

Principles of International Business Taxation (PIBT)

Amsterdam / 17-21 November 2025

Overview and Learning Objectives

Cross-border business employed by enterprise's activities may lead to unexpected and serious tax consequences. Depending on the circumstances, the same income may be taxed in the state in which the enterprise is residing as well as in outside that state, in states where business activities take place.

This course will thoroughly address the rules contained in the domestic legislation and in double taxation conventions with extensive use of examples and active participation through case studies

Field of Study

Taxes

Who Should Attend?

The course is suitable for government staff, tax advisers, lawyers, accountants, in-house tax directors, controllers and finance staff.

Course Level and Prerequisites

This is an intermediate-level course. Participants taking this course will be expected to have an understanding of the basic rules of the taxation of business income and that of employees and directors.

After this masterclass, the participants will be able to

- After completing this course, the participants will be able to
- Assess possible tax exposure of enterprises engaged in cross-border business activities
- Determine the residence of enterprises and employees for tax treaty purposes
- Determine whether there is a permanent establishment abroad
- Determine the allocation of taxing rights for different types of income of an enterprise
- Allocate the allocation of taxing rights for income derived by employees and directors
- Apply anti-abuse provisions in cross-border relations

Day 1

08.30 - 09.00 **Registration**

09.00 - 09.10 **Opening session**

09.10 - 10.30 **Introduction to cross-border taxation**
(TBC)

- Taxation of residents and non-residents under domestic legislation
- Source vs. residence taxation
- Worldwide vs. territorial tax systems
- Elimination of double taxation under domestic legislation
- Rationale of tax treaties
- Place of tax treaties in the legal system of countries
- Distributive rules in tax treaties

10.30 - 10.50 Break – Refreshments

10.50 - 12.00 **Tax Treaty Entitlement (Art. 1, 2 and 3 OECD/UN MC)**
(TBC)

- Personal scope
- Taxes covered
 - Taxes on income and on capital
 - Position of digital services taxes under tax treaties Managing impact of QDMTT on group ETR
- Geographical scope
- Interpretation of tax treaties

12.00 - 12.45 **Case study tax treaty entitlement**
(TBC)

12.45 - 14.00 Lunch

14.00 - 15.30 **Residence (Art. 4 OECD/UN MC)**
(TBC)

- Domestic residence rules
- Residence rules under tax treaties
- Partnerships
- Pensions funds and charitable institutions
- Tiebreaker rules for individuals
- Tiebreaker rules for legal persons

15.30 - 15.50 Break – Refreshments

15.50 - 17.00 **Case study tax treaty residence**

Day 2

9.00 - 10.00	Basic rule permanent establishment (Art. 5 OECD/UN MC) (TBC) <ul style="list-style-type: none">• An overview of Pillar Two compliance obligations• Place of business• At the disposal• Fixed• Through which the business of the enterprise is wholly or partially carried on• Positive list• Negative list
10.00 - 11.00	Case study basic rule permanent establishment
11.00 - 11.20	Break – Refreshments
11.20 - 12.00	Construction PE (Art. 5 OECD/UN MC) (TBC)) <ul style="list-style-type: none">• Type of activities covered• Duration threshold• Use of subcontractors and joint ventures• Splitting-up of contracts
12.00 - 12.45	Case study construction PE (TBC)
12.45 - 14.00	Lunch
14.00 - 15.30	Dependent and independent agents (Art. 5 OECD/UN MC) (TBC) <ul style="list-style-type: none">• Dependent agent before BEPS<ul style="list-style-type: none">◦ Authority to conclude contracts◦ Habitually◦ On behalf of the enterprise• Dependent agent post-BEPS<ul style="list-style-type: none">◦ Principal role in negotiations◦ Leading to the conclusion of contracts◦ Without material modifications• Independent agents before BEPS• Independent agents post-BEPS• Stock agent
15.30 - 15.50	Break – Refreshments
15.50 - 17.00	Case study dependent and independent agents

Day 3

9.00 - 10.30	Attribution of profits to permanent establishments (Art. 7 OECD/UN MC) (TBC) <ul style="list-style-type: none">• Post-Pillar Two international tax planning considerations• Allocation of taxing rights between head office and PE according to Art. 7 OECD MC before the 2010 update• Allocation of taxing rights between head office and PE according to Art. 7 OECD MC since the 2010 update• Allocation of taxing rights between head office and PE according to Art. 7 UN MC• Meaning of the term profits• Functional separate entity approach• Internal dealings• Relation between art. 7 and other tax treaty articles
10.30 - 10.50	Break – Refreshments
10.50 - 11.45	Case study attribution to profits to permanent establishments (TBC)
11.50 - 12.50	Tax treaty treatment of income from services (TBC) <ul style="list-style-type: none">• OECD Model Convention approach• UN Model Convention approach<ul style="list-style-type: none">◦ Service PE◦ Fees for technical services (Art. 12A UN Model Convention)◦ Income from automated digital services (Art. 12B UN Model Convention)
12.45 - 14.00	Lunch
14.00 - 15.30	Investment income (Art. 6, 10, 11 and 12 OECD/UN MC) <ul style="list-style-type: none">• Allocation of taxing rights on income from immovable property• Allocation of taxing rights on dividends, interest and royalties• Definitions of the terms dividends, interest and royalties• Sourcing rules• Beneficial ownership test• Case law on beneficial ownership
15.30 - 15.50	Break – Refreshments
15.50 - 17.00	Case study investment income

Day 4

9.00 - 10.30	Capital gains (Art. 13 OECD/UN MC) (TBC) <ul style="list-style-type: none">• Allocation of taxing rights on capital gains from the alienation of immovable property• Allocation of taxing rights on capital gains from the alienation of PE property• Allocation of taxing rights on capital gains from the alienation of shares the value of which is predominantly based on immovable property situated in a Statestate• Indirect sale of shares and property• Allocation of taxing rights on other capital gains
10.30 - 10.50	Break – Refreshments
10.50 - 12.00	Case study capital gains (TBC)
12.00 – 12.45	Introduction to transfer pricing (Art. 9 OECD/UN MC) (TBC) <ul style="list-style-type: none">• OECD Model Convention approach• The importance of transfer pricing• Associated enterprises• The at arm's length principle• Transfer pricing methods<ul style="list-style-type: none">◦ Comparable uncontrolled price◦ Cost-plus method◦ Resale price method◦ Transactional net margin method◦ Profit split method• Profit adjustment and corresponding adjustment• Transfer pricing documentation requirements
12.45 - 14.00	Lunch
14.00 - 15.30	Introduction to transfer pricing (continued)
15.30 - 15.50	Break – Refreshments
15.50 - 17.00	Case study transfer pricing

Day 5

9.00 - 10.30	Taxation of employees (Art. 15 and 16 OECD/UN MC) (TBC) <ul style="list-style-type: none">• Allocation of taxing rights regarding employment income<ul style="list-style-type: none">◦ Main rule◦ Exception to the main rule◦ Exception to the exception• What are salaries, wages and other similar remuneration?<ul style="list-style-type: none">◦ Income in kind◦ Bonuses◦ Employee stock options• 183 days test• Who is the employer?<ul style="list-style-type: none">◦ Formal employer◦ Economic employer◦ International hiring out of labour• When is the remuneration borne by a permanent establishment• Directors' fees
10.30 - 10.50	Break – Refreshments
10.50 – 11.30	Taxation of employees (continued)
11.30 - 12.45	Case study taxation of employees (TBC)
12.45 - 14.00	Lunch
14.00 - 15.30	Tax treaty abuse and anti-abuse provisions (TBC) <ul style="list-style-type: none">• Examples of tax treaty abuse• Domestic anti-avoidance rules and tax treaties<ul style="list-style-type: none">◦ General anti-avoidance rules◦ CFC rules◦ Thin-cap rules• Anti-avoidance rules in tax treaties<ul style="list-style-type: none">◦ Beneficial ownership concept◦ Limitation-on-benefits clauses◦ Principal purpose test• Case law
15.30 - 15.50	Break – Refreshments
15.50 – 16.50	Case study on anti-avoidance rules
16.50 – 17.00	Closing session