

## BEPS Actions implementation by country

### Action 15 – Multilateral Instrument

On 5 October 2015, the G20/OECD published 13 final reports and an explanatory statement outlining consensus actions under the base erosion and profit shifting (BEPS) project. The output under each of the BEPS actions is intended to form a complete and cohesive approach covering domestic law recommendations and international principles under the OECD model tax treaty and transfer pricing guidelines.

It is now for governments to digest and introduce the necessary legislation. The table below sets out a summary of the expected implementation and timing of the proposals under Action 15 by territory.

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Country	Notes on implementation	Expected timing	Last reviewed by Deloitte
Argentina	Argentina signed the MLI on the 7 June 2017.	Subject to ratification and entry into force of the MLI	August 2017
Australia	Australia has signed the MLI. Australia intends to adopt the mutual agreement procedure recommendations contained in the MLI and is committed to binding arbitration.	Australia signed the MLI in June 2017 and is expected to ratify it in 2018. The provisions are expected to apply in Australia on 1 July 2019 (withholding taxes) and 1 July 2019 (other treaty benefits)	July 2017
Austria	On 13 March 2017, the Austrian Ministry of Finance requested an authorisation to negotiate 43 double tax treaties in order to implement some of the provisions of the MLI.	Not yet known	March 2017

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Belgium	Belgium is expected to sign the MLI in 2017.	During 2017	May 2017
Brazil	Brazil participated in the ad hoc group for the development of the multilateral instrument, but did not sign the MLI on the 7 June 2017.	Not yet known	July 2017
Canada	<p>Canada signed the multilateral instrument (MLI) on 7 June 2017, but has registered provisional reservations with respect to most measures. Canada has adopted those provisions that set out the BEPS minimum standards for preventing treaty abuse, as well as provisions that relate to dispute resolution. Canada has opted into the mandatory binding arbitration provisions, as recommended in BEPS action 14.</p> <p>Canada has indicated that it will continue to review its reservations with respect to the MLI provisions, with a view to the removal of some if considered appropriate.</p>	Subject to ratification of the MLI (application of the new and/or amended rules as from 1 January 2019 possible)	July 2017
China	China is one of the 68 countries that signed the MLI on 7 June 2017.	Not yet known	July 2017
Czech Republic	The Czech Republic is expected to sign the multilateral instrument (MLI) in June 2017, although only the minimum standard articles are expected to be implemented (i.e. Articles 6, 7 (PPT) and 16). There currently is public discussion about the MLI and further details regarding the practical implementation of the changes have not been released.	Not yet known	April 2017
Denmark	Denmark follows the OECD Inclusive Framework on BEPS and generally intends to follow international standards, although no official statements have been made regarding the MLI. Unofficial notes indicate that the Ministry of Taxation may have some reservations about committing to mandatory arbitration.	Not yet known	April 2017

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Estonia	There is no public information available about the Estonian government approach regarding the multilateral instrument.	Not yet known	July 2017
Finland	Not yet known	Not yet known	May 2017
France	France is expected to be a part of all discussions regarding selected options. The global position of France is to give full effect to the MLI; therefore, all new provisions that can be articulated with the current legal and conventional framework are expected to be implemented. France is expected to sign and ratify the MLI at some point in 2017.	Not yet known	May 2017
Germany	Germany signed the MLI on 7 July 2017 notifying 30 tax treaties as being covered by the convention. Several reservations were made. The legislative process for implementing the convention is expected to start after the federal elections in September 2017.	Subject to ratification of the MLI (application of the new and/or amended rules as from 1 January 2019 possible)	July 2017
Greece	Not yet known.	Not yet known	May 2017
Hong Kong	Hong Kong has signed the multilateral instrument and all existing DTAs will be amended to implement tax treaty-related BEPS measures.	Signed on 7 June 2017; effective date not yet known	July 2017
Hungary	Consultations are in progress in Hungary relating to the final text of the multilateral instrument (MLI).	Hungary is expected to sign and ratify the MLI in 2017	April 2017
Iceland	Iceland participated in the 'ad hoc group' for the creation of the multilateral instrument.	Not yet known	June 2017

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India	There are indications that India is likely to sign the multilateral instrument		Not yet known	May 2017
Indonesia	Indonesia signed the Multilateral Instrument (MLI) on 7 June 2017.		MLI implementation date not yet known	July 2017
Ireland	Ireland will adopt the MLI. The government's position on all articles within the MLI has not yet been made public.		Timing of the adoption of the MLI is to be determined. However, the MLI likely would be implemented by January 2018 at the earliest	March 2017
Israel	Not yet known		Not yet known	April 2017
Italy	Not yet known.		Not yet known	May 2017
Japan				
Luxembourg	Developments are under way in connection with the MLI to implement tax treaty-related measures to prevent BEPS, although it is not yet known what position will be taken by the Luxembourg tax authorities. The MLI is expected to be signed in June 2017.		Expected to sign in 2017	March 2017
Mexico	Not yet known.		Not yet known	March 2017

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Netherlands	The Netherlands supports the mechanism of the MI and, therefore, intends to bring as many tax treaties under the MLI as possible.	Expected to be signed the first half of 2017. Ratification by the Dutch parliament will then be required. Effective date also depends on bilateral treaty partners	May 2017
New Zealand	Inland Revenue has launched a consultation on its proposed position with respect to the MI. It is expected that New Zealand will adopt most of the reforms however this is still subject to government sign-off.	Application dates are dependent on when jurisdictions sign and ratify the MI	June 2017
Norway	Norway has signed the MLI and the Ministry of Finance will present proposals for the approval needed to ratify the MLI. In respect of preventing treaty abuse Norway has expressed the intention to adopt an LOB in addition to, or instead of a PPT through bilateral negotiation. It is also expected to adopt Option A of Article 13 in respect of the PE definition and specific activity exemptions.	Ratification expected in autumn 2017	August 2017
Poland	The government has not made any official statements on specific actions resulting from the release of the final text of the MLI.	Poland is expected to sign and ratify the MLI in 2017	May 2017
Portugal	Following the signature of the MLI on 7 June 2017, Portugal still must ratify this instrument.	Not yet known	July 2017
Russia	Russia signed the MLI on the 7 June 2017. This will come into force after its ratification.	Subject to ratification of the MLI (application of the new and/or amended rules as from 1 January 2019 possible)	July 2017
Saudi Arabia	Not yet known	Not yet known	May 2017

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Singapore	Singapore signed the MLI on 7 June 2017. It has opted to apply the principal purpose test to prevent treaty abuse, has made reservations against the PE changes and has opted for mandatory binding arbitration.	Subject to ratification of the MLI (application of the new and/or amended rules as from 1 January 2019 possible)	August 2017
Slovakia	Slovakia was one of the signatories of the MLI on 7 June 2017. It has opted to adopt a simplified LOB provision in respect of preventing treaty abuse and has chosen Option A under Article 13 in respect of changes to the PE definition and the specific activity exemptions.	Subject to ratification of the MLI	August 2017
Slovenia			
South Africa	South Africa is one of the countries that have reached consensus on the multilateral instrument adopted in November 2016 with the aim to incorporate BEPS recommendations into the existing network of bilateral treaties.	Not yet known	June 2017
South Korea	It is not yet known whether Korea will sign the multilateral instrument.	Not yet known	April 2017
Spain	Spain is expected to sign the MLI.	Not yet known	May 2017
Sweden	Sweden has signed the MLI.	The implementation date is not yet known, but Sweden is expected to implement the MLI into its domestic law	July 2017
Switzerland			

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Turkey	Turkey signed on 7 June 2017 the Multilateral Convention to implement Tax Treaty related measures to prevent BEPS. However, its implementation is subject to ratification procedures in Turkey. The Turkish Revenue Authority has also announced a list of its reservations with respect to the implementation of the Convention ( <i>the list of reservations and notifications of the Republic of Turkey at the time of signature is attached</i> ).	Implementation would start after the ratification procedures are completed.	June 2017
United Kingdom	Following the OECD's release of the final text of the MLI, the UK issued its draft approach to UK treaties for public consultation (see comments above in respect of specific actions). The UK is expected to sign and ratify the MLI in 2017.	Not yet known	May 2017
United States	The Treasury Department released a revised US model income tax convention in February 2016, and has not indicated any intention to modify the US model convention to conform to the multilateral instrument released by the OECD.	N/A	March 2017



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