



Mauritius signs the multilateral BEPS Convention

In line with its unfaltering commitment to combat tax avoidance/evasion and base erosion, Mauritius signed the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting (hereunder referred to as the “Multilateral Convention” or the “Multilateral Instrument” or the “MLI”) on 5th July 2017.

The Multilateral Convention requires its allegiant country members to identify Covered Tax Agreements among its existing network of Double Taxation Avoidance Agreements (DTAA) that will be directly impacted by the said convention.

Out of the 42 DTAA that Mauritius has concluded to date, 23 have been identified as Covered Tax Agreements. However for the MLI to become effective, the other contracting state to the DTAA must have also elected to classify the DTAA as a Covered Tax Agreement. So far, 15 countries have signed the MLI and have notified the OECD of their wish for their respective DTAA to be covered by the MLI.

The Mauritius Government has pledged to amend the remaining DTAA that are not affected by the Multilateral Convention through bilateral negotiations to ensure the integration of the BEPS minimum standards at latest, by the end of 2018.

Below is the list of the DTAA that has been concluded by Mauritius and their status with regards to the MLI/BEPS amendments:

DTAA covered under the MLI			
	Country	Date of entry into force	Signatories to the MLI
1	Barbados*	28-01-2005	No
2	Belgium*	28-01-1999	Yes
3	Congo*	08-10-2014	No
4	Croatia*	09-08-2003	Yes
5	Cyprus	12-06-2000	Yes
6	France*	17-09-1982 Main DTAA 01-05-2012 Amending instrument (a)	Yes
7	Germany*	07-12-2012	Yes
8	Guernsey*	30-06-2014	Yes
9	Italy*	28-04-1995 Main DTAA 19-11-2012 Amending instrument (a)	Yes
10	Kuwait	01-09-1998	Yes
11	Lesotho	09-09-2004	No

DTAA covered under the MLI			
	Country	Date of entry into force	Signatories to the MLI
12	Luxembourg*	12-09-1996	Yes
13	Madagascar	01-12-1995	No
14	Malta*	23-04-2015	Yes
15	Monaco*	08-08-2013	Yes
16	Oman	20-07-1998	No
17	Seychelles*	28-01-2005	Yes
18	South Africa*	28-05-2015	Yes
19	State of Qatar	28-07-2009	No
20	Swaziland	08-11-1994	No
21	Sweden*	07-12-2012	Yes
22	United Arab Emirates	31-07-2007	No
23	United Kingdom*	19-10-1981 Main DTAA 26-10-1987 Amending instrument (a) 23-10-2003 Amending instrument (b) 13-10-2011 Amending instrument (c)	Yes

DTAA not covered under the MLI		
	Country	Date of entry into force
1	Bangladesh	15-09-2010
2	Botswana*	13-03-1996
3	China*	05-05-1995
4	Egypt*	10-03-2014
5	India* (Note 1)	11-06-1985
6	Malaysia*	19-08-1993
7	Mozambique	08-05-1999
8	Namibia	25-07-1996
9	Nepal	10-11-1999
10	Pakistan*	19-05-1995
11	Rwanda	04-08-2014
12	Senegal*	15-09-2014
13	Singapore*	07-06-1996
14	Sri Lanka	02-05-1997
15	Thailand	10-06-1998
16	Tunisia	28-10-2008
17	Uganda	21-07-2004
18	Zimbabwe	05-11-1992
19	Zambia	04-06-2012

* Members of the Inclusive Framework on BEPS as at 6 July 2017

Note 1: A Protocol for the amendment of the Double Taxation Avoidance Agreement between Mauritius and India has been signed on 10th May 2016

Entry into Force

The MLI shall enter into force 3 months after the date of deposit of the fifth instrument of ratification, acceptance or approval with the OECD.

For each jurisdiction ratifying, accepting, or approving the MLI after the deposit of the fifth instrument of ratification, the MLI will be effective as from the 1st day of the month following a period of three months after it deposits its instrument of ratification with the OECD.

Contact Us

Should you have any questions pertaining to the MLI, please liaise with your usual contact person at ITL or write us an e-mail on info@intercontinentaltrust.com

For any additional information please contact us.

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