

Convention (1990) on the elimination of double taxation in connection with the adjustment of profits of associated enterprises: accession of Croatia

2013/0308(CNS) - 13/08/2013 - Legislative proposal

PURPOSE: to enable Croatia to accede to the Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises

PROPOSED ACT: Council Decision.

BACKGROUND: according to Article 3(5) of the Act of Accession the Council, acting unanimously on a recommendation by the Commission and **after consulting the European Parliament**, shall decide to make all adjustments required by reason of the accession of Croatia to these conventions and protocols and to publish the adapted texts in the *Official Journal of the European Union*.

The list of conventions and protocols include :

Convention 90/436/EEC of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises (Arbitration Convention),

the Convention of 21 December 1995 on the accession of Austria, Finland and Sweden to the Arbitration Convention,

the Protocol of 25 May 1999 amending the Arbitration Convention,

the Convention of 8 December 2004 on the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the Arbitration Convention.

The Arbitration Convention was amended by the Protocol of 25 May 1999 and the Conventions of 21 December 1995 and of 8 December 2004.

Bulgaria and Romania acceded to the Arbitration Convention by virtue of the Act of Accession of 2005. Decision 2008/492/EC made the adjustments required by reason of the accession of Bulgaria and Romania to the Arbitration Convention and determined the date of its entry into force, as amended, with relation to Bulgaria and Romania.

CONTENT: this proposed Commission Recommendation for a Council Decision is intended to make the adjustments required by reason of the accession of Croatia to the Arbitration Convention and to determine the date of its entry into force, as amended, with relation to Croatia, in accordance with the Act of Accession of 2011.