

INTERNATIONAL DOUBLE TAXATION -  
PORTUGAL (NOVEMBER 2014)

## TAX &amp; BUSINESS



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On November 2014 the Decrees of the President of the Republic (nº. 103/2014 and 104/2014) were issued, thus publicizing the ratification of, respectively, the new Double Tax Treaty entered into with the Republic of San Marino and to the new Double Tax Treaty entered into with the Federal Democratic Republic of Ethiopia.

International double taxation constitutes an obstacle to commercial relations and the free movement of goods, services, people and capital. The need to eliminate or to reduce it, has become even more decisive in the current economic and international context, dominated as it is by new technologies, internet and globalization.

By regulating the rights of the countries to levy their taxes on a cross-border situation, countries are able to avoid income and capital shifting phenomena, thus strengthening ties (economics and others) between the contracting states.

The new agreements entered into with said countries are expected to contribute to increasing the trade on a bilateral basis and to a fairer allocation of the tax revenues.

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However, as the notices of the Ministry of Foreign Affairs, which issue the exchange of ratification documents between Portugal and, respectively, the Republic of San Marino and the Federal Democratic of Ethiopia, were not yet published, the above mentioned Agreements have not yet entered into force.

Please find below an up-to-date list of all the Double Tax Treaties entered into by Portugal, after the Decrees of the President of the Republic now published.

Lisbon, 22 of December 2014

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**PRATICAL TABLE OF THE DOUBLE TAXATION AGREEMENTS ENTERED INTO BY PORTUGAL**

COUNTRIES (Alphabetical Order)	LEGAL DIPLOMA	EXCHANGE OF RATIFICATION INSTRUMENTS/ ENTRY INTO FORCE	REDUCED WITHHOLDING RATES					
			DIVIDENDS		INTERESTS		ROYALTIES	
			Art.º	Tax Rate	Art.º	Tax Rate	Art.º	Tax Rate
ALGERIA	Parliament Resolution n.º 22/06, of 23 March	Notice n.º 579/2006 published in 05-05-2006 Into force since 01-05- 2006	10.º	10% 15%	11.º	15%	12.º	10%
AUSTRIA	Decree-law n.º 70/71, of 08 of March	Notice published in 08- 02-1972 Into force since 28-02- 1972	10.º	15%	11.º	10%	12.º	5% 10%
BARBADOS	Parliament Resolution n.º 91/2014, of 12 November	Pending exchange of ratification instruments and Notice publication	10.º	5% 15%	11.º	0% 10%	12.º	5%
BELGIUM	Decree-law n.º 19/70, of 15 of December; Parliament Resolution n.º 82/00, of 14 December (Additional Convention)	Notice published in 17- 02-1971 Into force since 19-02- 1971 Additional Convention Into force since 05-04- 2001	10.º	15%	11.º	15%	12.º	10%
BRAZIL	Parliament Resolution n.º 33/01, of 27 of April	Notice published in 14- 12-2001 Into force since 05-10- 2001 with effect after 01-01-2000	10.º	10% 15%	11.º	15%	12.º	15%
BULGARIA	Parliament Resolution n.º 14/96, of 11 of April	Notice n.º 258/96 published in 26-08-1996 Into force since 18-07- 1996	10.º	10% 15%	11.º	10%	12.º	10%
CANADA	Parliament Resolution n.º 81/2000, of 6 of December	Notice published in 17- 10-2001 Into force since 24-10- 2001	10.º	10% 15%	11.º	10%	12.º	10%

CAPE VERDE	Parliament Resolution n.º 63/00, of 12 of July	Notice n.º 4/2001 published in 18-01-2001 Into force since 15-12-2000	10.º	10%	11.º	10%	12.º	10%
CHILE	Parliament Resolution n.º 28/06, of 6 of April	Notice n.º 243/2008 published in 29-12-2008 Into force since 25-08-2008	10.º	10% 15%	11.º	5% 10% 15%	12.º	5% 10%
CHINA	Parliament Resolution n.º 28/2000, of 30 of March	Notice n.º 109/2000 published in 02-06-2000 Into force since 08-06-2000	10.º	10%	11.º	0% 10%	12.º	10%
COLOMBIA	Parliament Resolution n.º 46/12, of 13 of April	Pending exchange of ratification instruments and Notice publication	10.º	10%	11.º	10%	12.º	10%
CUBA	Parliament Resolution n.º 49/01, of 13 of July	Notice n.º 187/06 published in 23-01-2006 (and Notice n.º 279/05 of 29-07-2005) Into force since 28-12-05	10.º	5% 10%	11.º	10%	12.º	5%
CYPRUS	Parliament Resolution n.º 89/13, of 1 of July	Notice n.º 87/2013 published in 01-08-2013 Into force since 16-08-2013	10.º	10%	11.º	10%	12.º	10%
CZECH REPUBLIC	Parliament Resolution n.º 26/97, of 09 of May	Notice n.º 288/97 published in 08-11-1997 Into force since 01-10-1997	10.º	10% 15%	11.º	10%	12.º	10%
DENMARK	Parliament Resolution n.º 6/02, of 23 of February	Notice n.º 53/2002 published in 15-06-2002 Into force since 24-05-2002 with effect after 01-01-03	10.º	10%	11.º	10%	12.º	10%
EAST-TIMOR	Parliament Resolution n.º 112/12, of 09 of August	Pending exchange of ratification instruments and Notice publication	10.º	5% 10%	11.º	10%	12.º	10%

ESTONIA	Parliament Resolution n.º 47/04, of 08 of July	Notice n.º 175/04 published in 27-11-2004 Into force since 23-07-2004 with effect after 01-01-05	10.º	10%	11.º	10%	12.º	10%
ETHIOPIA	Parliament Resolution n.º 96/2014, of 13 of November	Pending exchange of ratification instruments and Notice publication	10º	5% 10%	11º	10%	12º	5%
FINLAND	Decree-law n.º 494/70, of 23 of October	Notice published in 22-08-1980 Into force since 14-07-1971	10.º	10% 15%	11.º	15%	12.º	10%
FRANCE	Decree-law n.º 105/71, of 26 of March	Notice published in 13-11-1972 Into force since 18-11-1972	11.º	15%	12.º	10% 15%	13.º	5%
GERMANY	Law n.º 12/82, of 3 June	Notice published in 14-10-1982 Into force since 08-10-1982	10.º	15%	11.º	10% 15%	12.º	10%
GREECE	Parliament Resolution n.º 25/02, of 4 of April	Notice n.º 85/2002 published in 24-09-2002 Into force since 13-08-2002 with effect after 01-01-03	10.º	15%	11.º	15%	12.º	10%
GUINEA BISSAU	Parliament Resolution n.º 55/09, of 30 of July	Notice n.º 94/2013 published in 11-10-2013 Into force since 05-10-2012	10.º	10%	11.º	0% 10%	12.º	10%
HONG KONG	Parliament Resolution n.º 49/12, of 16 of April	Notice n.º 53/2012 published in 01-06-2012 Into force since 03-06-2012	10.º	5% 10%	11.º	0% 10%	12.º	5%
HUNGARY	Parliament Resolution n.º 4/99, of 28 of January	Notice n.º 126/2000 published in 30-06-2000 Into force since 08-05-2000	10.º	10% 15%	11.º	10%	12.º	10%

ICELAND	Parliament Resolution n.º 16/02, of 8 of March	Notice n.º 48/2002 published in 08-06-2002 Into force since 11-04-2002 with effect after 01-01-03	10.º	10% 15%	11.º	10%	12.º	10%
INDIA	Parliament Resolution n.º 20/2000, of 6 of March	Notice n.º 123/2000 published in 15-06-2000 Into force since 05-04-2000	10.º	10% 15%	11.º	10%	12.º	10%
INDONESIA	Parliament Resolution n.º 64/06, of 6 of December	Notice n.º 42/2008 published in 04-04-2008 Into force since 11-05-2007	10.º	10%	11.º	10%	12.º	10%
IRELAND	Parliament Resolution n.º 29/94, of 24 of June; Parliament Resolution n.º 62/2006, of 06 of December (Protocol)	Notice n.º 214/94 published in 24-08-1994 Into force since 11-07-1994 Notice n.º 45/2008 published in 17-04-2008 – Protocol Into force since 18-12-2006	10.º	15%	11.º	15%	12.º	10%
ISRAEL	Parliament Resolution n.º 02/08, of 15 of January	Notice n.º 94/2008 published in 13-06-2008 and ratified by Notice n.º 129/2008 published	10.º	5% 10% (15%)	11.º	10%	12.º	10%
ITALY	Law n.º 10/82, of 01 of June	Notice published in 07-01-1983 Into force since 15-01-1983	10.º	15%	11.º	0% 15%	12.º	12%
JAPAN	Parliament Resolution n.º 50/12, of 17 of April	Notice n.º 88/2013 published in 16-08-2013 Into force since 28-07-2013	10.º	5% 10%	11.º	5%	12.º	5%
KUWEIT	Parliament Resolution n.º 44/11, of 18 of March	Notice n.º 11/2014 published in 15-01-2014 Into force since 05-12-2013	10.º	5% 10%	11.º	10%	12.º	10%
LATVIA	Parliament Resolution n.º 12/03, of 28 of February	Notice n.º 138/2003 published in 26-04-2003 Into force since 07-03-2003	10.º	10%	11.º	10%	12.º	10%

LITHUANIA	Parliament Resolution n.º 10/03, of 25 of February	Notice n.º 123/2003 published in 22-03-2003 Into force since 26-02-2003	10.º	10%	11.º	10%	12.º	10%
LUXEMBOURG	Parliament Resolution n.º 56/2000, of 30 of June; Parliament Resolution n.º 45/12, of 12 of April (Protocol and Additional Protocol)	Notice n.º 256/2000 published in 30-12-2000 Into force since 30-12-2000 Protocol and Additional Protocol into force since 18-05-2012 (Notice n.º 65/2012, of 20-06-2012)	10.º	15%	11.º	10% 15%	12.º	10%
MACAO	Parliament Resolution n.º 80-A/99, of 16 of December	Notice n.º 72/2001 published in 16-07-2001 Into force since 01-01-1999	10.º	10%	11.º	10%	12.º	10%
MALTA	Parliament Resolution n.º 11/02, of 25 of February	Notice n.º 33/2002 published in 06-04-2002 and rectified em 30-04-2002 Into force since 05-04-2002 with effect after 01-01-03	10.º	10% 15%	11.º	10%	12.º	10%
MEXICO	Parliament Resolution n.º 84/2000, of 15 of December	Notice n.º 49/01 published in 21-05-2001 Into force since 09-01-2001	10.º	10%	11.º	10%	12.º	10%
MOLDOVA	Parliament Resolution n.º 106/10, of 2 of September	Notice n.º 300/2010 published in 08-11-2010 Into force since 18-10-2010	10.º	5% 10%	11.º	10%	12.º	8%
MOROCCO	Parliament Resolution n.º 69-A/98, of 23 of December	Notice n.º 201/2000 published in 16-10-2000 Into force since 27-06-2000	10.º	10% 15%	11.º	12%	12.º	10%
MOZAMBIQUE	Parliament Resolution n.º 36/92, of 30 of December; Parliament Resolution n.º 36/09, of 8 of May (Protocol)	Notice n.º 55/95 published in 03-03-1995 Into force since 01-01-1994 Notice n.º 45/2009, of 21-08-2009 - Protocol Into force since 07-06-2009	10.º	15%	11.º	10%	12.º	10%

NETHERLANDS	Parliament Resolution n.º 62/2000, of 12 of July	Notice n.º 177/2000 published in 24-08-2000 Into force since 11-08-2000	10.º	10%	11.º	10%	12.º	10%
NORWAY	Parliament Resolution n.º 44/12, of 12 of April	Notice n.º 33/2013 published in 15-03-2013 Into force since 15-06-2012	10.º	5% 15%	11.º	10%	12.º	10%
PAKISTAN	Parliament Resolution n.º 66/03, of 2 of August	Notice n.º 6/08 published in 21-01-2008 Into force since 04-06-2007	10.º	10% 15%	11.º	10% 0%	12.º	10%
PANAMA	Parliament Resolution n.º 48/12, of 16 of April	Notice n.º 69/2012 published in 09-08-2012 Into force since 10-06-2012	10.º	10% 15%	11.º	10%	12.º	10%
PERU	Parliament Resolution n.º 88/13, of 27 of June	Notice n.º 48/2014 published in 03-04-2014 Into force since 12-04-2014	10.º	10% 15%	11.º	10% 15%	12.º	10% 15%
POLAND	Parliament Resolution n.º 57/97, of 09 of September	Notice n.º 52/98 published in 25-03-1998 Into force since 04-02-1998	10.º	10% 15%	11.º	10%	12.º	10%
QATAR	Parliament Resolution n.º 51/12, of 24 of February	Notice n.º 51/2014 published in 02-05-2014 Into force since 04-04-2014	10.º	5% 10%	11.º	10%	12.º	10%
ROMANIA	Parliament Resolution n.º 56/99, of 10 of July	Notice n.º 96/99 published in 18-08-1999 Into force since 14-07-1999	10.º	10% 15%	11.º	10%	12.º	10%
RUSSIA	Parliament Resolution n.º 10/02, of 25 of February	Notice n.º 32/2003 published in 30-01-2003 Into force since 11-12-2002 with effect after 01-01-03	10.º	10% 15%	11.º	10%	12.º	10%
SAN MARINO	Parliament Resolution n.º 95/2014, of 13 of November	Pending ratification and Notice publication	10.º	10% 15%	11.º	10%	12.º	10%



SENEGAL	Parliament Resolution n.º 92/2014, of 12 of November	Pending ratification and Notice publication	10%	5% 10%	11.º	10%	12.º	10%
SINGAPORE	Parliament Resolution n.º 85/2000, of 15 of December; Parliament Resolution n.º 96/13, of 11 of July (Protocol)	Notice n.º 45/01 published in 11-05-2001 Into force since 16-03-01 Protocol of Ammendments	10.º	10%	11.º	10%	12.º	10%
SLOVAKIA	Parliament Resolution n.º 49/04, of 13 of July	Notice n.º 191/04 published in 04-12-2004 Into force since 02-11-2004 with effect after 01-01-2005	10.º	10% 15%	11.º	10%	12.º	10%
SLOVENIA	Parliament Resolution n.º 48/04, of 10 of July	Notice n.º 155/04 published in 31-08-2004 Into force since 13-08-2004 with effect after 01-01-05	10.º	5% 15%	11.º	10%	12.º	5%
SOUTH AFRICA	Parliament Resolution n.º 53/08, of 22 of September	Notice n.º 222/08 published in 20-11-2008 Into force since 22-10-2008	10.º	10% 15%	11.º	10%	12.º	10%
SOUTH KOREA	Parliament Resolution n.º 25/97, of 08 of May	Notice n.º 315/97 published in 27-12-1997 Into force since 21-12-1997	10.º	10% 15%	11.º	15%	12.º	10%
SPAIN	Parliament Resolution n.º 6/95, of 28 of January	Notice n.º 164/95 published in 18-07-1995 Into force since 28-06-1995	10.º	10% 15%	11.º	15%	12.º	5%

SWEDEN	Parliament Resolution n.º 20/03, of 11 of March	Notice n.º 3/2004 published in 02-01-2004 e Notice n.º 32/04, of 10-04-2004 Into force since 19-12-2003	10.º	10%	11.º	10%	12.º	10%
SWITZERLAND	Decree-law n.º 716/74 of 12 of December; Parliament Resolution n.º 87/13, of 27 of June (Amendment Protocol)	Notice published in 26-02-1976 Into force since 18-12-1975 Amendment Protocol	10.º	10% 15%	11.º	10%	12.º	5%
TUNISIA	Parliament Resolution n.º 33/2000, of 31 of March	Notice n.º 203/2000 published in 16-10-2000 Into force since 21-08-2000	10.º	15%	11.º	15%	12.º	10%
TURKEY	Parliament Resolution n.º 13/06, of 21 of February	Notice n.º 2/2007 published in 10-01-2007 Into force since 18-12-2006	10.º	5% 15%	11.º	10% 15%	12.º	10%
UKRAINE	Parliament Resolution n.º 15/02, of 8 of March	Notice n.º 34/2002 published in 11-04-2002 and ratified in 30-04-2002 Into force since 11-03-2002 with effect after 01-01-03	10.º	10% 15%	11.º	10%	12.º	10%

UNITED ARAB EMIRATES	Parliament Resolution n.º 47/12, of 13 of April	Notice n.º 52/2002 published in 11-06-2012 Into force since 22-05-2012	10.º	5% 15%	11.º	10%	12.º	5%
UNITED KINGDOM	Decree-law n.º 48497, of 24 of July of 1968	Notice published in 03-03-1969 Into force since 20-01-1969	10.º	10% 15%	11.º	10%	12.º	5%
UNITED STATES OF AMERICA	Parliament Resolution n.º 39/95, of 12 of October	Notice n.º 35/96 published in 09-01-1996 Into force since 01-01-1996	10.º	5% 10% 15%	11.º	10%	12.º	10%
URUGUAY	Parliament Resolution n.º 77/11, of 5 of April	Notice n.º 30/2013 published in 18-02-2013 Into force since 13-09-2013	10.º	5% 10%	11.º	10%	12.º	10%
VENEZUELA	Parliament Resolution n.º 68/97, of 05 of December	Notice n.º 15/98 published in 16-01-1998 Into force since 08-01-1998	10.º	10% 15%	11.º	10%	12.º	10% 12%