬称略)	所属先及び職位	語	研修場所
1/28(月)				来日				
	10:00	~	11:50	JICA 東京ブリーフィング	ブリーフィング担当	JICA 東京	日	
1/29(火)	12:00	~	13:00	プログラムオリエンテーショ ン	小島 信子 奥山 浩太郎 山田 理美 抗笠 直丈 岩崎 了工 稲垣 亜須賀	税務大学校 国際支援室長 税務大学校 教授 税務大学校 教育官 税務大学校 専門官 税務大学校 係長 税務大学校 主任	目	JICA 東京 SR304
	14:00	~	17:00	モンゴル移転価格税制及び執 行の現状について研修員から 説明	研修員代表		日	
	17:30	~	18:45	税務大学校長主催意見交換会	二宮 部長 小島 信子 グループ職員	税務大学校 研究部長 税務大学校 国際支援室長 税務大学校 国際支援がループ	日	JICA 東京 講堂
	9:30	~	12:30	移転価格税制の概要 I	神谷 昭夫	税務大学校 教授	П	JICA 東京
1/30(水)	13:30	~	16:30	移転価格税制の概要Ⅱ	神谷 昭夫	税務大学校 教授	日	SR304
1/21/+>	9:30	~	12:30	移転価格課税・調査 I	奥山 浩太郎	税務大学校 教授	日	JICA 東京
1/31(木)	13:30	~	16:30	移転価格課税・調査Ⅱ	奥山 浩太郎	税務大学校 教授	日	SR304
2/1/4>	9:30	~	12:30	事例研究 I	神谷 昭夫	税務大学校 教授	日	JICA 東京
2/1(金)	13:30	~	16:30	事例研究Ⅱ	奥山 浩太郎	税務大学校 教授	П	SR304
2/2(土)				休日				
2/3(日)				休日				
	10:00	~	11:30	国際課税を取り巻く最近の動 向	福田 隆	KPMG 税理士法人 パートナー	日	KPMG 税 理士法人
2/4(月)	14:00	~	15:00	評価会・閉講式	小神學斯 信昭 浩 直了 教 一 有 一 有 一 有 一 有 一 有 一 有 一 有 一	税務大学校 国際支援室長 税務大学校 教授 税務大学校 專門官 税務大学校 專門官 税務大学校 孫育官 税務大学校 教育官 税務大学校 打EAE JICA 產業開発・公共政策部	日	JICA 東京 SR304

第3回本邦研修 研修員リスト

氏名	所属先・職位
MR.Orsoo TENGIS	国税庁、税務調査方策局仮局長
MS.Chinbat ERDENECHIMEG	国税庁、税務行政協力局、国家主任検査官
MS.Battsengel ARIUNCHIMEG	国税庁、税務行政協力局、国家検査官
MR.Byambadorj BILGUUN	国税庁、行政管理局、国家検査官
MS.Jambaldorj TSERENTSOO	国税庁、納税者サービス局、国家検査官
MS.Sereenendorj TUGSJARGAL	予算歳入管理局、鉱物資源・国際税務担当課、国家主任検査官
MS.Tsoodol DELGERMAA	予算歳入管理局、鉱物資源・国際税務担当課、国家検査官
MR.Khalzan ALTANKHUU	予算歳入管理局、行政管理課、国家検査官
MS.Nyambaatar MUNKHDAVAA	予算歳入管理局、税務調査課、国家検査官
MR.Tsedenbaljir ISHJAMTS	予算歳入管理局、税務調査課、国家検査官
MS.Ganbaatar BANZRAGCH	予算歳入管理局、税収課、国家検査官
MS.Duguitsagaan NARANTSETSEG	Sukhbaatar区税務署、行政管理課、課長
MR.Sanjid DUUBAYAR	Umnugobi県税務署、リスク・統計課、課長
MS.Narantsetseg BOLORCHIMEG	予算歳入管理局、税務調査課、国家検査官

添付 6. 供与機材·携行機材実績

CERTIFICATE OF HANDOVER

To: JICA Mongolia Office

Re: The Project for Enhancing Tax Collection Operation and International Tax issues of Mongolian Tax Administration in Mongolia

This certificate of handover is to certify that the equipment in the attached list, which shall be utilized for the Project for Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration in Mongolia, have been handed over properly to General Department of Taxation, Mongolia, as of September 11, 2017.

Attached: List of Equipment

September 20, 2017

Commissioner

(Signature)

General Department of Taxation,

Mongolia

For witness

Iwashita

Team Leader/ Chief Expert

JICA Project Team

The Project for Enhancing Tax Collection Operation and International Tax issues of Mongolian Tax Administration in Mongolia

ТОНОГ ТӨХӨӨРӨМЖИЙН ЖАГСААЛТ (LIST OF EQUIPMENT)

Тоног төхөөрөмжийн худалдан авалт: Чингэлтэй, Сонгинохайрхан дүүргийн татварын албад шаардлагатай тоног төхөөрөмжийн худалдан авалт.

(Purchase of necessary equipment for Chingeltei and Songino-khairkhan Tax Offices.)

Place of Delivery: Chingeltei District Tax Office (40 pcs)

Songino-khairkhan Tax Office (32pcs)

Date of Handover: 20th September, 2017

Д/Д	Тоног төхөөрөмжийн нэр (Item)	Too (Qty)	Нэгжийн үнэ (Unit price)	Нийт үнэ (Total)
1	Desktop Computer	72	1,743,000.00	125,496,000.00
2	Operator local telephone	10	131,000.00	1,310,000.00
3	Professional earphone	10	223,000.00	2,230,000.00
	VAT			12,903,600.00
	НИЙТ (Total)			141,939,600.00

Хүлээлгэн өгсөн: (For the Supplier)

"Монголын Татварын Албаны татвар хураалтын үйл ажиллагаа болон олон улсын татварын асуудлыг боловсронгуй болгох төсөл"-ийг төлөөлж

(For "The project for enhance tax collection operation and international tax issues of Mongolia tax administration in Mongolia")

C.Нармандах /Төслийн мэргэжилтэн/ (S.Narmandakh /Project expert/)

Хүлээн авсан: (For the End-User)

Татварын Ерөнхий Газар (General Department of Taxation)

Г.Батсайхан /Мэдээлэл Технологийн статистикийн төвийн дарга/

(G.Batsaikhan /Head, Information technology and statistics center/)

Л.Бямбадорж /Санхүү хөрөнгө оруулалтын хэлтсийн дарга/

(L.Byambadorj /Head, Finance and investment division/)

Б.Бямбасүрэн /Нягтлан бодогч/ (В.Вyambasuren/Accountant/)

О.Баяраа /Аж ахуйн ажилтан/

(O.Bayaraa /Book keeper/)

Техникийн үзүүлэлтүүд ба тоо ширхэг

(Specification and Quantity of Equipment)

		Тоног төхөөрөмж (Item)	Qnty		
	Desktop Computer				
	Model	Dell Optiplex 3050			
	CPU	Intel Core TM i5-7500 Processor (6M Cache, 3.8-GHz, 7 th			
		generation)			
	RAM	8GB DDR4 2400Mhz (4gb*2)			
	HDD	500GB SATA			
	Video Card	Integrated Graphics			
1		8 External USB: 4xUSB3.1Gen 1			
1		• RJ-45			
		• Display port1.2	72		
	P	• HDMI 1.4			
	Ports	Universal Audio Jack			
		Line-out			
		• VGA			
		• Serial+PS/2 (optional)			
	Optical Drivers	DVDRW			
	Keyboard Mouse	Standard USB (Wireless is preferred)			
	Monitor	22" P2217H LED			
	Operator local telephone				
		❖ 1 VoIP account			
	Phone Features	❖ Call hold, mute, DND			
		 One-touch speed dial, hotline 			
2		 Call forward, call waiting, call transfer 			
		❖ Group listening, SMS			
		Redial, call return, auto answer	10		
		 Local 3-way conferencing 	10		
		❖ Direct IP call without SIP proxy			
		Ring tone selection/import/delete			
		Set date time manually or automatically			
		❖ Dial plan			
		XML Browser, action URL/URI			
		❖ Feature keys			
		❖ 6 features keys: message, headset, redial, tran,			

alpo

Soudaypon Obout

The Project for EnhancingTax Collection Operation and International Tax issues of Mongolian Tax Administration in Mongolia

	Professional earphone	10
	Digest authentication using MD5/MD5-sess IEEE802.1X, IPv6	
	AES encryption for configuration file	
	HTTPS certificate manager	
	Transport Layer Security (TLS)	
	SRTP for voice	
Network and Security	QoS: 802.1p/Q tagging (VLAN), Layer 3 ToS, DSCP	
	UDP/TCP/DNS-SRV (RFC 3263)	
8	Time and date synchronization using SNTP	
	❖ IP assignment: static/DHCP, HTTP/HTTPS web server	
	NAT transverse: STUN mode Proxy mode and peer-to- peer SIP link mode	
	* SIP v1 (RFC2543), v2 (RFC3261)	
	1xRJ9 (4P4C) handset port1xRJ9 (4P4C) headset port	
Interface	Power over Ethernet (IEEE 802.3af), class 2	
	* 2xRJ45 10/100M Ethernet ports	
	❖ Call completion	
	❖ Intercom, paging, music on hold	
	Voice mail, call park, call pickup	
IP-PBX Features	❖ Message Waiting Indicator (MWI)	
	* Hot-desking, emergency call	
	Anonymous call, anonymous call rejection	ll'
	CNG, AEC, PLC, AJB, AGC	
	Full-duplex hands-free speakerphone with AEC VAD,	
Audio Features	INFO	
	 Codec. G.711(A/µ), G.725.11, G.725AB, G.720, IEBC ◆ DTMF: In-band, Out-of-band (RFC 2833) and SIP 	
	* Codec: G.711(A/μ), G.723.1, G.729AB, G.726, iLBC	
	• Operating temperature: -10~50°C	
	• Operating humidity: 10~95%	
	* 185mm*188mm*143mm*38mm	
Other Physical Features	Fower consumption (FoE). 1.8-2.3 w♦ Dimension(W*D*H*T):	
Other Physical Factures	 Power consumption (PSU): 1.2-1.9W Power consumption (PoE): 1.8-2.3W 	
	100~240V input and DC 5V/600mA output	
	* External universal AC adapter (optional) : AC	
	Wall mountable	
	❖ Volume control keys	
	❖ 5 navigation keys	

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CERTIFICATE OF HANDOVER

To: JICA Mongolia Office

Re: The Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2

This certificate of handover is to certify that the following equipment, which shall be utilized for the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2, have been handed over properly to the General Department of Taxation of Mongolia, as of January 24, 2020 with permission of continuously utilizing during the additional dispatching period of the experts till March 31, 2020.

1) Name of equipment: Copier, Canon iR2535/2545 UFRII LT

2) Quantity : 1 (One)

3) Place of delivery : General Department of Taxation, Mongolia

4) Date of handover : January 24, 2020

January 24, 2020

Mr.B.Zayabal Commissioner

General Department of Taxation

Mongolia

for witness

Mr. Iwashita Kenichiro Chief Expert/Team Leader

JICA Expert Team

添付7. 合同調整委員会議事録

MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA

AT

THE FIRST JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION
AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX
ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operations and Resolving International Tax Issues in Mongolian Tax Administration Phase2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 14th April, 2017

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Mr. Hiroyuki Kawanishi

Executive Advisor to the Director General,

Industrial Development and Public Policy

Department,

Japan International Cooperation Agency

Japan

Mr. L Zorig

Commissioner

General Department of Taxation

Mongolia

Mr. Kenichiro Iwashita

Chief Advisor of the Project for the

Enhancing Tax Collection Operation and

International Tax Issues of Mongolian Tax

Administration Phase2

I. INTRODUCTION

Upon successful completion of the Phase I of the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration" under the JICA Technical Assistance, the Phase II has been decided to implement as requested by the Government of Mongolia. The Project shall commence upon discussion and acceptance of the Work Plan by this JCC meeting. A Baseline survey on determining present situation of the tax administration at the time of Project commencement has been conducted.

II. SPECIFIC ISSUES CONFIRMED ON THE PROJECT

1. Work Plan

Both parties have reached agreement on the content of the Work Plan. If there are any changes during the project's implementation stages, agreement will be reached through discussions via the JCC as appropriate. (ANNEX I).

2. Pilot Organization

The GDT has recommended that the Chingeltei and Songinokhairkhan district tax offices be targeted as pilots for increasing internal work efficiency of tax collection administration. JICA will determine the appropriateness of these two tax offices based on a survey by experts and come up with further solution.

3. Baseline Survey

The results of the baseline survey were confirmed by the GDT and JICA project teams. While there is no need to change the Work Plan at the present stage, the JICA project team will confirm the results through further local checks. (ANNEX II).

4. PDM Changes

Regarding PDM, both side agreed upon to remove "Tax collection rate per operator at the.." from "Objectively Verifiable Indicator 2" of the Overall Goal.

III. OTHER ITEMS OF DISCUSSION

1. Joint Coordination Committee (JCC)

JCC composition in charge of overseeing, supporting and cooperating with the Project activities was approved by the GDT Commissioner's Resolution #A/77 dated on 5 April 2017. Names of members currently holding positions of the approved structure are provided in ANNEX III.

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2. JCC Member

JICA requested GDT to include the Ministry of Finance as a member of the JCC. GDT decided to consider this issue and respond to JICA after consultation with Ministry of Finance, Mongolia.

3. Selection of Core Staff of International Taxation

JICA requested to select core staffs of international taxation from various departments related with international taxation. GDT agreed this point and requested the project expert advice on this matter.

4. Further Assistance

The GDT requested further assistance from JICA when it became necessary for work that exceeded the scope of agreement of this work plan due to amendment of the law and regulation. JICA stated that if the request of GDT to be added falls within the scope of project purpose of this project, it will be examined.

ANNEX I. Work Plan

ANNEX II. Baseline Survey Report

ANNEX III. JCC Member List

ANNEX IV. List of Participants



MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA AT

THE SECOND JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 5th October, 2017

Mr. Mutsumi-Sato

Chief Representative

JICA Mongolia Office

Japan International Cooperation Agency

Japan

Mr. Kenichiro Iwashita

Chief Expert/Team Leader

JICA Expert Team

Mr. D.Zandanbat

Commissioner

General Department of Taxation

Mongolia

Mr. B.Dorjsembed

Director General

Development Financing Department

Ministry of Finance

Mongolia

I. INTRODUCTION

The Project has commenced upon discussion and acceptance of the Work Plan by the first JCC meeting. A Baseline survey on determining present situation of the tax administration at the time of Project commencement has been conducted and its result has accepted by the JCC. During the period, 2 situational changes have been occurred as the Commissioner of the GDT has changed and the Executive Board of the International Monetary Fund (IMF) has approved a three-year extended arrangement under Extended Fund Facility (EFF) for the Government of Mongolia, which welcomes plans to strengthen tax administration. Based on the situation the Project Team has implemented all activities, which have planned in the Work Plan, including supports on tax law reform.

II. SPECIFIC ISSUES CONFIRMED ON THE PROJECT

1. Monitoring Sheet

Both sides confirmed the Project progress by the Monitoring Sheet as attached hereto. (ANNEX I)

2. Work schedule

The deliberation on the General Tax Law is expected to have an impact on the process of tax collection. Even if a tax collection manual for greater efficiency in internal administration was to be created at this point, further broad amendments are likely. Therefore, creating it following the results of the General Tax Law would reduce the burden of GDT's work in the field. Both sides agreed to this approach, and were in accordance over rethinking the work schedule following the results of the General Tax Law amendment and then starting work on the tax collection manual.

3. Tax Collection work efficiency

The project team proposed that the supply of the PCs should be taken into consideration as an opportunity to fundamentally reexamine how the tax collection department carries out its daily tasks. To date, staff have been assigned to taxpayer basis and undertaken both delinquent disposition work and receivables supervision work; however, this will be reorganized into separate oversight of delinquent disposition work and receivables supervision work to increase the efficiency of the internal works of tax offices. The GDT has agreed to implement it on trial basis and both sides agreed to discuss precisely it's time to commence and way to implement.







4. JICA has requested that the automatic notification system of the Call Center to be put into operation immediately, and GDT has agreed to deliver the work schedule after having discussed internally how the issue can be resolved.

III. OTHER ITEMS OF DISCUSSION

1. Selection of Trainers

The GDT has selected 46 appropriate personnel, who will participate as core officials, responsible for International Taxation issues in all trainings, which will be implemented during the Project. The Project experts conducted pre-training for 33 newly selected personnel to eliminate knowledge difference on August, 2017. (ANNEX II)

2. Delivery of Equipment

The contracted supplier delivered 72 PCs. The supplier was selected by the "Limited Competitive Bidding" from the technically and financially qualified suppliers with experience of similar work, the one selected offered the lowest price. The Project team has handed 40 computers to the Chingeltei District Tax Office and 32 computers to the Songinokhairkhan District Tax Office and requested to handle properly to register as the property by the GDT regulation. (ANNEX III)

3. Submission of Translated Materials

The Project Team completed and submitted the "Comprehensive Handbook of Japanese Taxes 2010", which has been translated on the request of the Deputy Commissioner on May 1, 2017 by the letter No.02/1270.

ANNEX I. PDM (Project Monitoring Sheet I)

PO (Project Monitoring Sheet II)

ANNEX II. List of Trainees

ANNEX III. List of Equipment handed over and Technical Specification

ANNEX IV Recommendation on Package of Tax Laws Provided by JICA

Project Experts and Report of Ongoing Progress

ANNEX V. List of Participants

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MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA AT

THE THIRD JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 27th April, 2018

Mr. Mutsumi Sato

Chief Representative

JICA Mongolia Office

Japan International Cooperation Agency

Japan

Mr. Kenichiro Iwashita

Chief Expert/Team Leader

JICA Expert Team

Mr.\B/Zayabal

Deputy Commissioner

General Department of Taxation

Mongolia

Mr. T. Batkhuu

Director General

Development Financing Department

Ministry of Finance

Mongolia

I. INTRODUCTION

The Project has commenced upon discussion and acceptance of the Work Plan by the first JCC meeting. A Baseline survey on determining present situation of the tax administration at the time of Project commencement has been conducted and its result has accepted by the JCC. The second JCC was held in October 2017 to confirm the progress of the project.

This 3rd JCC will be held to confirm the progress of the project together with the present situation of tax reform currently underway by the Mongolian government.

II. SPECIFIC ISSUES CONFIRMED ON THE PROJECT

1. Project Progress

The project team explained the progress and future priority points of the project focusing on human resource development and draft tax revision proposal. Both sides shared the project progress as follows:

Output 1:

- Training for selected 46 core-staffs was held between 11-15 Sept., using Japanese international transaction cases. Before the training, baseline data on knowledge and experience of trainees was collected. Practical training was held between 27 Nov. to 1 Dec. 11, using Mongolian international transaction cases.
- Country focused training for the selected 15 core-staffs was held in 12-19 Apr 2018.
 International transaction cases of Mongolian Taxes which are required for the preparation of training materials are collected and translated for submission to the training organization.

Output 2:

Regarding legal amendment, WG has formed, including officials from the GDT and
the Ministry of Finance. Experts prepared materials on articles which necessary for
legal acts such as General Tax law, Corporate Tax Law and Tax Treaties. All prepared
materials were distributed to the WG members and explained through the workshops.

Output 3:

• The Project team experts developed recommendations to the Draft of General tax law amendment related to self-enforcement right and other tax measures, which are necessary for tax collection strengthening together with a description of the grounds for incorporating the law and submitted to joint WG with the MOF.

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- Five meetings were organized with the working group to discuss the content of the draft law and the project was amended. The Project team experts started to work under the draft of relevant regulations to be submitted along with the law draft.
- Providing the information needed to develop a Technical Specification related to the development of the tax debt call system.

2. Revisions of the Record of Discussion

Revisions of the Record of Discussion (hereinafter referred to as "RD") including PDM, JICA explained the draft of revised PDM. GDT agreed to these revisions. JICA and GDT will achieve internal approval for today's discussion on the revision of PDM and prepare another Minutes of Meetings for official revision of the RD including PDM.

3. Work related to tax law amendment

Work involved in the revision of the tax law is expected to involve enormous work such as preparation of GDT Commissioner Orders, improvement of work involving creation of manual, training of staff. GDT requested Japanese experts' sufficient support for these matters. JICA promised the necessary input of experts during this project.

4. Work Plan

According to the work plan agreed at the 1st JCC, workplan version 2 will be prepared in May 2018. The JICA Project Team suggested that this workplan version 2 should be prepared after the Parliament approval of the tax law revisions. The contents of tax law revision should be reflected to the workplan. The GDT agreed to this matter.

III. OTHER ITEMS OF DISCUSSION

- GDT requested translation of the revised version of the OECD model tax convention into Mongolian language for internal use. JICA accepted this request.
- 2. Mongolia has joined the Inclusive Framework on BEPS (Base Erosion and Profit Shifting), which brings over 100 countries and jurisdictions to collaborate on the implementation of BEPS package. GDT wishes to receive support in implementing and applying the rules in a consistent and coherent manner, particularly those for which capacity building and requested to JICA for cooperation in finding out what possibilities existed.

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ANNEX I

List of Participants

1. GDT:

Mr.B.Zayabal Deputy Commissioner, General Department of Taxation

Mr.B.Galbadrakh Acting Head, Tax Administration and Cooperation

Department

Mr.L.Nergui Head, Public Administration and Managment Department

Mr.D.Tsogtjargal Head, Revenue Department

Ms.D.Tsogzolmaa Head, Taxpayer Communication Department

Mr.G.Batsaikhan Head, Information and Statistics Center

Ms.B.Badamtsetseg Head, Training Center

Ms.N.Byambaa Head, State Budget Revenue and Audit Department

Secretary:

Ms.G.Bulgan State Tax Inspector, Tax Administration and Cooperation

Department

2. JICA:

Mr.Mutsumi Sato Chief Representative, JICA Mongolia Office

Ms.A.Saikhantuya Representative

Ms.U.Javkhlan Officer

3. JICA Project Team:

Mr.Kenichiro Iwashita Chief advisor/human resource development

Mr. Toshinari Kodera International Taxation (Tax System)
Mr. Mitsuru Kosaka Tax Collection (Legal environment)
Mr. Hideaki Ishiguro International Taxation (Training)

Ms.S.Narmandakh Project Coordinator

Mr.B.Erdenebaatar Local Consultant

Sm. I.B.

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MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA AT

THE FOURTH JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 12th September, 2018

GalaRM

Mr. Mutsumi Sato

Chief Representative

JICA Mongolia Office

Japan International Cooperation Agency

Japan

Mr. Kenichiro Iwashita

Chief Expert/Team Leader

JICA Expert Team

Mr. B. Zavabal

Deputy Commissioner

General Department of Taxation

Mongolia

Mr. I.Batkhuu

Director General

Development Financing Department

Ministry of Finance

Mongolia

I. INTRODUCTION

The parties have constantly been overseeing the implementation of the Project against the Work plan discussed and approved by the 1st JCC meeting. 3rd JCC meeting was held in April 2018 where the work performance of the Project in previous year was evaluated and the Work plan was modified taking into consideration the circumstances of activities of the concerned period.

This 4th JCC meeting expects to approve the Work plan for the next year activities of the Project and provide outline on current situation of revisions of the package of tax laws introduced by the Government of Mongolia and other pressing issues related herewith.

II. KEY ISSUES DISCUSSED IN RELATION TO THE PROJECT

1. Progress of the Project

The project progress was identified based on the Monitorinng Sheets Version 3 (AnnexII).

Output 1:

- Training designed to eliminate knowledge gaps of tax inspectors uncovered by the training in Japan was conducted during April 30 through May 4, 2018 in line with training curriculum used in the training in Japan. In addition to them, 10 tax auditors from the State Budget Revenue and Control Department, 1 tax inspector from the Risk Management Division and 1 tax inspector from the Tax Audit and Methodology Department of GDT participated in this training.
- Training on transfer pricing cases for 46 staffs selected as to be specialized in international taxation matters was organized during August 27-31, 2018. The participants worked on actual cases and court decisions occurred in Japan and hold a peer discussion on options with regard to how the case can be resolved under legal environment of Mongolia.

Output 2:

 Comprehensive documents compiling legislative acts of Japan and their supporting ordinances and circulars in relation to transfer pricing documentation were prepared and submitted to GDT in April 2018.

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 The Project team experts worked in collaboration in developing transfer pricing regulation and are currently expected to provide support in formulating relevant regulations only after the law amendments are passed.

Output 3:

- The Project team experts developed recommendations on provisions which were necessary for tax collection strengthening such as self-enforcement right and other matters regarding collection of taxes to be reflected in the draft revision of the General tax law together with description of the grounds for incorporating them into the law. This recommendation was submitted to joint WG with the MOF and made them incorporated into the draft law.
- The Project team experts worked jointly with the GDT WG in developing accompanying regulations to be passed along with draft laws, and prepared new drafts of regulations such as on secondary obligation of payment of taxes and regulation on granting grace period to payment of taxes, and forms to be used for purposes of such regulations. These drafts and necessary comments were submitted to the WG so that they were incorporated into regulations such as on Sealing and on Conversion into monetary forms that being prepared by the WG.
- The Project team experts provided necessary information required in preparing technical specifications for Tax Debt Call IT System to be utilized by the Call Center.
 The GDT managed the budget necessary to develop this system approved by MOF and currently takes charge of procurement and implementation of the system.

2. Work Plan

The Project team made briefs on the Work plan modified in line with expectation that the tax package revision would be discussed during fall session of the State Great Khural (Parliament), and got the Plan approved by the JCC members.

3. Activities related to revision of the tax package laws

Upon adoption of revised tax package laws by the Parliament and within the framework of implementing those laws including the General Law of Taxation and Corporate Income Tax Law that incorporate brand new provisions such as on grace period for payment of taxes, self-enforcement, tax priority right, transfer pricing and other international taxation matters, there would arise pressing needs for the GDT to investigate how such matters

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involving those new systems are managed in practice, how the problems that might be encountered during the implementation and those areas that require special consideration in formulating supplementing regulations. To this end, the GDT has provided its justification for such needs and submitted its request to JICA Mongolia Office to explore the possibilities to organize a study tour that is out of scope of the Project Plan. JICA has responded to examine possibilities in this regard.

III. OTHER ISSUES

- 1. As per the GDT request to translate and provide support on using the updated version of OECD Model Tax Convention on Income and on Capital for its internal use, the translation has been completed and currently is under proofreading. The Project team has notified that the printed publication would be delivered for a training purpose.
- 2. It is expected that the Project would expire at the time of launching implementation of the tax package amendments and accompanying regulations developed jointly with the Project team experts. The GDT therefore has notified that it officially submitted a request for the successor project to MOF providing its justification to extend the Project during imperentation phase of the new system and receive necessary consultation and support.
- 3. The GDT requested to include the following three inspectors into the list of core staff of international taxation, taking into account the job needs of the inspectors.
 - 1) B.Ariunchimeg State Tax Inspector, Tax Administration and Cooperation Department, GDT
 - 2) D.Narantsetseg Head, Administrative division, Sukhbaatar District Tax Office
 - 3) B.Bilguun Official, Administrative Department, GDT

ANNEX I. List of Participants ANNEX II. Monitoring sheet ANNEX III. Work Plan Ver 2.

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ANNEX I

List of Participants

1. GDT:

Mr.B.Zayabal Deputy Commissioner, General Department of Taxation

Mr.Ts.Enkhjavkhlan Acting Head, Tax Administration and Cooperation

Department

Mr.L.Nergui Head, Public Administration and Managment Department

Mr.D.Tsogtjargal Head, Revenue Department

Ms.D.Tsogzolmaa Head, Taxpayer Communication Department

Mr.G.Batsaikhan Head, Information and Statistics Center

Ms.B.Badamtsetseg Head, Training Center

Ms.N.Byambaa Head, State Budget Revenue and Audit Department

Secretary:

Ms.M.Khaliun Official, Tax Administration and Cooperation Department

2. JICA:

Mr.Mutsumi Sato Chief Representative, JICA Mongolia Office

Ms.A.Saikhantuya Representative

Ms.U.Javkhlan Officer

3. JICA Project Team:

Mr.Kenichiro Iwashita Chief advisor/human resource development

Mr. Toshinari Kodera International Taxation (Tax System)

Mr.Mitsuru Kosaka Tax Collection (Legal environment)

Mr.Shigeo Kumakura Tax Collection (Operation)

Ms.S.Narmandakh Project Coordinator

Mr.B.Erdenebaatar Local Consultant

102 Jan. I.B.

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MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA

AT

THE FIFTH JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 27th June, 2019

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田村 2113

Ms. Eriko Tamura

Chief Representative

JICA Mongolia Office

Japan International Cooperation Agency

Japan

Mr. Kenichiro Iwashita

Chief Expert/Team Leader

JICA Expert Team

Mr. B. Zayabal

Commissioner

General Department of Taxation

Mongolia

Mr. I.Batkhuu

Director General

Development Financing Department

Ministry of Finance

Mongolia

I. INTRODUCTION

The parties have constantly been overseeing the implementation of the Project against the Work plan discussed and approved by the 1st JCC meeting. 4th JCC meeting was held in September 2018 where the work performance of the Project in previous year was evaluated and the Work plan was modified taking into consideration the circumstances of activities of the concerned period.

This 5th JCC meeting expects to confirm the information regarding the revisions of the package of tax laws approved by the Government of Mongolia and other pressing issues related herewith. The Parliament of Mongolia has approved the General Taxation Law, the Corporate Income Tax Law and the Personal Income Tax Law (Tax Package) on 22 March 2019. This is the second largest tax reform in Mongolia in history and these laws are effective from January 1, 2020.

II. KEY ISSUES DISCUSSED IN RELATION TO THE PROJECT

1. Progress of the Project

The project progress was identified based on the Monitorinng Sheets Version 3.

Output 1:

- Follow-up review of training participants was conducted in September 2018. The trainees were first asked to fill in the questionnaire related to training and then interviewed by the Project Experts, through physical attendance at participants' work premises, as to how they utilize the knowledge and skills acquired during the training at their work. During the interview the expert got also acquainted with their work activities and provided further recommendations. The report summarizing the review results was submitted to GDT.
- The peer review was conducted in a manner that all training participants were asked to prepare actual cases in advance and demonstrated how they utilize their knowledge and skill acquired from the training.
- The advanced level training was delivered to 14 state tax inspectors during 28 January to 5 February 2019 in Japan and preparatory works for this training have done by the Project team.
- In order to eliminate knowledge gap, a training was hold from 18 March to 22 March 2019 for those who did not attend the training in Japan in February 2019. Inspectors who attended training in Japan had transferred their learning during the training to others.

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Output 2:

- Comprehensive documents compiling legislative acts of Japan and supporting ordinances and circulars in relation to transfer pricing documentation were prepared. In particular, the comments were provided and made them reflected in draft regulations such as on General anti-avoidance rule, transfer pricing and determining arm's length price, permanent establishment, and on exchange of information. "Comprehensive guide of Japanese taxes" was translated, bound and submitted to GDT in order to let them refer to advanced cases in Japan.
- Translation of updated edition of the OECD Model Tax Convention on Income and on Capital 2017 was completed in response to GDT request, and got it bound in 100 copies and handed over to GDT.
- The Project Experts reviewed the draft General Law of Taxation and Corporate Income Tax Law, provided necessary recommendation and comments both in written and oral forms reviewed draft regulations and procedures. The following recommendations on improving legal basis of international taxation system have been provided with the GDT. GDT finalized the draft including recommendations from the Project Experts, and it was approved by the Diet on 22 March, 2019:
 - a) Source rules;
 - b) Definition on permanent establishment;
 - c) Transfer pricing methods and transfer pricing documentation;
 - d) General Anti-avoidance Rule (GAAR);
 - e) Mutual agreement procedure;
 - f) Exchange of Information.
 - g) Controlled Foreign Company (CFC) taxation system;
 - h) Thin capitalization tax, and
 - i) Earnings stripping rule.

Output 3:

Organized monthly meetings with the working group to discuss on contents of draft General Law of Taxation, provided advice and incorporated amendments to the draft law. The Project Experts developed new draft regulations and necessary forms to be attached to such regulations. These include "Regulations on implementation of actions to recover tax arrears from persons with secondary obligation to pay taxes", "Regulation on granting grace period for payment of tax arrears", "Regulation on sealing and seizure of properties and assets" and "Regulation on organizing auctions and conversion into monetary forms through direct contracts".

Recommendation in relation to promoting law awareness among the public is scheduled to be provided after approval of the amendments to the General Law of Taxation.

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• The Project Experts have provided the necessary information to develop a technical specification related to the development of the debt call system. GDT should have carried out system development as agreed from the beginning of the project. Necessary budget for development was approved by MOF and the procurement procedure is going on by GDT.

Taxpayer information module of the system was developed by GDT itself and the connection module to the Integrated Tax system of GDT and automatic call modules development is currently under bid.

 Before discussion of the draft law on Parliamentary Standing committees, the Project Experts organized meeting with the working group members from related departments to explain the needs and significance of the newly introduced provisions and also how to provide implementation and other relevant issues.

Recommendation had been provided by the Project Experts team to the GDT for improving legal basis of tax collection system and approved by the Diet on 22 March, 2019. Contents are as follows:

- a) Self-enforcement right of tax authority in tax collection
- b) Priority of national taxes
- c) Secondary obligation of payment of taxes
- d) Granting grace period to payment of taxes
- e) Collection of risky taxes forehand

2. Issues related with providing implementation of the approved tax law package

Regarding the new tax law package, which will come into force on 1 January 2020, GDT is now working on preparation of related regulations based on international taxation and tax collection practice of Japan and other developed countries. These concepts are also fundamental to achieve BEPS minimum standard and Global Forum requirements. GDT also plans to implement activities such as preparation and revision of tax collection manuals, on the job training for the tax officials, who would be in charge of self-enforcement right.

The new tax system is formed introducing Japanese experiences, but GDT has lack of the experience of this new tax system, so providing trainings and methodological guidance nationwide are difficult.

With such a background, the additional support by JICA is still necessary. Thus, GDT has requested to continue the JICA support through the Technical Cooperation Project to ensure implementation of the newly introduced tax system at the earliest timing possible.

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3. Approve of Work Plan

Workplan version 3 has prepared in May 2019, reflecting contents of tax law revision. Both sides agreed to implement activities, which is possible to complete during the remained project duration.

4. Change on the PDM

JICA explained the draft of revised PDM. GDT agreed to these revisions. JICA and GDT will achieve internal approval on the revision of PDM and prepare another Minutes of Meetings for official revision of the RD including PDM.

ANNEX I. List of Participants

ANNEX II. Work Plan

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ANNEX I

List of Participants

1. GDT:

Mr.Ts.Enkhjavkhlan Head, Tax Administration and Cooperation Department

Ms.T.Tamir Senior Tax Inspector, Revenue Department

Ms.D.Tsogzolmaa Head, Taxpayer Communication Department

Ms.B.Badamtsetseg Head, Training Center

Ms.N.Byambaa Head, State Budget Revenue and Audit Department

Secretary:

Mr.M.Khaliun Official, Tax Administration and Cooperation Department

2. JICA:

Ms.Eriko Tamura Chief Representative, JICA Mongolia Office

Mr. Kensuke Tsuji Director, Public Governance and Financial Management

Team, Industrial Development Department, JICA HQ

Ms.A.Saikhantuya Representative

Ms.Ts.Buyanjargal Officer

3. Project Team:

Mr.Kenichiro Iwashita Chief advisor/human resource development

Mr. Toshinari Kodera International Taxation (Tax System)

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Mr.B.Erdenebaatar Local Consultant

Ms.S.Narmandakh Project Coordinator

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MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA AT

THE SIXTH JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 5th December, 2019

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Ms. Eriko Tamura

Chief Representative

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Mr. Kenichiro Iwashita

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Mr. B.Zayabal

Commissioner

General Department of Taxation

Mongolia

Mr. I.Batkhuu

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Ministry of Finance

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I. INTRODUCTION

The parties have constantly been overseeing the implementation of the Project against the Work plan discussed and approved by the 1st JCC meeting. 5th JCC meeting was held in June 2019 where the work performance of the Project in previous year was evaluated and the Work plan which was modified taking into consideration the circumstances of activities of the concerned period was approved.

This 6th JCC meeting expects to confirm the achievement of the project.

II. KEY ISSUES DISCUSSED IN RELATION TO THE PROJECT

1. Progress of the Project and Objectively Verifiable Indicators

The project progress was identified based on the Monitorinng Sheets Version 4 which has approved by the previous JCC.

1.1 Overall Goals

Mongolian Tax Administration in the field of international taxation and tax collection is further improved.

Objectively Verifiable Indicators:

- 1. Detection rate of misfiling and non-filing on cross border transaction is increased compared with that of the project completion
- 2. For future amendment of relevant laws related to the indicator 2-2 of output 2, GDT submits revised proposal to the Ministry of Finance based on their instruction.
- 3. Tax Debt Center is not decreased or is increased compared with that the project completion.
- 4. The number of cases dealt as the self-enforcing is increased.

Current status: (Expected to be almost achieved)

It is expected to be almost achieved. Since the revision of laws related to international taxation and collection will be implemented from January 2020, the impact cannot be determined at present, but further tax revenue increases are expected by the enforcement of the law. Detection rate of misfiling and non-filing on cross border transaction has been increased. The tax collection by Tax Debt Center has also been shown to have a positive effect.

For details, refer to the explanation for each Output.

1.2 Project Purpose

Mongolian Tax Administration in the field of international taxation and tax collection is reinforced.

Objectively Verifiable Indicators:

(In the field of International taxation)

- 1. The number of advanced cases on audit of cross border transaction submitted by trainee during the peer-review is increased compared with that of the beginning of the Project.
- 2. Knowledge is shared through case studies utilizing information of cross border transaction collected and accumulated during the project period.
- 3. A proposal on amendment of laws related to the international taxation is submitted by GDT, and received by Ministry of Finance.

(Tax Collection)

- 4. The number of cases dealt by the Tax Debt Call Center is increased compared with that of the commencement of the Center.
- 5. Manual submitted by the Project is utilized at another district tax office in Ulaanbaatar on a trial basis.
- 6. Revenue is recognized as a result of execution of self-enforcing.

Current status (Expected to be almost achieved)

This project supported GDT's efforts to revise international taxation and collection-related tax laws, and greatly contributed to the development of the legal base related to tax administration. In particular, granting self-execution rights to GDT by amending the law is expected to increase the authority of tax officials and contribute to securing future revenues. Accumulation of overseas transaction information and sharing of cases contributed to securing tax revenue through penalty tax, and contributed to improving the capacity of GDT to respond to overseas transaction taxation.

Formulation and improvement efforts of the Tax Debt Call Center were implemented with the cooperation of the project. It contributed to the improvement of the collection ability, such as the increase in the number of delinquency arrangements.

The manual was submitted to GDT. It will be used as a final version at the tax offices throughout Mongolia, not as a pilot district trial.

Since the amended laws will be enforced in January 2020, it is not possible to measure the amount of collection as a result of execution of self-enforcing at present, but GDT will collect the information from January.

For details, refer to the explanation for each output.

1.3 Output 1: Middle and advanced level knowledge and practical skills necessary for international taxation is acquired

Objectively Verifiable Indicators:

- 1. 80% of the trainees complete training for five times (during three years).
- 2. 100% of trainees improve their score of the Post-test compared with that of the Pre-test
- 3. More than half of all the cases submitted in the peer review reach the level of 3.5 as a result of check-list evaluation.

Current status (Expected to be achieved)

- Except for catch-up training and follow-up training (training received by those who were not core members in the previous phase and who were unable to attend training in Japan),
 88.1% of the participants completed the five training sessions.
- 2. With the exception of those who left the course due to unavoidable circumstances, all participants (100%) scored higher in the comparison of the Pre-Post test.
- 3. The peer review was conducted on November, 2018 and December, 2019 in a manner that all training participants were asked to prepare actual cases in advance and demonstrated how they utilize their knowledge and skill acquired from the training. In this project, based on the peer review evaluation document, advanced and complex cases were set at 3.5 points. In the first peer review, it was 2.95, less than 3.5. In the second peer review, it was 3.58.

Other activities carried out during this period

- Follow-up review of training participants was conducted twice in September 2018 and 2019. The trainees were first asked to fill in the questionnaire related to training and then interviewed by the Project Experts, through physical attendance at participants' work premises, as to how they utilize the knowledge and skills acquired during the training at their work. During the interview, the expert got also acquainted with their work activities and provided further recommendations. The report summarizing the review results was submitted to GDT.
- The advanced level training for core staffs, responsible for international taxation was held from August 26 for a week.

1.4 Output 2: Foundation of international taxation is further developed Objectively Verifiable Indicators:

- 1. International Taxation Division of Strategy and Development Department and Risk Management Department of GDT collect and accumulate information related to the audit on cross border transaction.
- 2. Japanese project team finalizes a proposal on future taxation reform including establishment of source rules on domestic source income, expansion of systems related to international tax avoidance, and development of system for the elimination of international double taxation.
- 3. Regulations related to international taxation based on the amended law are issued by GDT.

Current Status (Expected to be achieved)

- 1. Regarding international taxation organizations, the implementation of this project will address international taxation issues within the State Budget Revenue and Control Department (SBRCD) in addition to the GDT Tax Administration and Cooperation Division (TACD), which deals with international taxation issues. A new unit was established to strengthen the international taxation implementation system.
 - Accumulation of overseas transaction information began in 2017, and as of September 2019, 309 cases have been reviewed again. As a result, about 240 million yen has been collected in Japanese yen so far.
- 2. Provided comments and recommendations on a regular basis in relation to provisions on transfer pricing and transfer pricing documentation reflected in the General Law of Taxation for example explanantion on transaction difference, how to adjust the difference (difference adjustment 5 methods) and working capital adjustment. Comprehensive documents compiling legislative acts of Japan and their supporting ordinances and circulars in relation to transfer pricing documentation were prepared. In particular, the comments were provided in draft regulations such as General anti-avoidance rule, Mutual Agreement Procedure with foreign tax authorities, Automatic Exchange of Information, regulation on selection and application of the most appropriate method of making transfer pricing adjustment, registration and deregistration, filing and payment of permanent establishment, and regulation on lodging request for foreign tax credit and validating the request.
- 3. The project expert drafted GAAR draft for regulation. The others were prepared in the form of expert advice on what the GDT prepared. This approach emphasizes ownership.

Currently, it is public comment period for regulations. It will be revised later if necessary, and will be issued within the project period.

1.5 Output 3: Foundation tax collection is strengthened

Objectively Verifiable Indicators:

- 1. Function and targeted party of the Tax Debt Call Center is reexamined.
- 2. Manual for Improvement of tax collection and its related work is submitted by the Project and is received by GDT.
- 3. GDT issues regulations related self-enforcing and completes development of necessary materials including manuals.

Current Status (Expected to be achieved)

- 1. Since 2017, when GDT revised the Tax Debt Call Center management policy through project support, the percentage of payment commitments has increased, and the number of cases returned to the tax office has decreased. Efficient notification by narrowing down to the following three conditions for the notification target ((1) new occurrence, (2) non-payment of 3 tax areas, and (3) total non-payment by tax item is less than 1 million MNT) Contributed to the implementation. In addition, the strengthening of cooperation between GDT and district tax offices has led to the early resolution of return cases, etc., which has also led to operational efficiency.
- 2. Based on the revision of the general tax law, JICA project team had drafted a tax collection manual and of written forms and submitted to the GDT on August. After the public comments period, GDT will finilaize the manual.
- 3. The Project experts developed new draft regulations and necessary forms to be attached to such regulations. These include "Regulations on implementation of actions to recover tax arrears from persons with secondary obligation to pay taxes", "Regulation on granting grace period for payment of tax arrears", "Regulation on sealing and seizure of properties and assets" and "Regulation on organizing auctions and conversion into monetary forms through direct contracts". After the public comments period, GDT will finilaize the regulation including manual.

Other activities carried out during this period

• Trainings for tax officials, necessary for raising awareness of new tax law were held in each Province regional centers and also organized centralized training for Soum tax officials in Ulaanbaatar. Also trainings for all officials, responsible for tax collection in District and the Capital city tax offices were held in GDT. The project expert explained the difference between the old and the new tax law, and the significance of the newly introduced provisions such as self enforcement right.

2. Issues related with the Project implementation

- Both sides confirmed that the progress of the project is proceeding as planned.
- In case where activities such as trial based development of the tax collection manual and providing recommendation on improving internal operations are not finalized resulting from adoption time of revised tax laws, the GDT will become required to develop them on its own, facilitate and enhance their implementation.
- The GDT has currently been handling with the development of necessary software for Tax debt call center. As the failure of this system to be put into operation during the Project period will likely have downstream impact on scheduled activities of the Project in relation to enhancement of operations of the Center, the GDT itself would become supposed to undertake necessary measures to eliminate such risks.
- GDT has requested again to continue the JICA support through the Technical Cooperation Project to ensure implementation of the newly introduced tax system at the earliest timing possible.

ANNEX I. List of Participants

ANNEX I

List of Participants

1. GDT:

Mr.B.Zayabal Commissioner, General Department of Taxation

Mr.Ts.Enkhjavkhlan Head, Tax Administration and Cooperation Department

Mr.L.Nergui Head, Public Administration and Managment Department

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Ms.D.Tsogzolmaa Head, Taxpayer Communication Department

Mr.Kh.Batbayar Head, Information and Statistics Center

Ms.B.Badamtsetseg Head, Training Center

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Secretary:

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Ms.A.Saikhantuya Representative, Governance Sector, JICA Mongolia Office

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Mr.B.Erdenebaatar Local Consultant

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MINUTES OF MEETINGS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND

THE GENERAL DEPARTMENT OF TAXATION OF MONGOLIA AT

THE SEVENTH JOINT COORDINATING COMMITTEE MEETING FOR

THE PROJECT FOR THE ENHANCING TAX COLLECTION OPERATION AND INTERNATIONAL TAX ISSUES OF MONGOLIAN TAX ADMINISTRATION Phase 2

The Joint Coordinating Committee (hereinafter referred to as "JCC") was organized between the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the General Department of Taxation (hereinafter referred to as "GDT") regarding the Project for the Enhancing Tax Collection Operation and International Tax Issues of Mongolian Tax Administration Phase 2 (hereinafter referred to as "the Project").

JICA and GDT confirmed their mutual understanding and matters agreed to in the discussions attached hereto.

Ulaanbaatar, 22th January, 2020

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General Department of Taxation

Mongolia

Mr. I.Batkhuu

Director General

Development Financing Department

Ministry of Finance

Mongolia

I. INTRODUCTION

The parties have constantly been overseeing the implementation of the Project against the Work plan discussed and approved by the 1st JCC meeting. 6th JCC meeting was held in December 2019 where the work performance of the Project in previous 3 years and Objectively verifiable indicators were evaluated.

This 7th JCC meeting expects to confirm the Draft Final report of the Project.

II. KEY ISSUES DISCUSSED IN RELATION TO THE PROJECT

- 1. Both side confirmed the Project outputs as follows:
 - 1.1 Output 1
 - Prepared training materials and curriculum for staff to be specialized in international taxation in May, August and November, 2018.
 - The following domestic trainings were held:
 - The preparatory level training (2017.8.21 8.25, Attendees 30)
 - Intermediate training (2017.9.11 9.15, Attendees 38)
 - Special training (2017.11.27 12.1, Attendees 38), (2018.11.26 11.30,
 Attendees 33)
 - Advanced level training (2018.8.27 8.31), (2017.9.11 9.15, Attendees 38), (2018.8.27 8.31, Attendees 33), (2019.8.26 8.30, Attendees 30)
 - The following training was held in Japan:
 - Tax Collection training: 2017.2 attended call center officials.
 - Advanced level training 2018.4.12 4.19 (Attendees 15)
 - Advanced level training 2019.1.28 2.5 (Attendees 14)
 - Follow-up review of training participants was conducted in September 2018 and November 2019. The trainees were first asked to fill in the questionnaire related to training and then interviewed by the Project experts, through physical attendance at participants' work premises, as to how they utilize the knowledge and skills acquired during the training at their work.
 - The peer review was conducted 2 times in a manner that demonstrating how they utilize their knowledge and skill acquired from the training. (Dec., 2018, Dec., 2019)

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1.2 Output 2

- The Project experts reviewed the draft General Law of Taxation and Corporate Income Tax Law, provided necessary recommendation and comments. New provisions regarding Source rules, Definition on permanent establishment, Transfer pricing methods and documentation, General anti-avoidance rule, Mutual agreement procedure, Exchange of information, Controlled foreign company taxation, Thin capitalization and Earning stripping rule is reflected the above written new tax law.
- Comprehensive documents compiling legislative acts of Japan and their supporting
 ordinances and circulars in relation to transfer pricing documentation were prepared.
 In particular, the comments were provided and made them reflected in draft
 regulations such as on General anti-avoidance rule, Transfer pricing and determining
 arm's length price, Permanent establishment, and on Exchange of information.
- Draft of the manual and materials to be used are being developed and advices to relevant staffs have been provided whenever possible. Translation of updated edition of the OECD Model Tax Convention on Income and on Capital 2017 was done in response to GDT request. The book so-called "Miscellany of legal provisions of Japan related to international taxation" and "Comprehensive guide of Japanese taxes" were prepared and published in 200 pieces, and distributed to all training participants. The book was also handed over to the Tax Administration and Cooperation Department of GDT and its library.

1.3 Output 3

- The Project team experts developed recommendations to the Draft of General tax law amendment related to self-enforcement right and other tax measures, which are necessary for tax collection strengthening together with a description of the grounds for incorporating the law and submitted to joint WG with the MOF. Twenty-one (21) meetings were organized with the working group to discuss the content of the draft law and the project was amended. New provisions such as Self-enforcement right of tax authority in tax collection, Priority of national taxes, Secondary obligation of tax payment, Granting grace period, Collection of risky taxes forehead were introduced to the General tax law.
- Organized monthly meetings with the working group to discuss on contents of draft General Law of Taxation, provided advice and incorporated amendments to the draft law. The Project experts developed new draft regulations and necessary forms to be

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attached to such regulations. These include Regulations on Implementation of actions to recover tax arrears from persons with secondary obligation to pay taxes, Regulation on granting grace period for payment of tax arrears, Regulation on sealing and seizure of properties and assets and Regulation on organizing auctions and conversion into monetary forms through direct contracts.

- Developed an implementation plan for effective measurement on the Tax Debt Call Center and Provided the information needed to develop a technical assignment related to the development of the debt call system and consulting on the technical assignment project. Since establishment of the Tax Debt Call Center, 28,054.4 million MNT has been collected through the period from March 2016 to the end of October 2019. By handling small amount of delinquency at the center, the staff in charge can allocate time for cases of larger amounts.
- 72 computers were handed over to the tax offices of Songinokhairkhan and Chingeltei districts for increasing internal administrative work efficiency.
- Draft tax collection manual on delinquency arrangement was prepared by the Project experts and finalized by the counterparts based on the approved tax regulation.
- 2. The project will end as scheduled by R/D. However, JICA acknowledged the necessity of follow-up activities for the steady effectuation of amended tax law from January 2020. Therefore, based on the request from GDT, JICA decided to additionally dispatch the project team until the beginning of March 2020.

The main tasks of the experts during the above mentioned additional dispatching period are as follows:

International Taxation

- 1) Consider measures to qualitatively improve the training for core staff in charge of international taxation. Specifically, based on the training system conducted in the project, discuss with GDT about (1) implementation department, (2) implementation target, (3) implementation time, and (4) content.
- 2) Consider measures to increase the number of staff in charge of international taxation.

 Although the training of a wide range of human resources is the mission of the

 Training Center. During the extension period the Project will discuss with GDT



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- regarding the development of a specific curriculum of international taxation training and formulation of a system for selecting and recruiting human resources for core staff.
- 3) Consideration of the tax inspector's tax audit support measures. It is certain that inspectors will encounter more complex and sophisticated investigations during a tax audit under the new international taxation system, which will take effect on January 1, 2020. In order to cope with this situation, discuss with GDT what kind of support should be established for both the investigation method and judgement within GDT.
- 4) Grasp the situation after the enforcement of the tax law amendment.

Tax Collection

- 1) Advice on the Amended Tax Law and Enforcement Order (Ordinance of the Commissioner, GDT)
- 2) Advice for finalization of the delinquency arrangement manual by GDT and Q & A on the utilization of the above written manual after its enforcement.
- 3) Advice on training implementation and support as a trainer.
- 4) Advice on improvement of the execution system and handling of issues under implementation of the new legal environment.
- 5) Advice on coordination with related organizations.
- 6) Grasp the status of integration of the delinquency notification work with the new system.
- 7) Grasp the situation after the enforcement of the tax law amendment.
- 3. The GDT reported on the implementation status of the amended law after its enforcement.
- 4. GDT requested JICA for advice on measuring the effects of the revised tax law. The Project team has stated that advises will give on effect measurement as far as possible during the additional dispatching period.
- 5. The JICA project team reported the summary of the Draft Final Report. GDT has agreed to consolidate the Project completion report (Final report) with such content.
- 6. The JICA project team made the following recommendations, which should be implemented after the completion of the project:
 - 1) Common issues in international taxation and tax collection
 - Establish executing structure and determine its duties

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- Develop human resources with practical skills available to respond to the new tax system
- Develop a sustainable internal training system
- Preparation of manuals and forms necessary for implementation of the new tax system
- Establish management system for handling issues during execution
- Promote public relation efforts through media, tax accountant association and other specialized government and non-government organizations regarding the new tax system and its implementation.
- 2) International Taxation
- Amendment of concluded inequality tax treaty
- Consideration on tax treaty between Japan and Mongolia
- Affiliation to multilateral treaties and systems
- Improve GDT and MOF officers' understanding of the latest theories of tax treaties
- Consideration on introduction of provision regarding the Advance Pricing Agreement (APA, an agreement between a taxpayer and a tax administration as to the transfer pricing methods that will be used to determine the arm's length price in transactions between the taxpayer and related parties) to the tax law.
- Formulation of international tax-related enforcement ordinances and tax calculation examples
- Case study on taxation in other countries
- Preparation of English test books on International taxation
- Preparation of manual for transfer pricing audit
- 3) Tax Collection
- Promote arrangement of individual delinquency cases (cases that are difficult to arrange)
- Coordinating proceedings with the Execution Court
- Improve the execution environment

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ANNEX I

List of Participants

1. GDT:

Mr.B.Zayabal Commissioner, General Department of Taxation

Mr.L.Nergui Head, Public Administration and Management Department

Mr.Ts.Enkhjavkhlan Head, Tax Administration and Cooperation Department

Mr.D.Tsogtjargal Head, Revenue Department

Mr.D.Khurelchuluun Head, Taxpayer Communication Department

Mr.Kh.Batbayar Head, Information and Statistics Center

Ms.N.Byambaa Head, State Budget Revenue and Audit Department

Secretary:

Mr.M.Khaliun Officer, Tax Administration and Cooperation Department

2. JICA:

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