

OECD

Making tax dispute resolution more effective: New peer review assessments for Australia, Ireland, Israel, Japan, Malta, Mexico, New Zealand and Portugal

15/04/2021 - Under BEPS Action 14, jurisdictions have committed to implement a minimum standard to improve the resolution of tax-related disputes between jurisdictions. Despite the significant disruption caused by the COVID-19 pandemic and the necessity to hold all meetings virtually, work has continued with the release today of the stage 2 peer review monitoring reports for [Australia](#), [Ireland](#), [Israel](#), [Japan](#), [Malta](#), [Mexico](#), [New Zealand](#) and [Portugal](#).

These reports evaluate the progress made by these eight jurisdictions in implementing any recommendations resulting from their stage 1 peer review. They take into account any developments in the period 1 January 2018 – 31 August 2019 and build on the MAP statistics for 2016-2018.

The results from the peer review and peer monitoring process demonstrate positive changes across all eight jurisdictions, although not all show the same level of progress. Highlights include:

- The [Multilateral Instrument](#) was signed by all eight jurisdictions and has already been ratified by seven of them, which brings a substantial number of their treaties in line with the standard. In addition, there are bilateral negotiations either ongoing or concluded.
- Australia, Ireland, Japan, Malta, New Zealand and Portugal now have a documented bilateral notification/consultation process that they apply in cases where an objection is considered as being not justified by their competent authority.
- Australia, Ireland, Israel, Japan, Mexico, New Zealand and Portugal have added more personnel to the competent authority function and/or have made organisational improvements with a view to handle MAP cases in a more timely, effective and efficient manner.
- Australia and Malta closed MAP cases within the pursued average time of 24 months. Furthermore, Israel, New Zealand and Portugal decreased the amount of time needed to close MAP cases.
- Ireland and Mexico introduced legislative changes to ensure that MAP agreements can always be implemented notwithstanding domestic time limits, which was already the case for Japan and Portugal.
- All jurisdictions have issued or updated their MAP guidance.

The OECD will continue to publish stage 2 peer review reports in batches in accordance with the [Action 14 peer review assessment schedule](#). In total, 82 stage 1 peer review reports and 45 stage 1 and stage 2 peer monitoring reports have now been finalised and published, with the fifth batch of stage 2 reports to be released in a few months.

- [More on the BEPS Action 14 peer review and monitoring process](#)

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