

Klaus Vogel on Double Taxation Conventions

4th revised edition

by Johannes Becker, Michael Blank, Alexander Blank, Axel Cordewener, Luc De Broe, Ana Paula Dourado, Daniela Endres, Werner Haslehner, Roland Ismer, Eric C.C.M. Kemmeren, Georg Kofler, Ekkehart Reimer, Katharina Riemer, Alexander Rust, Matthias Valta, Kamilla Zembala

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Klaus Vogel on Double Taxation Conventions Klaus Vogel, 1999 **Klaus Vogel on Double Taxation Conventions** Ekkehart Reimert, Alexander Rust, 2022-01-18 Klaus Vogel on Double Taxation Conventions is regarded as the international gold standard on the law of tax treaties This article by article commentary has been completely revised and updated to give you a full and current account of double tax conventions DTCs DTCs form the backbone of international taxation but they raise many interpretational questions This market leading work will provide you with the answers Based on the OECD G20 Multilateral Instrument the OECD MC and Commentary published in 2017 and the most recent amendments to the UN MC the book also includes relevant case law and scholarly literature upto and including 2020 Previous editions of the Vogel have been routinely relied on by courts around the world including Australia Canada Germany India South Africa the Netherlands and United Kingdom What's new in this edition There have been many important developments in this area since the last edition in 2015 The authors discuss these developments and the effect they will have upon practitioners working in this area They also provide a wealth of new and revised case law along with the DTCs of emerging countries You'll find Reports about major features in the DTC practice of many leading jurisdictions such as the DTC practice of Austria Canada France Germany India the Netherlands Switzerland the UK and the US Sections on divergent country practice covering their national models and networks of bilateral DTCs Thorough analysis of the OECD and UN model as well as the implementation of these models in practice Amendments of bilateral DTCs textual or in substance on the basis of the 2017 Anti BEPS Multilateral Instrument Coverage of a full range of the latest tax treaties around the world including important treaties between OECD and BRICS countries This new Fifth Edition of Klaus Vogel on Double Taxation Conventions continues to reflect the unchallenged role of the OECD The OECD MC accompanied by the official Commentary guidelines reports and other recommendations has sustained its position as the most important legal instrument in the area of DTCs On occasion the UN MC and Commentary diverge from the OECD texts When this happens the authors deal with the specifics of the UN MC in separate annotations and analyses explaining and making sure you understand the differences How this will help you All the information you need to confidently advise on issues such as the taxation of income taxation of capital and the elimination of double taxation Know that your advice to clients is based on the most up to date and respected information available from an outstanding team of editors and authors The editors Professors Ekkehart Reimer and Alexander Rust have worked with the late Professor Vogel as well as an international team of top experts to completely update and enhance the content The writing team comprises Editors Prof Dr Ekkehart Reimer Heidelberg University and

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Convention and provides the wording of the article and that of the respective articles of the UN and US Models the official Commentary by OECD and an extensive discussion by the authors of the legal problems involved In addition Klaus Vogel on Double Taxation Conventions offers an account of all German tax treaties how they differ from the model provisions and the potential practical impact of such differences The first two editions have been used by lawyers tax advisers and scholars all over the world Courts in Canada Germany South Africa and the Netherlands have cited them as authority This revised edition includes the most recent OECD Model revisions and all recent case law and relevant literature The authors have rethought many of the problems discussed further improved their argument and amended their views where they have been convinced by opponents

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Interpretation of Tax Treaties under International Law F. A. Engelen,2004 This publication considers the interpretation of tax treaties primarily from the standpoint of public international law The principal purpose of this study is to analyse and discuss the rules and principles of international law relevant to the interpretation of treaties in general and their application to tax treaties in particular The rules of international law enshrined in articles 31 32 and 33 of the Vienna Convention on the Law of Treaties are therefore central to this study Where appropriate reference is made to the jurisprudence of the International Court of Justice and to the law and procedure of other international court and tribunals Considers also the extent to which the relevant rules and principles of international law are binding on domestic court and taxpayers The importance of international law for the purpose of the interpretation of tax treaties is illustrated by a number of leading cases decided by the Dutch Supreme Court Hoge Raad

Introduction to the Law of Double Taxation Conventions Michael

Lang, 2021-04-01 The Law of Double Taxation Conventions Cross border activities or transactions may trigger tax liability in two or more jurisdictions In order to mitigate the financial burden resulting from these situations States have entered into numerous double taxation conventions which provide for rules that allocate the taxing rights between the contracting states This handbook aims at providing an introduction to the law of double taxation conventions It is designed for students irrespective of their national background but the author believes that it will also be of great help for tax experts who wish to know more about double taxation conventions as well as for international law experts who wish to understand more about tax law The handbook does not consider one jurisdiction in particular but rather takes examples from a wide range of different countries and their jurisdictions It includes an overview of the problem of double taxation the state practice in the conclusion of double tax conventions and their effects the interpretation of double taxation conventions and treaty abuse Furthermore this updated handbook takes new developments into account occurred since the last edition of the book from 2013 in particular also the changes through OECD's BEPS project and the Multilateral Instrument It deals with the latest versions of the OECD Model Tax Conventions on Income and on Capital and the UN Model Double Taxation Convention between Developed and Developing Countries both published in 2017 as well as the latest version of the OECD Model Double Taxation Convention on Estates and Inheritances and on Gifts

Klaus Vogel on Double Taxation Conventions Klaus

Vogel, 1994-01-01 Following the structure of the main commentary this supplement supplies the reader with both the OECD's amendments and with cases rulings and literature published since the first edition Further it provides a preliminary analysis Thus this book if desired in conjunction with the main commentary keeps the reader current on international double taxation convention law as of March 1994

Beneficial Ownership in International Tax Law Angelika Meindl-Ringler, 2016-06-07

In international tax law the term beneficial ownership refers to which parties involved in a cross border transaction are entitled to tax treaty benefits However determining beneficial ownership is a complex and often disputed issue subject to different meanings in different countries Archival research on its early use in tax treaties and in the developing OECD Model reveals that its meaning has changed dramatically over the decades leading to new interpretations significantly affecting current tax practice and scholarship This book dedicated to establishing how beneficial ownership should ideally be interpreted compares the use and interpretation of beneficial ownership both current and historical in a wide range of national jurisdictions as well as the EU ultimately shedding a clearer light than has heretofore been available on the meaning of the term In her very thorough analysis of the application of beneficial ownership the author touches on such aspects as the following historical development of the beneficial ownership requirement as used in tax treaties and in the OECD Model Tax Convention on Income and on Capital rules of double taxation conventions application of the OECD's Action Plan on Base Erosion and Profit Shifting BEPS the problem of so called white income use of the substance over form principle attribution of income rules and the role of agents nominees and conduit companies Specific analysis of the use and interpretation of

beneficial ownership in a domestic law and treaty context in numerous jurisdictions with particular emphasis on the United Kingdom Australia the United States and Germany is a major feature of the presentation As a thorough guide to determining whether a person claiming tax treaty benefits is the true owner and which parties are excluded from treaty benefits and to what extent this book will be of immeasurable value to lawyers tax authorities policymakers and other professionals working with taxable international transactions of any kind

Taxation of Capital Gains Under the OECD Model Convention

Stefano Simontacchi,2007-01-01 Increasing globalization and the related cross border flows of capital resources has only increased interest in the taxation of transnational capital gains among practitioners and scholars This is particularly true as it relates to investments in immovable property As a consequence Article 13 of the OECD Model Convention covering capital gains has emerged as one of the document s key provisions Based on in depth historical research this book pays particular attention to the definition of capital gains falling within the scope of Article 13 It also thoroughly analyses the treaty regime applicable to gains derived from the alienation of both immovable property and shares of immovable property companies

International Tax Planning and Prevention of Abuse Luc De Broe,2008 This study considers how tax authorities attempt to strike down international tax avoidance structures in particular those involving the use of conduit and base companies set up by third country residents for purposes of treaty shopping and EC Directive shopping The book focuses on the interaction between provisions and judicially developed doctrines of domestic tax law preventing international tax avoidance on the one hand and norms of international law in particular tax treaties and rules of Community law on the other It also considers treaty based anti avoidance measures such as the beneficial ownership requirement and limitation on benefits provisions This part of the study compares and analyses the case law of Australia Austria Belgium Canada the Czech Republic Finland France Germany India the Netherlands Switzerland the United Kingdom and the United States

Reviewing **Klaus Vogel On Double Taxation Conventions**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is actually astonishing. Within the pages of "**Klaus Vogel On Double Taxation Conventions**," an enthralling opus penned by a very acclaimed wordsmith, readers embark on an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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