STATUTORY INSTRUMENTS

2018 No. 627

CAPITAL GAINS TAX
CORPORATION TAX
INCOME TAX

The Double Taxation Relief (Switzerland) Order 2018

Made - - - - 23rd May 2018

At the Court at Buckingham Palace, the 23rd day of May 2018
Present,
The Queen's Most Excellent Majesty in Council

A draft of this Order was laid before the House of Commons in accordance with section 5(2) of the Taxation (International and Other Provisions) Act 2010(**1**) and approved by resolution of that House.

Accordingly, Her Majesty, in exercising the powers conferred upon Her by section 2 of the Taxation (International and Other Provisions) Act 2010, by and with the advice of Her Privy Council, orders as follows—

Citation

1. This Order may be cited as the Double Taxation Relief (Switzerland) Order 2018.

Double taxation arrangements to have effect

2. It is declared that—

(a) the arrangements specified in the Protocol set out in the Schedule to this Order, which further vary the arrangements set out in the Schedule to the Double Taxation Relief (Taxes on Income) (Switzerland) Order 1978(**2**), have been made with the Swiss Federal Council;

(b) the arrangements have been made with a view to affording relief from double taxation in relation to capital gains tax, corporation tax, income tax and taxes of a similar character imposed by the laws of Switzerland; and

(**1**) 2010 c.8.
(**2**) S.I. 1978/1408; the arrangements scheduled to that Order were amended by the arrangements set out in the Schedules to S.I. 1982/714, 1994/3215, 2007/3465 and 2010/2689 and supplemented by the agreement specified in the Schedule to S.I. 2012/3079.

(c) it is expedient that those arrangements should have effect.

Ceri King
Deputy Clerk of the Privy Council

SCHEDULE Article 2

PROTOCOL BETWEEN THE GOVERNMENT OF THE UNITED KINGD OF GREAT BRITAIN AND NORTHERN IRELAND AND THE SWISS FEDERAL COUNCIL AMENDING THE CONVENTION FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES O INCOME SIGNED AT LONDON ON 8 DECEMBER 1977 AS AMENDED THE PROTOCOLS SIGNED AT LONDON ON 5 MARCH 1981, AT BER ON 17 DECEMBER 1993, AT LONDON ON 26 JUNE 2007 AND AT LOND ON 7 SEPTEMBER 2009

The Government of the United Kingdom of Great Britain and Northern Ireland and the Swiss Federal Council;

Desiring to conclude a Protocol to amend the Convention between the United Kingdo Great Britain and Northern Ireland and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income signed at London on 8 December 1977, as amende the protocols signed at London on 5 March 1981, at Berne on 17 December 1993, at London June 2007 and at London on 7 September 2009 (hereinafter "the Convention");

Have agreed as follows:

ARTICLE I

The following new paragraphs shall be added to the preamble of the Convention:

"Desiring to further develop their economic relationship and to enhance their cooperati tax matters;

Intending to eliminate double taxation with respect to taxes on income without creating opportunities for non-taxation or reduced taxation through tax evasion or avoidance (includin through treaty-shopping arrangements aimed at obtaining reliefs provided in this Convention the indirect benefit of residents of third States);".

The modified preamble shall read as follows:

"The Government of the United Kingdom of Great Britain and Northern Ireland and th Swiss Federal Council;

Desiring to conclude a Convention for the avoidance of double taxation with respect to taxes on income;

Desiring to further develop their economic relationship and to enhance their cooperatio tax matters;

Intending to eliminate double taxation with respect to taxes on income without creating