

"International tax news, explained"

ITB video podcasts

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HAPPY FRIDAY!

France's National Assembly sneakily passes the **DST bill** while the **US** is on its **Independence Day** holiday. Will the **US** respond by imposing double tax on **French companies** on **Bastille Day**?

The **US** women's football team sips tea, but **Marks & Sparks** learns that there's no such thing as a **free drink!**

The **University of Cambridge** thought it had overheads – but that was just a punt!

In **Canada**, the **Feds** take a **2-0** lead in the **great carbon tax challenge!**

And we learn that **Nike's Bermudan cash box** (with zero employees) is appropriately called "**NIL**"!

Have a great weekend!
Steve

#AskSteve



Episode 4
What big changes have you seen in international tax practice over your career?

Episode 3
Is foreign experience important for an international tax career?

Episode 2
How do you become a successful international tax advisor?

Episode 1
Why do you like International Tax?

IN TODAY'S VIDEO PODCAST

(For ITB video subscribers, please log in to access the video and documents/reports)

1. Digital taxation
2. Trade
3. EU State aid: Nike
4. Asia Pacific
 - Australia, Malaysia, Taiwan, Vietnam
5. Europe
 - ECJ, EU, France, Luxembourg, Netherlands, Norway, Poland, UK
6. Africa
 - Zambia
7. Middle East & Central Asia
 - Armenia
8. Americas
 - Brazil, Canada, Chile, Colombia, US
9. Treaties
10. Worth reading

WORTH READING

Mark Brabazon

"Are We There Yet? International Implementation of Hybrid Mismatch Rules"

Bulletin for International Taxation, IBFD, 2019 (Volume 73), No. 6/7 (subscription service)

Stef van Weghel

"Digitalization in a Broader Tax Perspective"

Intertax, Kluwer, Volume 47, Issue 6 & 7 (subscription service)

HMM...

XCO is a resident of country A. XCO has a PE in country B. XCO borrows money from YCO, another resident of country A. XCO borrows the money for the purposes of its PE in country B, and the interest on that borrowing is borne by that PE. YCO does not have a PE in country B. YCO is the beneficial owner of the interest. The country A / country B double tax treaty is identical to the OECD model treaty. Is country B permitted (by the country A / country B treaty) to impose tax on the interest paid to YCO by XCO?

Answer in next week's ITB email alert!

Last week's question & solution

Is a tax-transparent partnership a "person" for the purposes of the OECD model double tax treaty?

Yes, a tax-transparent partnership is a "person" for the purposes of the OECD model double tax treaty, at least according to the OECD Commentary.

Art. 3(1) says:

"For the purposes of this Convention, unless the context otherwise requires:

- a. the term 'person' includes an individual, a company and any other body of persons;
- b. the term 'company' means any body corporate or any entity that is treated as a body corporate for tax purposes; ..."

The Commentary says:

"Partnerships will ... be considered to be 'persons' either because they fall within the definition of 'company' or, where this is not the case, because they constitute other bodies of persons."

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