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Harmful tax competition in the East African community: the case of Rwanda with reference to EU and OECD approaches

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Regional laws

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COCG assessments

Jurisdiction	Code	Regime name	Year
Aruba	AW013	Transparency regime	2017
	AW012	Special Zone San Nicolas	2017
Armenia	AM002	Governmentally approved projects outside Armenia	2017
	AM001	Reduced tax rate for large exporters	2017
Antigua & Barbuda	AG003	Free trade and special economic zone (FTZ)	2018
	AG001	International business corporations	2017
Barbados	BB008	Fiscal incentives	2017
Belgium	BE018	NID regime	2018
Belize	BZ006	Exemption of foreign source income	2019
	BZ005	Commercial free zones	2019
	BZ003	Fiscal incentives act	2019
	BZ002	Export processing zones – EPZ enterprises	2017
	BZ001	International business company	2017
Cabo Verde	CV004	Incentives for internationalization	2019
	CV002	International financial institution	2017
	CV001	International business centers	2017
Cook Islands	CK006	Development Projects	2017
	CK004	Captive insurance companies	2017
	CK003	Overseas insurance regime	2017
	CK002	International insurance companies	2017
	CK001	International companies	2017
Costa Rica	CR002	Manufacturing activities under the amended free zones	2019
Croatia	HR016	WHT on dividends and profit sharing	2021
	HR017	Tax-deductible expenses of credit institutions	2021
Curacao	CW005	Manufacturing activities under the eZone	2018
Cyprus	CY020	NID regime	2018
Dominica	DM003	General incentive under the fiscal incentives act	2017
	DM002	Offshore banking	2017
	DM001	International business companies	2017
France	FR054	New IP	2019
Grenada	GD006	Export processing	2017
	GD005	Fiscal incentives	2017
	GD004	International trusts	2017
	GD003	International insurance	2017
	GD002	Offshore banking	2017
	GD001	International companies	2017
Hong Kong	HK003	Offshore private equity	2017
	HK002	Offshore funds	2017
Italy	IT019	NID regime	2018

Jordan	JO001	Free zone	2017
Korea	KR002	Free trade / economic zones	2017
	KR001	Foreign investment zone	2017
Liechtenstein	LI003	Interest deduction on equity / NID	2016
	LI001	Tax exempt corporate income	2011
Lithuania	LT008	Holding company	2021
Luxembourg	LU017	New IP regime	2018
Malaysia	MY016	Manufacturing regime under the Pioneer status regime (high technology)	2019
	MY012	Headquarters (or principal hub)	2017
Maldives	MV001	Reduced tax rate	2017
Malta	MT015	Patent box	2019
	MT014	NID regime	2018
Mauritius	MU012	Manufacturing activities under the Freeport zone	2018
	MU010	Partial exemption	2018
Mongolia	MN002	Remote areas	2018
Morocco	MA005	Offshore holding companies	2017
	MA004	Offshore banks	2017
	MA003	Free trade zones	2017
	MA002	Export enterprises	2017
	MA001	Coordination centers	2019
Palau		Assessment under criterion 2.2	2018
Panama	PA005	Foreign-owned call centers	2017
Poland	PL013	Investment zone	2019
	PL012	IP regimes	2019
	PL011	NID regime	2021
	PL010	9% CIT for taxpayers with revenues not exceeding EUR 1.2 million	2019
	PL006	15% CIT rate for small taxpayers	2018
Portugal	PT018	NID regime	2018
Romania	RO009	CIT reduction	2021
	RO010	Exemption	2021
Saint Kitts and Nevis	KN002	Fiscal incentive Act	2018
	KN001	Offshore companies	2017
Saint Lucia	LC005	Exemption of foreign income	2019
	LC003	Free trade zones	2017
	LC002	International trusts	2017
	LC001	International business companies	2017
Seychelles	SC011	Exemption of foreign income	2019
S.Vincent&Grenadines	VC002	International trusts	2017
	VC001	International business companies	2017
Slovakia	SK008	Exemption of capital gains	2018
	SK007	Patent box	2018

Switzerland	CH004	Circular No. 8 of the Federal Tax Administration on principal structures (principal regime)	2012
	CH003	Cantonal holding company status	2012
	CH002	Cantonal mixed company status	2012
	CH001	Cantonal administrative company status (auxiliary company)	2012
Taiwan	TW001	Free trade zone regime, including the International Airport Park Development	2017
Tunisia	TN002	Offshore financial services	2017
	TN001	Export promotion incentives	2017
Turkey	TR004	Regional headquarters	2017
Vietnam	VN005	Disadvantaged areas	2018
	VN001	Export processing	2017

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Annexes

ANNEX I: RECAPITULATION OF ASSESSED MEASURES

No.	Measure	Gateway	Crit. 1	Crit. 2	Crit. 3	Crit. 4	Crit. 5	Overall assessment	Remedy
1	0% PTR	V	X	X	X ¹	?	X ²	Not harmful	To specify the timeframe to benefit from PTR; to determine the meaning of 'adequate' level of employment
2	3% PTR	V	?	V	X	?	?	Harmful	Make the measure not ring-fenced and emphasize the substantial economic presence requirement or abolish it
3	15% PTR	V	X	X	X		X ³	Not harmful	To specify the timeframe to benefit from PTR; to determine the meaning of 'adequate' level of employment
4	PTR to export investments	V	X	V	?	?	?	Harmful	Make the measure not ring-fenced and set additional requirements responding to transparency, substantial economic presence requirement, and internationally accepted principles on profit determination
5	Tax holidays (5 years)	V	X	X	X	?	X	Not harmful	N/A
6	Tax holidays (7 years)	V	X	X	X	?	X	Not harmful	N/A
7	Exemption (agriculture)	V	X	X	X	?	X	Not harmful	N/A
8	Exemption (capital gains on capital market)	V	X	X	X	?	X	Not harmful	N/A
9	Exemption (DBR, ADFT, BDF)	V	X	X	X	?	X	Not harmful	N/A
10	Profit tax discounts	V	X	X	X	?	X	Not harmful	N/A

¹ The measure satisfies the substantial economic presence requirement. However, it fails to specify the 'adequate' level of employment to Rwandans.

² The measure is transparent. However, it fails to provide the timeframe to benefit from the preferential treatment.

³ The measure is transparent. However, it fails to provide the timeframe to benefit from the preferential treatment.

11	Tax rulings	X	?	?	?	?	?	?	?	Not harmful	Publish the rulings in official gazette
12	APAs	?	?	?	?	?	X	?	?		N/A
13	Tax settlements	?	?	?	?	?	?	X	?		Abolish and replace with an Independent Board

V: harmful; X: not harmful; ?: lack of sufficient information

Criterion 1: ring-fencing 1 (targeting non-residents); Criterion 2: ring-fencing 2 (domestic market exclusion); Criterion 3: substantial economic presence requirement; Criterion 4: internationally accepted principles on profit determination; Criterion 5: transparency

DBR: Development Bank of Rwanda; ADFT: Agaciro Development Fund Corporate Trust; BDF: Business Development Fund

ANNEX II. THE DRAFT CODE OF CONDUCT AGAINST HARMFUL TAX COMPETITION IN THE EAST AFRICAN COMMUNITY¹

Preamble:

The Council of Ministers of the East African Community;

EXERCISING the powers conferred on the Council by article 14(3)(d) of the Treaty for the Establishment of the East African Community;

RECALLING the need for a comprehensive approach to taxation policy and coordinated actions at the East African level in order to reduce distortions in the common market, prevent significant losses of tax revenues, and promote a more employment-friendly development of tax structures;

ACKNOWLEDGING the positive effects of fair competition and the need to consolidate the competitiveness of the East African Community and the Partner States at international level, while noting that tax competition can also lead to tax measures with harmful effects;

DESIRING to eliminate harmful tax practices and bring about fair tax competition within the Community;

MINDFUL of the EAC Partner States situation of capital importation, involving the need to attract investments and the international global concern to eliminate harmful tax competition;

ACKNOWLEDGING the need for a code of conduct for business taxation designed to curb harmful tax measures;

EMPHASIZING that the code of conduct is issued in the form of a directive and is therefore binding as to the objective to be achieved by all EAC Partner States, but leaves each Partner State free to choose the form and method of transposing the content of the code of conduct in its national laws;

HEREBY ADOPTS THE FOLLOWING CODE OF CONDUCT:

Article 1. Objective

The objective of this Code of conduct is to establish rules to eliminate harmful tax competition by Partner States in order to ensure fair competition in the Community.

¹ The code of conduct may be adopted in several possible forms: directive, code of conduct, etc. Chapter 7.2.1. recommends adopting the code as a directive. Depending on the form, slight adjustments may be needed.

Article 2. Scope of application

This Code of conduct, which concerns those measures which significantly affect, or may affect the location of business activities, applies to business taxation and shall apply to all identical or substantially similar taxes imposed after the entry into force of the Code in addition to, or in place of, existing taxes.

Partner States shall notify each other of any substantial changes in the taxation and related information collection measures covered by this Code.

Business activities in this context include all activities carried on within a group of companies.

Tax measures covered by this Code include those measures embodied in laws, regulations, and administrative measures.

Article 3. Harmful tax competition

Harmful tax competition *prima facie* refers to a situation of practices that go beyond building a just national tax system that is designed to attract genuine investment, to set unfair channels that intentionally erode the tax bases of other jurisdictions, while leaving the national tax base unaffected, and without a proportional corresponding economic activity.

Article 4. Gateway criterion

Within the scope of this Code, tax measures which provide for a significantly lower effective level of taxation, including zero taxation, than the levels which generally apply in the Partner State in question shall be considered potentially harmful and shall therefore be covered by this Code. Such a level of taxation may be by virtue of the nominal tax rate, the tax base or any other relevant factor. In assessing this criterion, a due regard shall be put on the measure's effect or potential effect on the location of business.

Article 5. Criteria for assessing harmful tax competition

To assess whether a measure is harmful, the following criteria shall be taken into account, *inter alia*:

1. whether the advantages are granted even without any commensurate real economic activity and substantial economic presence in the Partner State granting such tax advantage, or place restrictions on activities that require a substantial economic presence, or

2. whether advantages are granted, either *de jure* or *de facto*, only to non-residents or in respect of transactions with non-residents or discriminate against domestic investors, or
3. whether advantages are ring-fenced from the domestic market, so that they do not affect the national tax base, or
4. whether advantages are available for highly mobile activities, or are not available to immobile activities, or
5. whether tax measures lack transparency, including cases where the conditions are not clearly defined in public legislation or are subject to administrative discretion, cases where tax advantages are not time-limited, cases where legal provisions are relaxed at the administrative level in a non-transparent manner in particular the absence of regular tax audits verifying whether the profits accrued are commensurate with the tax losses, and cases where there is a lack of effective exchange of information.

Article 6. Interpretation

The Committee shall establish the rules of interpretation and guidance on the possible exact meaning of each criterion. If necessary, the interpretation given by the European Union Code of Conduct Group shall be used as best practice.

Article 7. Tax measure for real and manufacturing activities

Where a tax measure satisfies the substantial economic presence requirement through the generation of employment to nationals, assets and investments; plants and buildings for real and manufacturing activities; as well as the tax measure to support education, health, exports, and other public interest sectors of similar objectives, an assessment will be made in consideration of whether the measure is proportionate and targeted at the objectives pursued.

Article 8. Tax measure in support of disadvantaged regions or sectors

Where a tax measure is used to proportionately support the economic development of particularly disadvantaged regions or sectors, an assessment will be made in consideration of whether the measure is proportionate to and targeted at the objectives pursued.

Article 9. Base eroding payments

Partner States commit to develop rules to control payments that erode the tax base, such as excessive interest payments, management fees, royalties and service fees paid from a Partner State to a related party in a no or low tax jurisdiction.

Article 10. Standstill and Rollback

Partner States undertake not to introduce new tax measures which are harmful within the meaning of this Code. Partner States will therefore observe the principles underlying the Code in determining their future policies and will give due consideration to the review process.

Partner States commit to review their existing laws and established practices in light of the principles underlying the Code and the review process described herein. Within five years of entry into force, Partner States will amend such laws and practices as necessary to eliminate any harmful measure, taking into account the discussions of the Council following the review process.

Article 11. Provision of the relevant information

In accordance with the principles of transparency and openness, Partner States shall inform each other of existing and planned tax measures that may fall within the scope of the Code. In particular, Partner States are invited to provide, at the request of another Partner State, information on any tax measure that appears to fall within the scope of the Code and to engage in such programs of mutual assistance and cooperation as may be appropriate.

Article 12. Establishment of the Code of Conduct Committee

The Council shall establish a technical Committee of experts to monitor the implementation of this Code and to assess tax measures which may fall within its scope. The Council invites each Partner State to nominate two high-level representatives. The chairmanship and vice-chairmanship of the Committee shall be held by the appointed representatives on a rotating basis; they should not belong to one Partner State.

The Committee, which will meet regularly, will select and review the tax measures to be assessed in accordance with the provisions set out in this Code. The group will report regularly on the measures assessed. These reports will be forwarded to the Council for consideration and, if the Council so decides, will be published.

The Council requests the EAC Secretariat to assist the Committee in carrying out the necessary preparatory work for its meetings and to facilitate the provision of information and the review process. To this end, the Council directs Partner States to provide the Secretariat with the necessary information to enable the Secretariat to coordinate the exchange of such information among Partner States.

Article 13. Assessment procedure

The Council, a Partner State, an interested physical or moral person and a non-governmental organization with residence in the EAC, which considers that a tax measure taken by a Partner State is in breach of the Code of conduct, may request the Committee to assess whether that measure is harmful under the Code of conduct. The Committee may also, on its own initiative, undertake to assess whether a Partner State's tax measure is in breach of the Code of conduct and determine whether that measure is harmful within the scope of the Code of conduct.

The Committee shall conduct a preliminary procedure to examine the admissibility of the claim and the measure's potential harmfulness. If the claim is admissible and the measure is potentially harmful, the Committee shall notify the concerned state and invite it to submit its observations.

The Committee shall decide whether the measure in question is harmful and, if so recommends the ways forward. In the event of disagreement on the outcome of the Committee, the matter may be referred to the EACJ for a final binding judgment, following the same procedure as for referral to the Code of Conduct Committee.

The EACJ judgment, which where necessary may include sanctions, shall be binding on the Partner State concerned as to the actions to be taken to eliminate the harmful measure.

Article 14. Geographical extension

The Council considers it advisable that the principles for the elimination of harmful tax measures be adopted on a broad geographical basis as possible. To this end, the Partner States undertake to promote their adoption in third countries.

Article 15. Capacity building and enabling environment

The Council considers it necessary to further develop professionalism and expertise in tax matters, and advises the development of an effective enabling environment that effectively

protects tax bases of the Partner States from tax avoidance and the harmful effects of tax competition.

Article 16. Monitoring and review

In order to ensure the effective implementation of the Code, the Council invites the Code of conduct committee to report to it annually on the implementation of the Code.

The Council and the Partner States will review the provisions of the Code five years after its adoption.

Article 17. Entry into force

The code will take effect on the day of its publication in the Community Gazette.

In witness whereof, the undersigned, being duly authorized thereto, have signed this Code of Conduct:

For the Republic of Burundi

For the Republic of Kenya

For the Republic of Rwanda

For the Republic of South Sudan

For the United Republic of Tanzania

For the Republic of Uganda

Annex III: Overview of the preferential tax regimes examined by the COCG since its creation in March 1998

(CEU, 9639/4/18 REV 4 FISC 243 ECOFIN 557, Brussels, 5/12/2019)

Preferential regimes of EU Member States

State	Code & Regime name	Year	Assessment
Austria	AT001, Holdings (intra-group relief)	1999	Harmful
	AT006, Tax exemptions	1999	Harmful
	AT002, Private foundations	1999	Not harmful
	AT003, Certain exemptions from corporate tax	1999	Not harmful
	AT004, Participation fund companies	1999	Not harmful
	AT005, Investment allowance	1999	Not harmful
	AT007, R&D allowance	1999	Not harmful
Belgium	BE001, Co-ordination centres	1998	Harmful
	BE002, Distribution centres	1998	Harmful
	BE003, Service centres	1998	Harmful
	BE009, US Foreign sales corporations ruling	1999	Harmful
	BE010, Informal capital ruling	1999	Harmful
	BE016, Amended patent income deduction (PID) for small companies	2013	Harmful
	BE004, Supplementary staff assigned to scientific research and export management	1999	Not harmful
	BE005, Investment deductions	1999	Not harmful
	BE006, Employment and (T) zones	1999	Not harmful
	BE007, Incentives for investment in certain regions	1999	Not harmful
	BE008, Re-conversion zones	1999	Not harmful
	BE011, Holdings	1999	Not harmful
	BE012, Investment funds	1999	Not harmful
	BE013, Measure aimed at determining the level of taxation of foreign companies operating in Belgium, without legal personality or probative accounts	1999	Not harmful
	BE017, Patent box	2017	Not harmful
	BE018, Notional interest deduction	2018	Not harmful
	BE014, Patent income deduction (PID)	2008	Not assessed
	BE015, Profit participation loan	2008	Not assessed
Bulgaria	BG001, Insurance companies	2006	Harmful
	BG005, Measure under foreign investment Act (50% of the corporate tax due retained for a period of 10 years)	2006	Harmful
	BG006, Tonnage tax (shipping regime)	2006	Harmful
	BG002, Gambling activities	2006	Not harmful
	BG003, Investment tax credit for investors	2006	Not harmful
	BG007, Amendments to the investment tax credit	2007	Not assessed
	BG008, Introduction of Art. 189a in the Bulgarian law on corporate income tax	2009	Not assessed
	BG009, Tax measure under Art. 189b in the Bulgarian law on corporate income tax	2010	Not assessed

Cyprus	CY001, International business companies / International branches	2003	Harmful
	CY002, Insurance companies	2003	Harmful
	CY003, International financial services companies	2003	Harmful
	CY004, International banking units	2003	Harmful
	CY005, International general and limited partnerships	2003	Harmful
	CY006, International collective investment schemes	2003	Harmful
	CY009, Foreign income	2003	Harmful
	CY010, Export of services	2003	Harmful
	CY012, Export of goods	2003	Harmful
	CY018, Intellectual property tax	2013	Harmful
	CY019, Patent box	2017	Harmful
	CY007, Shipping regime	2003	Not harmful
	CY008, Capital gains	2003	Not harmful
	CY011, Companies listed at the Cyprus stock exchange (CSE)	2003	Not harmful
	CY013, Co-operative societies	2003	Not harmful
	CY014, Auxiliary tourist buildings or projects	2003	Not harmful
	CY015, Holdings (treatment of foreign dividend)	2003	Not harmful
	CY016, Foreign branches	2003	Not harmful
	CY017, Change in the legislation regarding taxation of interest and the participation exemption	2010	Not assessed
	CY020, Notional interest deduction	2018	Amended
Czech Republic	CZ001, Investment incentives	2003	Harmful
Germany	DE010, Control and coordination centres of foreign companies in Germany	1999	Harmful
	DE001, Shipping regime: tonnage tax	1999	Not harmful
	DE002, Special allowance: Agriculture and forestry	1999	Not harmful
	DE004, Special depreciation: Business investment in former DDR and West Berlin	1999	Not harmful
	DE005, Investment grants: Equipment in former DDR and West Berlin	1999	Not harmful
	DE006, Tax advantages: Commercial investment in BRD/DDR border area Germany	1999	Not harmful
	DE007, special depreciation for SMEs	1999	Not harmful
	DE008, Rollover of capital gains	1999	Not harmful
	DE009, Limits on taxes on commercial income	1999	Not harmful
	DE011, Holding companies	1999	Not harmful
	DE012, Provision for fluctuation in insurance and re-insurance	1999	Not harmful
	DE013, Investor model/film funds	1999	Not harmful
	DE014, Rules for self-generated intangibles	1999	Not harmful
Denmark	DK005, Holding companies	1999	Harmful
	DK001, Early depreciation for vessels	1999	Not harmful
	DK002, Enterprise zones	1999	Not harmful
	DK003, Foreign business operations relief	1999	Not harmful
	DK004, Scheme for early depreciation of certain assets	1999	Not harmful

Estonia	EE001, New investment funds Act	2018	Out of scope
Greece	EL001, Offices of foreign companies	1998	Harmful
	EL002, Ship management offices	1999	Not harmful
	EL003, Shipping regime	1999	Not harmful
	EL004, Exports incentives and incentives for mass Media	1999	Not harmful
	EL005, Incentives for investment	1999	Not harmful
	EL006, Small islands income tax reduction	1999	Not harmful
	EL007, Mutual funds/portfolio investment companies	1999	Not harmful
	EL008, Fixed tax: transferable securities	1999	Not harmful
	EL009, Business share capital companies	1999	Not harmful
	EL010, long term loans in foreign currency	1999	Not harmful
	EL011, Large scale product-line investments financed with Greece foreign capital	1999	Not harmful
	EL012, National infrastructure	1999	Not harmful
	EL015, Patent tax incentive	2018	Not harmful
	EL013, Tax incentives for development	2004	Not assessed
	EL014, Tax incentives for investment	2005	Not assessed
Spain	ES001, Basque country: Co-ordination centres	1998	Harmful
	ES002, Navarra: Co-ordination centres	1998	Harmful
	ES016, Investigation and exploitation of hydrocarbons	1999	Harmful
	ES018, Partial exemption for income from certain intangible assets	2008	Harmful
	ES019, Basque country partial exemption for income from certain intangible assets	2014	Harmful
	ES020, Navarra partial exemption for income from certain intangible assets	2014	Harmful
	ES021, Reduction of income derived from certain intangible assets	2016	Harmful
	ES022, Navarra reduction of income derived from certain intangible assets	2016	Harmful
	ES023, Basque country partial reduction for the exploitation of intellectual and industrial property	2016	Harmful
	ES003, Holding companies	1998	Not harmful
	ES004, Incentives for mining enterprises	1999	Not harmful
	ES005, Canary islands: Economic and tax regimes	1999	Not harmful
	ES006, Basque country: Start up relief	1999	Not harmful
	ES007, Navarra: Start up relief	1999	Not harmful
	ES008, Regional development companies	1999	Not harmful
	ES009, Incentives for SMEs	1999	Not harmful
	ES010, Investment tax credits	1999	Not harmful
	ES011, Venture capital funds and companies	1999	Not harmful
	ES012, Representative office	1999	Not harmful
	ES013, Banks and finance entities	1999	Not harmful
	ES014, 50% profit exemption in Ceuta and Melilla	1999	Not harmful
	ES015, Relief for investments in films and audio-visual productions	1999	Not harmful
	ES017, Shipping regime	1999	Not harmful

Finland	FI001, Aland islands captive insurance	1998	Harmful
	FI002, Ice-Class investment allowance	1999	Not harmful
	FI003, Accelerated depreciation, investments in developing regions	1999	Not harmful
France	FR001, Headquarters and logistic centres	1998	Harmful
	FR002, Royalty income: patents	1998	Harmful
	FR021, Provisions for renewal of mineral reserves	1999	Harmful
	FR022, Provisions for renewal of oil and gas reserves	1999	Harmful
	FR053, Reduced rate for long term capital gains and profits from the licensing of IPRs	2014	Harmful
	FR003, Shipping regime	1999	Not harmful
	FR004, Tax credit for research	1998	Not harmful
	FR005, Corsica incentives 1,2,3	1999	Not harmful
	FR006, Tax free zones: ZFU	1999	Not harmful
	FR007, Enterprise zones	1999	Not harmful
	FR008, Overseas departments	1999	Not harmful
	FR009, Nord-Pas-de-Calais privileged investment zone	1999	Not harmful
	FR010, Benefice mondial and Benefice consolidé	1999	Not harmful
	FR011, Newly created companies	1999	Not harmful
	FR012, St Martin and St Barthelemy	1999	Not harmful
	FR013, Venture capital companies	1999	Not harmful
	FR014, Tax credits for job creating investment	1999	Not harmful
	FR015, Tax credits for staff training costs	1999	Not harmful
	FR016, Holding de participations étrangères	1999	Not harmful
	FR017, Centrales de trésorerie / Finance centres	1999	Not harmful
	FR018, Provisions for risks relating to medium and long term credit operations carried out by banks and credit institutions	1999	Not harmful
	FR019, Technical provisions for insurance and reinsurance undertakings	1999	Not harmful
	FR020, Holding companies with shareholding in foreign companies	1999	Not harmful
	FR023, Tax credit for membership of a groupement de prevention agree	1999	Not harmful
	FR024, Exemption from corporation tax on takeover of ailing companies	1999	Not harmful
	FR025, Legal persons liable for corporation tax whose objects are to transfer use and benefit of movable or immovable property to its members free of charge	1999	Not harmful
	FR026, Distribution by certain companies of capital gains arising 1999 on liquidation	1999	Not harmful
	FR027, Provisions to cover price increases	1999	Not harmful
	FR028, Provisions for setting up foreign branches	1999	Not harmful
	FR029, Provision for employee start-up loans	1999	Not harmful
	FR030, Provisions for risks relating to medium-term credit transactions by firms carrying out works or selling abroad	1999	Not harmful

Croatia	FR031, Long-term capital gains on FCPR and SCR securities	1999	Not harmful
	FR032, Carryover of losses on merger (consent)	1999	Not harmful
	FR033, Deferred taxation in the event of merger and practical asset transfer	1999	Not harmful
	FR034, Authorised telecom financing companies	1999	Not harmful
	FR035, Investment companies	1999	Not harmful
	FR036, Reduced rate of 19% on reinvested SME profits	1999	Not harmful
	FR037, Exceptional depreciation for buildings constructed under urban and rural planning arrangements	1999	Not harmful
	FR038, Accelerated depreciation for purchases of software	1999	Not harmful
	FR039, Accelerated depreciation for energy-saving equipment	1999	Not harmful
	FR040, Accelerated depreciation for environmental protection	1999	Not harmful
	FR041, Deduction of cooperative dividends	1999	Not harmful
	FR042, Tax exemption of capital gains on the scale of securities of companies established by special agreement to promote industry, business and agriculture	1999	Not harmful
	FR043, Exemption from corporation tax for the oil storage agency	1999	Not harmful
	FR044, Corporation tax exemption for agricultural cooperatives	1999	Not harmful
	FR045, Provision for renewal of mineral reserves	1999	Not harmful
	FR046, Provision for renewal of oil and gas reserves	1999	Not harmful
	FR047, Press	1999	Not harmful
	FR048, Special depreciation rules for the audio-visual sector	1999	Not harmful
	FR049, Business and industrial real estate companies	1999	Not harmful
	FR050, Companies authorised to provide energy-saving and heat recovery financing	1999	Not harmful
	FR051, Exceptional depreciation for participating interests in companies financing non-industrial fishing	1999	Not harmful
	FR052, Securities in innovation financing companies	1999	Not harmful
	FR054, New IP regime	2019	Not harmful
	HR001, Corporate income tax act	2013	Not harmful
	HR002, Hill and mountain areas Act	2013	Not harmful
	HR003, Areas of special state concern Act	2013	Not harmful
	HR004, Investment promotion Act	2013	Not harmful
	HR005, Reconstruction and development of the City of Vukovar Act	2013	Not harmful
	HR006, Free zones Act	2013	Not harmful
	HR007, Maritime code	2013	Not harmful
	HR008, Investment promotion Act (2012)	2013	Not harmful
	HR009, Investment promotion Act (2015)	2016	Not assessed

Hungary	HR010, Amendments to the law on corporate income	2017	Not assessed
	HR013, Incentive measures for research and development projects	2019	Not assessed
	HR011, Investment promotion Act (2017)	2018	Out of scope
	HR012, Ordinance on the procedure of conducting advance pricing agreements	2018	Out of scope
	HU001, Offshore companies	2003	Harmful
	HU009, Intangible property for royalties and capital gains	2014	Harmful
	HU002, 10 years tax holidays	2003	Not harmful
	HU003, Venture capital companies	2003	Not harmful
	HU004, Holding companies	2003	Not harmful
	HU005, Investment tax relief subject to special approval	2003	Not harmful
	HU006, Revenue from stock exchange operations	2003	Not harmful
	HU008, Royalty income	2004	Not harmful
	HU011, Intellectual property box	2017	Not harmful
	HU007, Interest from affiliated companies	2004	No broad consensus
	HU010, Tax base for interest payments received from abroad	2010	Not assessed
Ireland	IE001, The international financial services centre (Dublin)	1998	Harmful
	IE004, 10% manufacturing rate	1999	Harmful
	IE005, Petroleum taxation	1999	Harmful
	IE006, Shannon Airport Zone	1999	Harmful
	IE008, Foreign income	1999	Harmful
	IE002, Research and technical development	1999	Not harmful
	IE003, Mining taxation	1999	Not harmful
	IE007, New investments: buildings in Run-down urban areas	1999	Not harmful
	IE009, Exemption of oncome from Government securities	1999	Not harmful
	IE010, Non-resident companies	1999	Not harmful
	IE011, Specified collective investment undertakings	1999	Not harmful
	IE012, Film	1999	Not harmful
	IE013, Investment in renewable energy projects	1999	Not harmful
	IE014, Tax exemption for profit/gain from the occupation of woodlands	1999	Not harmful
Italy	IE016, Knowledge development box	2016	Not harmful
	IE015, Holding company	2005	Not assessed
	IT001, Trieste financial services and insurance centre	1998	Harmful
	IT017, Patent box (old)	2014	Harmful
	IT002, Shipping regime	1999	Not harmful
	IT003, Listed companies: reduced rates	1999	Not harmful
	IT004, Incentives for restructuring the banking sector	1999	Not harmful
	IT005, Tax deduction for interest on additional capital contributions from foreign head offices to Italian PE	1999	Not harmful
	IT006, Dual income tax	1999	Not harmful

Lithuania	IT007, IRAP exemptions	1999	Not harmful
	IT008, SMEs	1999	Not harmful
	IT009, Special depreciation regime	1999	Not harmful
	IT010, Special regime for investment funds	1999	Not harmful
	IT011, Substitute tax regime for corporate reorganisations	1999	Not harmful
	IT012, Tax advantages for certain trade and commercial activities	1999	Not harmful
	IT013, Regional incentives: South of Italy	1999	Not harmful
	IT014, Incentives for scientific research	1999	Not harmful
	IT018, Patent box (new)	2015	Not harmful
	IT019, Notional interest deduction	2018	Not harmful
	IT015, Holdings	2004	Out of scope
	IT016, International tax ruling practice	2004	Out of scope
	LT001, Free economic zones	2003	Harmful
	LT003, Enterprises with foreign invested capital	2003	Harmful
	LT004, Strategic investors	2003	Harmful
Luxembourg	LT008, Holding company regime	2019	Harmful
	LT002, Benefits in respect of reinvested profits	2003	Not harmful
	LT005, Special tax zones (IP components)	2017	Not harmful
	LT007, New special corporate income tax regime for patented assets and copyrighted software (patent box)	2018	Not harmful
	LT006, Review of the corporate income tax regime for special tax zones	2018	Not assessed
	LU001, Coordination centres	1998	Harmful
	LU002, Tax exempt 1929 holding companies	1998	Harmful
	LU003, Finance companies	1998	Harmful
	LU004, Provisions for fluctuations in reinsurance	1998	Harmful
	LU013, Finance branches	1999	Harmful
	LU014, Intellectual property (old patent box)	2008	Harmful
	LU005, Audio-visual investment certificates	1999	Not harmful
	LU006, Tax holidays for new businesses	1999	Not harmful
	LU007, Special depreciation arrangement for assets intended for environmental protection and energy saving, and for assets adjusting work places for disabled workers	1999	Not harmful
	LU008, Application of the parent company/subsidiary system to resident companies with share capital	1999	Not harmful
	LU009, Depreciation of equipment and tools used solely for scientific or technical research operation	1999	Not harmful
Latvia	LU010, Shipping regime	1999	Not harmful
	LU011, Investment funds	1999	Not harmful
	LU012, Venture capital investment certificates	1999	Not harmful
	LU017, Draft law relating to the tax regime for IP (new patent box)	2018	Not harmful
	LU015, Group financing companies: advance confirmation or margin	2010	Not assessed
	LU016, Intra-group financing: safe harbour rule	2017	Not assessed
	LV001, Special economic zones and free ports	2003	Harmful

Malta	LV002, High-tech companies	2003	Not harmful
	LV003, Big investment schemes	2003	Not harmful
	LV004, Shipping regime	2003	Not harmful
	LV005, Start-up tax reliefs	2017	Not assessed
	MT001, Offshore trading and non-trading companies	2003	Harmful
	MT002, Offshore insurance companies	2003	Harmful
	MT003, Offshore banking companies	2003	Harmful
	MT004, International trading companies	2003	Harmful
	MT005, Dividends from (other) Maltese companies with foreign income	2003	Harmful
	MT007, Investment service companies	2003	Harmful
	MT012, Special granted tax exemption	2003	Harmful
	MT013, Exemption for royalty income from patents	2014	Harmful
	MT006, Shipping regime	2003	Not harmful
	MT008, Business promotion Act	2003	Not harmful
	MT009, Onshore free port	2003	Not harmful
Netherlands	MT010, Business promotion regulations	2003	Not harmful
	MT014, Notional interest deduction	2018	Not harmful
	MT015, New patent box	2019	Not harmful
	MT011, Non-resident companies	2003	Not assessed
	NL001, Cost plus ruling	1998	Harmful
	NL002, Resale minus ruling	1998	Harmful
	NL003, Intra-group finance activities	1998	Harmful
	NL004, Holding companies	1998	Harmful
	NL005, Royalties	1998	Harmful
	NL006, International group financing	1998	Harmful
	NL007, Finance branch	1998	Harmful
	NL011, US Foreign sales corporations ruling	1999	Harmful
	NL012, Informal capital ruling	1999	Harmful
	NL014, Non-standard rulings (including Greenfield-rulings)	1999	Harmful
	NL016, Innovation box	2007	Harmful
Poland	NL008, Shipping regime	1999	Not harmful
	NL009, Tax credits for investments in energy saving equipment	1999	Not harmful
	NL010, Accelerated depreciation of new buildings in certain regions	1999	Not harmful
	NL013, Investment allowance	1999	Not harmful
	NL015, Film industry	1999	Not harmful
	NL018, Patent box (new)	2017	Not harmful
	NL017, Interest box	2007	Not assessed
	PL001, Special economic zones (original rules)	2003	Harmful
	PL002, Special economic zone (amended rules)	2003	Harmful
	PL013, Polish investment zone (PIZ)	2019	Harmful
	PL006, 15% corporate income tax rate for small taxpayers	2018	Not harmful
	PL011, Notional interest deduction regime	2019	Not harmful
	PL012, IP regime	2019	Not harmful
	PL003, Special economic zones (amended rules)	2006	Not assessed
	PL005, GAAR and rulings	2017	Not assessed

Portugal	PL007, One-time depreciation of factory new fixed assets	2018	Not assessed
	PL009, Increase of the one-time depreciation limit for fixed assets and intangible assets	2018	Not assessed
	PL010, 9% corporate income tax for taxpayers with revenues not exceeding EUR 1.2 million	2019	Not assessed
	PL004, Shipbuilding and complementary industries	2017	Out of scope
	PL008, Increased tax incentives for R&D activities	2018	Out of scope
	PT001, Madeira and Sta Maria (Azores) free zones	1999	Harmful
	PT016, Partial exemption for income from patents and other industrial property rights	2014	Harmful
	PT002, Shipping regime	1999	Not harmful
	PT003, Research and development expenses	1999	Not harmful
	PT004, Micro and small enterprises	1999	Not harmful
	PT005, Tax incentives for contractual investment	1999	Not harmful
	PT006, Tax credit for investment	1999	Not harmful
	PT007, Reinvested capital gains	1999	Not harmful
	PT008, SGII companies	1999	Not harmful
	PT009, SCR, SDR and SFE companies	1999	Not harmful
	PT010, Holding companies	1999	Not harmful
	PT011, Reinsurance companies	1999	Not harmful
	PT012, Accelerated depreciation	1999	Not harmful
	PT013, Investment funds	1999	Not harmful
	PT014, Industrial free zones	1999	Not harmful
	PT017, Patent box (new)	2017	Not harmful
	PT015, Madeira free zones	2008	Not assessed
	PT018, Notional interest deduction	2018	Out of scope
Romania	RO001, Free zones	2006	Harmful
	RO003, Large investment deduction	2006	Harmful
	RO004, Export activities	2006	Harmful
	RO005, Special tax exemptions	2006	Harmful
	RO006, Patent profits exemption	2006	Harmful
	RO002, Disadvantaged zones ⁶	2006	Not harmful
	RO007, Industrial parks	2006	Not harmful
	RO008, Profit tax exemption for companies with innovation and R&D activities	2018	Review on hold
Slovakia	SK001, 10 years tax holiday for foreign owned companies	2003	Harmful
	SK002, Tax exemption for newly started companies	2003	Harmful
	SK003, 100% corporate income tax credits for foreign investors	2003	Harmful
	SK004, 100% corporate income tax credits for foreign investors (first amendment)	2003	Harmful
	SK005, 100% corporate income tax credits for foreign investors (second amendment)	2003	Harmful
	SK007, Patent box	2018	Not harmful
	SK006, Investment aid tax credit	2008	Not assessed
	SK008, Exemption of gains from the sale of shares and business	2018	Not assessed
Slovenia	SI002, Foreign income	2003	Harmful

	SI001, Special economic zones	2003	Not harmful
	SI003, Newly established companies	2003	Not harmful
	SI004, Exemption of revenues from profit participation	2005	Not assessed
	SI005, Investment incentives allowance	2005	Not assessed
	SI006, Taxation of interests and royalties	2005	Not assessed
	SI007, Implementation of PSD, IRD and merger directive	2005	Not assessed
	SI008, Enlargement of the period for a loss carry-over	2006	Not assessed
	SI009, Relief for investment in research and development	2006	Not assessed
	SI010, Harmonisation of the amendments to the mergers directive	2006	Not assessed
	SI011, Exemption of dividends and capital gains	2007	Not assessed
	SI012, Venture capital scheme	2007	Not assessed
	SI013, Amendments to the economic zones Act	2007	Not assessed
	SI014, Tax reliefs for Pomurje region	2010	Not assessed
	SI015, Amendments to the economic zones Act	2010	Not assessed
Sweden	SE001, Foreign insurance companies	1999	Not harmful
	SE002, Investment companies	1999	Not harmful
	SE003, Tax allocation reserve of 20%	1999	Not harmful
	SE004, Holdings	2004	Not assessed
United Kingdom (including Gibraltar)	UK002, Gibraltar 1992 companies	1998	Harmful
	UK004, Gibraltar exempt companies	1998	Harmful
	UK005, Gibraltar qualifying companies	1998	Harmful
	UK018, Gibraltar income tax Act (ITA) 2010	2011	Harmful
	UK019, Patent box (old)	2013	Harmful
	UK020, Gibraltar treatment of assets holding companies	2014	Harmful
	UK001, International headquarters companies	1998	Not harmful
	UK003, Gibraltar captive insurance companies	1998	Not harmful
	UK006, Rollover relief on disposal of ships	1999	Not harmful
	UK007, Gibraltar shipping and aviation	1999	Not harmful
	UK008, Film industry	1999	Not harmful
	UK009, Enterprises zones	1999	Not harmful
	UK010, SMEs in Northern Ireland	1999	Not harmful
	UK011, Special scheme for accelerated depreciation	1999	Not harmful
	UK012, Gibraltar development incentives	1999	Not harmful
	UK013, Non taxation of financial activities of non-resident companies	1999	Not harmful
	UK014, Scientific research allowances	1999	Not harmful
	UK015, Independent investment managers	1999	Not harmful
	UK016, Cost plus rulings	1999	Not harmful
	UK021, Patent box (new)	2017	Not harmful
	UK017, Gibraltar proposals for a new corporate tax regime	2002-2009	Not harmful
Dependent or associated territories of Member States			
Anguilla	AI001, Measure under criterion 2.2	2017	Harmful
	AN001, Offshore companies	1999	Harmful

Netherlands	AN005, Free zones	1999	Harmful
Antilles	AN008, Ruling practice	2004	Harmful
	AN009, Tax treatment of exempt companies under the NFF	2004	Harmful
	AN010, Tax treatment of holding companies under the NFF	2004	Harmful
	AN002, New businesses	1999	Not harmful
	AN003, Mutual funds	1999	Not harmful
	AN004, Captive insurance	1999	Not harmful
	AN006, Rulings	1999	Not harmful
	AN007, Shipping and air transport	1999	Not harmful
Aruba	AW001, Offshore companies	1999	Harmful
	AW002, Exempt companies (AVVs)	1999	Harmful
	AW004, free zones	1999	Harmful
	AW006, Captive insurance	1999	Harmful
	AW012, Special zone San Nicolas	2017	Harmful
	AW013, Transparency	2017	Harmful
	AW003, Tax exemptions and holidays for new businesses	1999	Not harmful
	AW005, Rulings	1999	Not harmful
	AW007, Shipping and air transport	1999	Not harmful
	AW008, New fiscal framework (or Imputation Payment Company (IPC) regime)	2004	Not harmful
	AW011, Shipping and aviation companies	2017	Not harmful
	AW009, Amendments to the IPC regime (IP aspects)	2016	Not assessed
	AW010, Free zone	2017	Under OECD FHTP monitoring
	AW014, Exempt companies	2019	Ibid.
	AW015, Investment promotion	2019	Ibid.
Bermuda	BM002, Measure under criterion 2.2	2017	Harmful
	BM001, Tax exemption guarantee	1999	Harmful
	BM003, Legislative amendments and new guidance under criterion 2.2	2019	-
Curacao	CW001, eZone	2017	Harmful
	CW002, Export companies (or export facility)	2017	Harmful
	CW003, Investment company (formerly: tax exempt entity)	2017	Harmful
	CW005, Manufacturing activities under the eZone regime	2018	Harmful
	CW006, Foreign source income exemption	2019	Harmful
	CW004, Innovation box	2018	Not harmful
Falkland Islands	FK001, Tax holidays	1999	Not harmful
Guernsey	GG001, Exempt companies	1999	Harmful
	GG002, International loan business	1999	Harmful
	GG004, International bodies	1999	Harmful
	GG006, Offshore insurance companies	1999	Harmful
	GG007, Insurance companies	1999	Harmful
	GG008, Zero-ten corporate tax	2008	Harmful
	GG009, Measure under criterion 2.2	2017	Harmful

Greenland	GG003, Unit trusts and collective investment companies	1999	Not harmful
	GG005, Captive insurance companies	1999	Not harmful
	GG010, New guidance under criterion 2.2	2019	-
	GL001, Deduction for investment in mineral processing	1999	Not harmful
	GL002, Surcharge exemption for raw materials concession holders	1999	Not harmful
Isle of Man	IM003, International business companies	1999	Harmful
	IM004, Exemption for non-residents companies	1999	Harmful
	IM005, Exempt insurance companies	1999	Harmful
	IM007, International loan business	1999	Harmful
	IM008, Offshore banking business	1999	Harmful
	IM009, Fund management	1999	Harmful
	IM013, Distributed profits charge	2007	Harmful
	IM014, New tax legislation	2013	Harmful
	IM015, Measure under criterion 2.2	2017	Harmful
	IM001, Free depreciation and balancing charges on ships	1999	Not harmful
	IM002, Special depreciation for tourist premises	1999	Not harmful
	IM006, Tax holidays for industrial undertakings	1999	Not harmful
	IM010, Exempt public companies	1999	Not harmful
	IM011, Film industry tax credits	1999	Not harmful
	IM012, General and non-discriminatory corporate taxation system	2007	Not harmful
Jersey	IM016, New guidance under criterion 2.2	2019	-
	JE001, Tax exempt companies	1999	Harmful
	JE002, International treasury operations	1999	Harmful
	JE003, International business companies	1999	Harmful
	JE004, Captive insurance companies	1999	Harmful
	JE005, Zero-ten corporate tax	2008	Harmful
	JE006, Measure under criterion 2.2	2017	Harmful
Caymans Islands	JE007, New guidance under criterion 2.2	2019	-
	KY002, Measure under criterion 2.2	2017	Harmful
	KY003, Legislative amendments under criterion 2.2	2019	Harmful
Macao	KY001, Tax exemption guarantee	1999	Harmful
	MO001, Offshore banking	1999	Not harmful
Montserrat	MS005, International business companies	2017	Harmful
	MS001, Reduced rate for industrial and offshore companies	1999	Not harmful
	MS002, International business companies	1999	Not harmful
	MS003, Tax holidays for approved enterprises	1999	Not harmful
New Caledonia	MS004, Exemption for newly constructed or enlarged hotels	1999	Not harmful
	NC001, Exemption for 8 years for certain activities in specified communes	1999	Not harmful
	NC002, Metallurgical companies	1999	Not harmful
	NC003, Exemption or reduced rate base for rental income in specified communes	1999	Not harmful

	NC004, 10-15 year exemption in hotel and tourist industry	1999	Not harmful
	NC005, Deductions for investment in creating industries	1999	Not harmful
	NC006, Deduction for capital investment	1999	Not harmful
French Polynesia	PF001, Investment and job incentives (tax exemptions) in certain sectors (tourism, maritime, etc. but excluding banking and insurance)	1999	Not harmful
Saint-Pierre and Miquelon	PM001, Temporary exemptions for certain sectors	1999	Not harmful
	PM002, Partial; exemption from distribution tax	1999	Not harmful
	PM003, Deduction for productive investment	1999	Not harmful
	PM004, Share in the subscribed capital of certain companies	1999	Not harmful
St Helena and Dependencies	SH001, Tax holidays	1999	Not harmful
	SH002, 150% deductions	1999	Not harmful
Turks and Caicos Islands	TC002, Measure under criterion 2.2	2017	Harmful
	TC001, Tax exemption guarantee	1999	Not harmful
	TC003, Legislative amendments under criterion 2.2	2019	-
British Virgin Islands	VG005, International business companies	1999	Harmful
	VG006, Measure under criterion 2.2	2017	Harmful
	VG001, Arising and remittance basis	1999	Not harmful
	VG002, 1% rate	1999	Not harmful
	VG003, Pioneer industry exemption	1999	Not harmful
	VG004, Exemption for newly constructed hotels	1999	Not harmful
	VG007, New guidance under criterion 2.2	2019	-
Wallis and Futuna Islands	WF001, Investment and job incentives	1999	Not harmful
Mayotte	YT001, Temporary tax exemptions for companies	1999	Not harmful
	YT002, Tax deductions for productive investments	1999	Not harmful
	YT003, Capital contributions to certain companies	1999	Not harmful

Other jurisdictions

Andorra	AD001, International trading companies	2017	Harmful
	AD002, International IP companies	2017	Harmful
	AD003, Intra-group finance companies	2017	Harmful
	AD004, Holding companies	2017	Harmful
United Arab Emirates	AE002, Measure under criterion 2.2	2018	Harmful
	AE001, Free zones	2017	Not assessed
	AE003, New guidance under criterion 2.2	2019	-
Antigua and Barbuda	AG001, International business corporations	2017	Harmful
	AG003, Free trade zones	2018	Harmful
	AG002, Merchant shipping Act	2018	-
Armenia	AM001, Reduced tax rate for large exporters	2017	Harmful
	AM002, Governmentally approved projects outside Armenia	2017	Harmful
Australia	AU001, Offshore banking unit	2018	Harmful
Barbados	BB001, International business companies	2017	Harmful
	BB002, International Financial services	2017	Harmful
	BB003, Exempt insurance company	2017	Harmful
	BB004, Qualifying insurance company	2017	Harmful

	BB005, International societies with restricted liability	2017	Harmful
	BB007, International trusts	2017	Harmful
	BB008, Fiscal incentives Act	2017	Harmful
	BB009, Foreign currency earnings credit / credit for overseas projects or services	2017	Harmful
	BB011, Measure under criterion 2.2	2019	Harmful
	BB006, Shipping regime	2017	Not harmful
	BB010, Insurance regime	2019	Under OECD FHTP monitoring
Bahrain	BH001, Measure under criterion 2.2	2017	Harmful
	BH002, New guidance under criterion 2.2	2019	-
Brazil	BR001, Export processing zone	2017	Not harmful
Bahamas	BS001, Measure under criterion 2.2	2017	Harmful
Botswana	BW001, Botswana international financial services centre companies	2017	Harmful
	BW002, Foreign source income exemption	2019	-
Belize	BZ001, International business company (IBC)	2017	Harmful
	BZ002, Export processing zones (EPZ) enterprises	2017	Harmful
	BZ006, Foreign source income exemption	2019	Harmful
	BZ003, Fiscal incentive Act	2019	Not harmful
	BZ004, General income tax Act	2019	Not harmful
	BZ005, Commercial free zone	2019	Not harmful
Canada	CA001, Life insurance business	2018	Not actually harmful
Switzerland	CH001, Cantonal administrative company status (auxiliary company regime)	2012	Harmful
	CH002, Cantonal mixed company status	2012	Harmful
	CH003, Cantonal holding company status	2012	Harmful
	CH004, Circular Number 8 of the Federal Tax Administration on principal structures (principal regime)	2012	Harmful
	CH005, Practice of the Federal tax administration regarding finance branches	2012	Harmful
	CH006, Patent box of the Canton of Nidwalden	2019	Not harmful
	CH007, Notional interest deduction	2019	-
Cook Islands	CK001, International companies	2017	Harmful
	CK002, International insurance companies	2017	Harmful
	CK004, International captive insurance companies	2017	Harmful
	CK005, Encouragement of new industry or enterprise	2017	Harmful
	CK006, Developing projects	2017	Harmful
	CK003, Overseas insurance companies	2017	Does not meet the gateway criterion
Chile	CL001, Business platform	2017	Not actually harmful
China	CN001, Reduced rate for new/high tech enterprises	2017	Not harmful
	CN002, Reduced rate for advanced technology service enterprises	2017	Not harmful
Colombia	CO001, Exempted income derived from software developed in Colombia	2017	Harmful
Costa Rica	CR001, Free zones	2017	Harmful

	CR002, Manufacturing activities under the amended free zones regime	2019	Harmful
	CR003, Foreign source income exemption	2019	-
Cabo Verde	CV001, International business centre	2017	Harmful
	CV002, International financial institutions	2017	Harmful
	CV003, Shipping regime	2019	Not harmful
	CV004, Incentives for internationalisation	2019	Not currently harmful
Dominica	DM001, International business companies	2017	Harmful
	DM002, Offshore banking	2017	Harmful
	DM003, General incentive under fiscal incentives act	2017	Harmful
Fiji	FJ001, Exporting companies	2017	Harmful
	FJ002, Income communication technology (ICT) incentive	2017	Harmful
	FJ003, Concessionary rate of tax for regional or global headquarters	2017	Harmful
Grenada	GD001, International companies	2017	Harmful
	GD002, Offshore banking	2017	Harmful
	GD003, International insurance	2017	Harmful
	GD004, International trusts	2017	Harmful
	GD005, Fiscal incentives under various Acts	2017	Harmful
	GD006, Export processing/commercial free zones enterprises	2017	Not harmful
Georgia	GE001, International financial companies	2017	Not actually harmful
	GE004, Virtual zone person (VZP)	2017	Ibid.
	GE002, Free industrial zones (FIZ)	2017	Not harmful
	GE003, Special trade companies	2017	Not harmful
Hong Kong SAR	HK001, Corporate treasury centres (CTC) (or Profit tax concession for corporate treasury centres)	2017	Harmful
	HK002, Offshore funds	2017	Harmful
	HK003, Offshore private equity funds	2017	Harmful
	HK004, Offshore reinsurance	2017	Harmful
	HK005, Offshore captive insurance	2017	Harmful
	HK006, Shipping regime	2017	Not harmful
	HK007, Qualifying debt instruments	2017	Not harmful
	HK008, Profits tax concessions for aircraft lessors and aircraft leasing managers	2017	Not harmful
	HK009, Foreign source income exemption	2019	-
Indonesia	ID001, Investment allowance	2017	Not harmful
	ID002, Special economic zone	2017	Not harmful
	ID003, Tax reduction (formerly tax holiday)	2017	Not harmful
	ID004, Public / listed company	2017	Not harmful
Israel	IL001, Preferred company	2017	Not harmful
India	IN001, Special economic zones	2017	Not harmful
Jamaica	JM001, Industrial (export related) incentives	2017	Harmful
	JM002, Special economic zones	2017	Not harmful
Jordan	JO001, Free zone	2017	Harmful
	JO002, Development zone	2018	Harmful
	JO003, Least developed zones	2018	Out of scope

	JO004, Aqaba special economic zone	2018	Under OECD FHTP monitoring
Saint Kitts and Nevis	KN001, Offshore companies	2017	Harmful
	KN002, Fiscal incentives Act	2018	Harmful
Korea	KR001, Foreign investment zone	2017	Harmful
	KR002, Free trade / economic zones	2017	Harmful
Saint Lucia	LC001, International business companies	2017	Harmful
	LC002, International trusts	2017	Harmful
	LC003, Free trade zones	2017	Harmful
	LC004, International partnership Act	2018	Harmful
	LC005, Foreign source income exemption	2019	Harmful
Liechtenstein	LI001, Tax exempt corporate income: dividends and capital gains	2011	Harmful
	LI003, Interests deduction on equity	2016	Harmful
	LI002, The special regime for private asset structures	2011	Out of scope
	LI004, Royalty box (or IP box)	2016	Not assessed
Morocco	MA001, Coordination centres	2017	Harmful
	MA002, Export enterprises	2017	Harmful
	MA003, Export free zones or free trade zones	2017	Harmful
	MA005, Offshore holding companies	2017	Harmful
	MA006, Casablanca finance city	2018	Harmful
	MA004, Offshore banks	2017	Not actually harmful
Marshall Islands	MH001, Measure under criterion 2.2	2017	Harmful
Rep. of North Macedonia	MK001, Technological industrial development zone	2019	Under OECD FHTP monitoring
Mongolia	MN001, Free trade zone	2018	Abolished
	MN002, 90% tax credit regime for companies residing in isolated province	2018	Not harmful
Macau SAR	MO002, Offshore companies	2017	Harmful
Mauritius	MU001, Global business licence 1	2017	Harmful
	MU002, Global business licence 2	2017	Harmful
	MU003, Freeport zone	2017	Harmful
	MU005, Captive insurance	2017	Harmful
	MU006, Banks holding a banking licence under the banking Act 2004	2017	Harmful
	MU010, Partial exemption system	2018	Harmful
	MU012, Manufacturing activities under the Freeport zone regime	2018	Harmful
	MU004, Shipping regime	2017	Not harmful
	MU007, Global treasury activities	2017	Not harmful
	MU008, Global headquarters administration	2017	Not harmful
	MU009, Investment banking	2017	Not harmful
	MU013, Intellectual Property (patent box)	2019	Not harmful
	MU011, Banks holding a banking licence under the banking Act 2004	2018	Under OECD FHTP monitoring
Maldives	MV001, Reduced tax (or reduced tax rates on profits sourced outside Maldives)	2017	Harmful
	MV002, Foreign source income exemption	2019	-

Malaysia and Labuan Island	MY001, Labuan Island: International business and financial centre (IBFC) (or Labuan financial services)	2017	Harmful
	MY002, Labuan Island: Financing and leasing (or Labuan leasing)	2017	Harmful
	MY005, Special economic regions	2017	Harmful
	MY006, Treasury management centre	2017	Harmful
	MY007, Pioneer status	2017	Harmful
	MY008, Biotechnology industry	2017	Harmful
	MY011, MSC Malaysia status	2017	Harmful
	MY012, Headquarters (or principal hub)	2017	Harmful
	MY013, Inward re-insurance and offshore insurance	2017	Harmful
	MY003, International trading company	2017	Not harmful
	MY004, Foreign fund management	2017	Not harmful
	MY009, Approved service projects	2017	Not harmful
	MY010, Green technology services	2017	Not harmful
	MY016, Manufacturing activities under the Pioneer status regime (high technology)	2019	Not harmful
Namibia	MY014, International currency business units	2018	Under OECD FHTP monitoring
	MY015, Foreign source income exemption	2019	-
	NA001, Export processing zones	2017	Harmful
Nauru	NA002, Exporters	2017	Harmful
	NA003, Foreign source income exemption	2019	-
Niue	NR001, Foreign source income exemption	2019	-
Panama	NU001, International business companies Act 1994	2017	Harmful
	PA001, Multinational headquarters	2017	Harmful
	PA004, Panama-Pacifico special economic area	2017	Harmful
	PA005, Foreign owned call centres	2017	Harmful
	PA007, Intellectual Property: City of knowledge	2017	Harmful
	PA003, Colon free zone	2017	Not harmful
	PA006, Shipping regime	2017	Not harmful
	PA002, Free zones Act	2017	Out of scope
	PA008, Foreign source income exemption	2019	-
	PE001, CETICOS special economic zone	2017	Not harmful
Peru	PE002, Zofratacna special economic zone	2017	Not harmful
	QA001, Qatar science and technology park (QSTP) (Free zone at science and technology park)	2019	Under OECD FHTP monitoring
Qatar	QA002, Qatar financial centre	2019	Ibid.
	QA003, Free zone areas	2019	Ibid.
	QA004, Foreign source income exemption	2019	-
	SC001, International business companies	2017	Harmful
Seychelles	SC002, International trade zone (ITZ) (or free zones)	2017	Harmful
	SC003, Offshore banks	2017	Harmful
	SC004, Offshore insurance (or non-domestic insurance, insurance of offshore risks)	2017	Harmful
	SC005, Companies special license	2017	Harmful
	SC007, Securities business under the securities act	2017	Harmful
	SC008, Fund administration business	2017	Harmful
	SC010, Manufacturing activities in the international trade	2018	Harmful

	SC011, Foreign source income exemption	2019	Harmful
	SC006, Intellectual property	2017	Non-existent
	SC009, Reinsurance business	2017	Not actually harmful
Singapore	SG002, Offshore insurance incentive	2017	Harmful
	SG003, Development and expansion incentive (DEI): Legal service	2017	Harmful
	SG005, Enhanced headquarters incentive package (or Development and expansion incentive – Services)	2017	Harmful
	SG007, International growth scheme	2017	Harmful
	SG010, Pioneer service companies for HQ activities	2017	Harmful
	SG001, Export of services incentive	2017	Not harmful
	SG004, Financial services sector incentives	2017	Not harmful
	SG008, Maritime sector incentive (shipping)	2017	Not harmful
	SG011, Aircraft leasing scheme	2017	Not harmful
	SG012, Finance and treasury centre	2017	Not harmful
	SG006, Double tax deduction for internationalisation	2017	Out of scope
	SG009, R&D / IP deductions	2017	Out of scope
	SG013, Foreign source income exemption	2019	-
San Marino	SM001, Financing	2017	Harmful
	SM002, Intellectual property	2017	Harmful
	SM003, New companies	2017	Harmful
	SM004, High-tech start-up companies	2017	Harmful
	SM005, Intellectual property regime	2018	Under OECD FHTP monitoring
Eswatini	SZ001, Special economic zones	2019	Not currently harmful (not yet operational)
	SZ002, Foreign source income exemption	2019	-
Thailand	TH001, International headquarters	2017	Harmful
	TH002, International trading centres	2017	Harmful
	TH003, Regional operating headquarters	2017	Harmful
	TH004, Treasury centre	2017	Harmful
	TH005, International banking facilities	2018	Harmful
	TH006, International business centre	2019	Not harmful
Tunisia	TN001, Export promotion incentives	2017	Harmful
	TN002, Offshore financial services	2017	Harmful
Turkey	TR001, Technology development zones	2017	Harmful
	TR004, Regional headquarters	2017	Harmful
	TR002, Corporate tax law provision 5/B (new IP regime)	2017	Not harmful
	TR003, Free zones	2017	Not harmful
Trinidad and Tobago	TT001, Free trade zone	2017	Harmful
Taiwan	TW001, Free trade zone (including the International Airport Park Development regime)	2017	Harmful
United States of America	US001, Delaware – Exemption of investment holding companies, firms managing intangible investments of mutual funds	2017	Not harmful

	US002, Delaware: Deduction of interest from affiliated companies	2017	Not harmful
	US003, Foreign derived intangible income	2018	Under OECD FHTP monitoring
Uruguay	UY001, Free zones	2017	Harmful
	UY002, Shared service centre	2017	Harmful
	UY006, Software and biotechnology industry incentives	2017	Harmful
	UY007, Benefits under law 16,906 for biotechnology	2018	Harmful
	UY004, General powers under Law 16,906 (or investment law incentives under law 16.906)	2017	Not harmful
	UY003, Financial company reorganisation	2017	Not assessed
	UY005, Holding company regime / source principle taxation	2017	Out of scope
	UY008, Foreign source income exemption	2019	-
Saint Vincent & Grenadines	VC001, International business companies	2017	Harmful
	VC002, International trusts	2017	Harmful
US Virgin Islands	VI001, Economic development programme	2017	Harmful
	VI002, Exempt companies	2017	Harmful
	VI003, International banking centre regulatory Act	2017	Harmful
Vietnam	VN001, Export processing zones	2017	Not harmful
	VN002, Industrial parks/zones	2018	Not harmful
	VN004, Economic zones	2018	Not harmful
	VN005, Disadvantaged areas	2018	Not harmful
	VN003, IP benefits	2018	Under OECD FHTP monitoring
Vanuatu	VU001, Measure under criterion 2.2	2017	Harmful
Samoa	WS001, Offshore business	2017	Harmful
	WS002, Foreign source income exemption	2019	-
South Africa	ZA001, Special economic zone	2017	Not harmful
	ZA002, Headquarter companies	2018	Not actually harmful

Curriculum Vitae

Pie Habimana was born in Ruhango, Rwanda on 25 September 1983. He graduated as Bachelor of Laws (LL.B) and Master of Business Law (LL.M) at National University of Rwanda, both *cum laude*, respectively in 2009 and 2012. In 2013 he obtained a Postgraduate Diploma in Legal Practice from the Institute of Legal Practice and Development, Rwanda, and in 2018 he obtained a Postgraduate Certificate in Learning and Teaching in Higher Education from the University of Rwanda. He joined Leiden Law School of Leiden University, the Netherlands as Ph.D Candidate in February 2016. Shortly after his Bachelor, he served as Legal Officer at National University of Rwanda from July 2009 to June 2012. During the same period, he started his academic career in February 2010 when the University appointed him as Tutorial Assistant in the Faculty of Law. In 2012 he was promoted to Assistant Lecturer, and further promoted to Lecturer in 2018. Besides academia, he was called to the bar and in 2011 enrolled in the Rwanda Bar Association. As a researcher in the field of international tax law, he plans to continue diving into this area by applying the knowledge gained through teaching and further research. Pie's particular research interest is harmful tax competition and international tax governance from the perspective of developing countries. Pie Habimana is married to Antoinette Uwamahoro and they are currently blessed with two sons and one daughter: Darron, Dacey, and Danila.