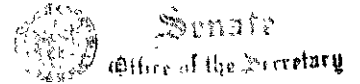



SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



75 AUG 25 P2 59

SENATE

P.S. RES. NO. 1542

RECEIVED BY. 

Prepared by the Committee on Foreign Relations

**RESOLUTION
CONCURRING IN THE RATIFICATION OF THE AGREEMENT
BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE
FEDERAL REPUBLIC OF GERMANY
FOR THE AVOIDANCE OF DOUBLE TAXATION
WITH RESPECT TO TAXES ON INCOME AND ON CAPITAL**

WHEREAS, the Constitution, Article 7, Section 21 states: "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the members of the Senate";

WHEREAS, the Agreement between the Republic of the Philippines and the Federal Republic of Germany for the Avoidance of Double Taxation with Respect to Taxes on Income and on Capital was signed on 9 September 2013 in Berlin, Germany;

WHEREAS, the Agreement covers persons who are residents of one or both of the Contracting Parties with respect to the application of taxes on income and on capital imposed on behalf of a Contracting State or of any of its political subdivision or local authorities, *irrespective of the manner in which they are levied*;

WHEREAS, the Agreement covers income from personal services, dividends, interests, royalties, immovable property, pensions and remuneration from government services;

WHEREAS, the Agreement promotes technology transfer and international academic, cultural, and sports exchanges, primarily by allocating taxing jurisdiction between the Contracting States to eliminate or mitigate double taxation on income;

WHEREAS, the Agreement also assists the Contracting States in better enforcing their domestic tax laws and reduce tax evasion;

WHEREAS, Article 32(2) of the Agreement provides that it shall enter into force on the day of the exchange of instruments of ratification in Manila;

WHEREAS, the President of the Philippines ratified the Agreement on 17 December 2014 and has accordingly submitted it to the Senate for concurrence in accordance with the Constitution; and

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations

on 20 May 2015, the following government agencies endorsed the concurrence in the ratification of the Agreement between the Republic of the Philippines and the Federal Republic of Germany for the Avoidance of Double Taxation with Respect to Taxes on Income and on Capital:

1. Department of Foreign Affairs
2. Department of Justice
3. Department of Finance
4. Department of Trade and Industry
5. *Bangko Sentral ng Pilipinas*
6. Board of Investments
7. Bureau of Internal Revenue

WHEREFORE, BE IT HEREBY RESOLVED, that the Philippine Senate concur, as it hereby concurs, in the ratification of the Agreement between the Republic of the Philippines and the Federal Republic of Germany for the Avoidance of Double Taxation with Respect to Taxes on Income and on Capital.

Enb Adopted,


SONNY ANGARA
Chair

Subcommittee on the PH-Germany
Double Taxation Agreement


MIRIAM DEFENSOR SANTIAGO
Chair

Committee on Foreign Relations