

MEMO# 34184

June 17, 2022

FOR YOUR REVIEW: Draft Submission to European Commission on Improving Withholding Tax Procedures

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TO: Global Tax Committee

Tax Committee RE: FOR YOUR REVIEW: Draft Submission to European Commission on Improving Withholding Tax Procedures

Attached for your review is a draft submission to the European Commission that responds to a [public consultation](#) regarding an initiative to develop an EU-wide withholding tax regime.^[1] The initiative's objective is to facilitate cross-border investment and to prevent tax abuse. The Institute commented last October on an earlier phase of this initiative.^[2]

The draft submission urges:

- a comprehensive solution that addresses fully governments' concerns about tax abuse while ensuring that investors receive treaty-provided withholding tax rate reductions;
- incremental improvements, while a comprehensive solution is developed, that harmonize investor self-certifications, treaty claim forms, and information reporting schemas;
- reliance on electronic, rather than paper, records and delivery mechanisms;
- at-source withholding tax relief, with quick refund procedures available in the (preferably limited) situations in which at-source relief cannot be provided; and
- guidance clarifying and confirming the treaty eligibility of CIVs and their investors.

Please provide all comments on the draft submission to the un-designed (lawson@ici.org) or to Katie Sunderland (katie.sunderland@ici.org) by Thursday, June 23.

Keith Lawson
Deputy General Counsel - Tax Law

endnotes

[\[1\]](#) See ICI Memorandum No. 34182, dated June 15, 2022.

[\[2\]](#) See ICI Memorandum No. 33862, dated October 26, 2021.

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