

Multilateral Convention (MLI) – Australia Publishes Updated English Synthesized Text of Australia-Finland Treaty Specifying Effective Dates with Finland

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Report from IBFD Tax Treaties Unit

On 15 December 2023, the Australian Taxation Office published an updated version of the English synthesized text of the [Australia - Finland Income Tax Treaty \(2006\)](#), displaying the modifications made to the treaty by the MLI and specifying the effective dates with Finland.

The publication of the updated text follows Finland's deposition of a notification under article 9 of the MLI on 27 June 2023 (for previous reporting, see [Multilateral Instrument \(MLI\) – Finland Deposits Notification Subsequent to Ratification \(29 June 2023\)](#)).

Australia and Finland deposited their instrument of ratification of the MLI on, respectively, 23 January 2018 and 25 February 2019. The MLI therefore entered into force for Australia on 1 January 2019 and for Finland on 1 June 2019.

Each of the MLI provisions could take effect on different dates, depending on the types of taxes involved (taxes withheld at source or other taxes levied) and on the choices made by Australia and Finland in their MLI positions (for earlier reporting, see [Multilateral Convention \(MLI\) – Finland Publishes Finnish and Swedish Synthesized Texts of Australia-Finland Treaty \(14 October 2020\)](#) and [Multilateral Convention \(MLI\) – English synthesized text of Australia-Finland treaty published by Australia \(12 August 2019\)](#)).

Unless stated otherwise in the synthesized text, the provisions of the MLI will generally have effect with respect to the: [Australia - Finland Income Tax Treaty \(2006\)](#):

In Australia:

- with respect to taxes withheld at source on amounts paid or credited to non-residents, where the event giving rise to such taxes occurs on or after 1 January 2020; and
- with respect to all other taxes levied by Australia, for taxes levied with respect to taxable periods beginning on or after 1 December 2019.

In Finland

- with respect to taxes withheld at source on amounts paid or credited to non-residents, where the event giving rise to such taxes occurs on or after 1 January 2020; and
- with respect to all other taxes levied by Finland, for taxes levied with respect to taxable periods beginning on or after 1 January 2020.

Date of notification of withdrawal of the reservation made under [subparagraph a\) of paragraph 6\) of article 9](#) of the MLI shall effect from 27 June 2023 for Finland.

In accordance with [paragraph 9 of article 28](#) and [paragraph 6 of article 29](#) of the MLI, [subparagraph a\) of paragraph 1 of article 9](#) of the MLI has effect with respect to the application of this agreement for taxes levied with respect to taxable periods beginning on or after 1 January 2024.

In accordance with [paragraph 1 of article 36](#) of the MLI, the provisions of Part VI (Arbitration) of the MLI shall have effect with respect to this Agreement:

- a) with respect to cases presented to the competent authority of a contracting state (as described in [subparagraph a\) of paragraph 1 of article 19](#) (Mandatory Binding Arbitration) of the MLI), on or after 1 June 2019; and
- b) with respect to cases presented to the competent authority of a contracting state prior to 1 June 2019, on the date when both contracting states have notified the Depositary that they have reached mutual agreement pursuant to [paragraph 10 of article 19](#) of the MLI, along with information regarding the date or dates on which such cases shall be considered to have been presented to the competent authority of a contracting state (as described in [subparagraph a\) of paragraph 1 of article 19](#) of the MLI) according to the terms of that mutual agreement.

The purpose of the synthesized text is to facilitate the understanding of the application of the MLI but it is not in itself a source of law.