Economic and Social Council Committee of Experts on International Cooperation in Tax Matters Fourth session

Note by the Coordinator of the Subcommittee on Improper Use of treaties: Proposed amendments

Progress Report of Subcommittee on Improper Use of Tax Treaties: Beneficial Ownership  $^{\ast}$ 

Summary

can

cannot

# **ANNEX**

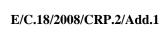
# THE UNITED NATIONS MODEL DOUBLE TAXATION CONVENTION BETWEEN DEVELOPED AND DEVELOPING COUNTRIES: POSSIBLE EXTENSION OF THE BENEFICIAL OWNERSHIP CONCEPT

Secretariat Note.

<sup>&</sup>lt;sup>6</sup> The Commentary to Article 12 of the UN Model Convention does not contain any equivalent explanation of the beneficial ownership concept: it is assumed that there is no significance to this and that the equivalent explanations in the Commentaries to Articles 10 and 11 would be equally applicable.

le bénéficiare effectif

<sup>&</sup>lt;sup>12</sup> Para. 43.



Income Tax Conventions

Interpretation Act

Article 21: Other income

Example 1

Example 2

Example 3



Business profits: Article 7

Other Articles

A summary on possible articles to which the beneficial ownership concept migh
extend
Including the beneficial ownership concept in some Articles and not in others

_	4	c .	7 •	1 (* * 1	7 •	1	
5.	$\boldsymbol{A}$	tree-star	าสาทจ	heneticial	ownership	limitation	provision
<i>-</i> .	4 4	Jice sien	uiiig	o cricjiciai	OWITETSTUP	unituation	provision

6. A free-standing beneficial ownership provision included only in the Commentary