

# Multilateral Convention (MLI) – Spain Publishes Spanish Synthesized Text of Hong Kong-Spain Tax Agreement

24 February 2023

Report from IBFD Tax Treaties Unit

On 23 February 2023, the Spanish Ministry of Finance and Public Administration published the Spanish synthesized text of the [Hong Kong - Spain Income Tax Agreement \(2011\)](#), displaying the modifications made to the agreement by the MLI. The document was prepared in consultation between the competent authorities of Spain and Hong Kong and represents their shared understanding of the modifications made to the tax agreement by the MLI.

Spain deposited its instrument of ratification of the MLI on 28 September 2021. The instrument of approval for the MLI was deposited by China (People's Rep.) on behalf of Hong Kong on 25 May 2022. The MLI therefore entered into force for Spain on 1 January 2022 and for Hong Kong on 1 September 2022.

Spain deposited additional notifications of completion of its internal procedures for the entry into effect of the MLI provisions and Part VI (Arbitration) provisions pursuant to articles 35(7)(b) and 36 of the MLI on 1 June 2022 and 30 November 2022 (see [Multilateral Instrument \(MLI\) – Spain Deposits Notification of Completion of Internal Procedures Under Articles 35\(7\)\(b\) and 36 \(2 June 2022\)](#) and [Multilateral Instrument \(MLI\) – Spain Expands Notification of Completion of Internal Procedures Under Article 35\(7\)\(b\) \(1 December 2022\)](#)).

China (People's Rep.) on behalf of Hong Kong deposited a notification of completion of its internal procedures for the entry into effect of the MLI provisions pursuant to article 35(7)(b) of the MLI on 21 February 2023 (see [Multilateral Instrument \(MLI\) – Hong Kong Deposits Notification of Completion of Internal Procedures Under Article 35\(7\)\(b\) with OECD \(22 February 2023\)](#)).

Unless stated otherwise in the synthesized text, the provisions of the MLI will have effect with respect to the [Hong Kong - Spain Income Tax Agreement \(2011\)](#):

In Spain:

- 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 2024; and
- with respect to all other taxes, taxes levied with respect to taxable periods beginning on or after 23 September 2023.

In Hong Kong:

- 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 the first day of the next taxable period that begins on or after 23 March 2023; and
- with respect to all other taxes, taxes levied with respect to taxable periods beginning on or after 23 September 2023.

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.

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