

The Application of the OECD Model Tax Convention to Partnerships

A Critical Analysis of the Report
Prepared by the OECD Committee on Fiscal Affairs

Michael Lang

The Application Of The Oecf Model Tax Cona Critical Analysis Of The Report Prepared

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The Application of the OECD Model Tax Convention to Partnerships Michael Lang, 2000-01-01 *The Application of the OECF Model Tax Con: A Critical Analysis of the Report Prepared by the OECD Committee on Fiscal Affairs* / Michael Lang, 2000-08-16 In her report on partnerships the OECD Committee has put forward a set of general principles based on a detailed analysis of practical examples In a critical analysis and in depth study of this report the author of this book summarizes these principles and examines the validity of the premises from which the principles were derived

Forthcoming Books Rose Arny, 1992-10 **Books in Print**, 1977 Subject Guide to Books in Print, 1971 **The 2010 OECD Updates** Dennis Manolito Weber, S. van Weeghel, 2011-01-01 Virtually all international taxation provisions ultimately stem from two fundamental sources both originating at the OECD The Model Tax Convention on which more than 3 000 bilateral tax treaties are based and the Transfer Pricing Guidelines During 2010 major revisions were made to both This unique book provides an expert analysis of current important topics in international taxation and transfer pricing As such it is a welcome and valuable resource for tax lawyers and consultants corporate tax advisers government officials and others involved in the international tax law market as well as for academics and researchers in the field *Issues in International Taxation 2002 Reports Related to the OECD Model Tax Convention* OECD, 2003-05-16 This publication includes three recent reports that resulted in changes to the OECD Model Tax Convention One covers entitlement to treaty benefits another covers e commerce and the third covers issues arising under the permanent establishment article **2002 Reports Related to the OECD Model Tax Convention** Organisation for Economic Co-operation and Development, 2003 This publication includes three recent reports from the Committee on Fiscal Affairs which led to changes to the OECD Model Tax Convention on Income and Capital These consider how to address situations where it would seem inappropriate to grant the benefits of tax treaties types of electronic commerce payments under tax conventions and a number of issues regarding the application and interpretation of the permanent establishment definition found in Article 5 of the Convention **The Legal Status of the OECD Commentaries** Sjoerd Douma, F. A. Engelen, 2008 Since the mid 1980s the legal basis of the practice of tax administrations and courts around the world to conform to the Commentaries when interpreting and applying bilateral tax treaties based on the OECD Model has been the subject of an ongoing academic debate Recently the debate has received new impetus and the primary focus is now on the general principles of international law In particular opinions differ on the question whether the Commentaries can be a source of legal obligations through the principles of acquiescence and estoppel both of which are founded on considerations of good faith and equity and provide specific protection of settled expectations The reports contained in this book address two questions The first is whether under international law the states parties to a tax treaty are legally bound by the OECD Commentaries when interpreting and applying the provisions of the treaty which are identical to those of the OECD Model The second question is whether under the contracting states internal law taxpayers

and the tax authorities are equally bound to apply the Commentaries if and when the contracting states themselves are so bound under international law The book brings various legal disciplines public international law international tax law Community law and constitutional law together in order to resolve the legal status of the Commentaries Through interdisciplinary debate the issues have been defined clearly and the exact points at which the opinions differ are identified thereby resulting in a better understanding of the issues at hand The Application of the OECD Model Tax Convention to Partnerships Organisation for Economic Co-operation and Development,1999 The book includes the report adopted by Committee on Fiscal Affairs It deals with the application of the provisions of the OECD Model Tax Convention and indirectly of bilateral tax conventions based on that Model to the partnerships It includes the reservations of France Germany the Netherlands Portugal and Switzerland on various aspects of the report **The OECD Model Tax Convention** Oliver R. Hoor,2015 The Impact of the OECD and UN Model Conventions on Bilateral Tax Treaties Michael Lang,Pasquale Pistone,Josef Schuch,Claus Staringer,2012-05-17 This book provides an analysis of bilateral tax treaties concluded by thirty seven jurisdictions from five continents and empirically ascertains the impact of the UN and OECD Model Tax Conventions on bilateral tax treaties It therefore fills a major gap in the international tax literature which has so far either studied the sole Model Tax Conventions or focused on bilateral treaties in the context of the tax treaty policy of single countries and sets the pace for a new methodology in the analysis and interpretation of tax treaties A general report outlines the key points of the analysis highlights current trends and predicts future developments of multilateralism and global tax law This is an essential resource for academics tax authorities and international tax practitioners who find textbooks based on Model Tax Conventions insufficient **Interpretation and Application of Article 5 (Permanent Establishment) of the OECD Model Tax Convention** ,2011 The Application of the OECD Model Tax Convention to Partnerships Organización de Cooperación y Desarrollo Económico,1999 **The Application of the OECD Model Tax Convention to Partnerships Issues in International Taxation** , *The Taxation of Permanent Establishments* Sven Hentschel,2021 This book provides a comprehensive analysis of the rules governing the taxation of permanent establishments as implemented in the OECD Model Tax Convention and German national tax law Deviations between the OECD approach and the German approach are identified and modifications to the rules as a result of the Base Erosion and Profit Shifting BEPS project are examined Moreover challenges imposed to the PE concept as a result of the digitalisation of the economy are identified and discussed Against this background the Pillar One Blueprint proposing a long term solution to overcome the tax challenges arising from the digitalisation of the economy is presented and assessed against widely accepted overarching principles of tax policy About the author Sven Hentschel is a research associate at the Chair of Business Taxation Prof Dr Gerhard Kraft at the Martin Luther University Halle Wittenberg His research focuses on international business taxation and transfer pricing Interpretation and Application of Article 5 (permanent Establishment) of the OECD Model Tax Convention Organisation

for Economic Co-operation and Development. Centre for Tax Policy and Administration, 2011 Article 5 Permanent Establishment of the OECD Model Tax Convention includes the definition of the treaty concept of permanent establishment which is primarily used for the purpose of the allocation of taxing rights when an enterprise of one State derives business profits from another State Despite the long history of the concept of permanent establishment its practical application raises a number of issues The Committee on Fiscal Affairs through a subgroup of its Working Party 1 on Tax Conventions and Related Questions has examined various questions related to the interpretation and application of the definition of permanent establishment This public discussion draft includes proposals for additions and changes to the Commentary on the OECD Model Tax Convention resulting from the work of that subgroup that have recently been presented to the Working Party for discussion Given the practical importance of these proposals the Committee has decided to invite public comments on the proposed changes to the Commentary before they are thoroughly discussed by the Working Party The proposed changes appear in the order of the paragraphs of the current Commentary on Article 5 to which they relate The Annex includes a consolidated version of paragraphs 1 to 35 of the Commentary on Article 5 that includes all the proposed changes OECD Tax Policy Studies Tax Ratios: A Critical Survey OECD, 2001-11-07 This study reports on conceptual and practical difficulties encountered in the measurement of average tax rates using aggregate data e.g. National Accounts and Revenue Statistics

The OECD Model Tax Convention : a comprehensive technical analysis ; [based on the 2010 OECD model] Oliver R. Hoor, 2010 The author analyses the fundamental principles of the OECD Model Tax Convention and discusses the following issues the history of tax treaties double taxation legal aspects and interpretation of tax treaties structure scope and mechanics of tax treaties taxation of income and capital methods for the elimination of double taxation special provisions non discrimination mutual agreement procedure exchange of information assistance in the collection of taxes members of diplomatic missions and consular posts Three case studies cover the most common cross border transactions realized by enterprises and individuals and provide an overview of the application and mechanisms of the OECD Model Tax Convention with the view to determining the Contracting States taxing rights The book is written on the basis of the OECD Model as it is on 22 July 2010 **The 2008 OECD Model Tax Convention** Organisation for Economic Co-operation and Development, Raffaele Russo, 2008

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