23.12.22

Tax Treaties Branch, Australian Treasury Department
Re: Tax Treaty Network Expansion
18 November 2022 – 23 December 2022 Invitation to Comment
(2nd Comment as the Treasury has posted public comments here:
https://treasury.gov.au/consultation/c2021-208427. Mine is listed under ANON (2)).
Re: **Australian – U.S. Tax Treaty**.

Dear Sir or Madam,

"Submissions are sought on the key outcomes Australia should seek in negotiating these tax treaties and any other issues related to Australia's tax treaty network."

Thank you for this opportunity to make a submission.

As noted above this letter is in response to a 2nd request by Treasury.

Since last year, and a year had gone by without response, I recently submitted letters on needed protection against double taxation of individuals to my local MP, to Treasurer Chalmers, and to the Assistant Minister Jones for Superannuation (attached below).

The new request appears to emphasise submissions for input 'on what to negotiate.'

In my opinion the focus should be on the stated aims of the treaty, in this case the Australian – U.S. Tax Treaty (the Treaty). Instead of negotiation, focus needs to be placed on what Australia may do to better fulfill the Treaty aim of mitigating double taxation for individuals, especially Australian tax residents.

America is unique in the OECD in that it claims U.S. Persons as U.S. tax residents no matter where in the world they live. In my opinion part of this is to prevent Americans moving to tax havens to evade taxation. I believe we may agree that Australia is a relatively higher tax country. As Australia and the U.S. are different countries, each has different federal taxes and this may lead to double taxation.

In my opinion, there has never been a review of where the Treaty may guarantee double taxation for individuals, as part of an Australian government effort to warn of and block any guaranteed double taxation of individuals. Such review and action is needed and overdue.

Previously I suggested a number of short-term measures Australia may take to mitigate double taxation. These actions may be public opinions by the ATO, as the Competent Authority of the Treaty. These short-term actions need not involve the U.S. as Australia may claim right to them: 1) as a sovereign nation, 2) under the Master Nationality Rule which specifies that within a country that the rules of that country may apply to the exclusion of extraterritorial rules of another country, and 3) declaration that only tax rules that apply to every Australian resident shall apply, in the case of Australian only source income as opposed to U.S. source income. Superannuation is an example where the Treaty may guarantee double taxation for Australian residents and needs attention.

Regards, Private Citizen

22.11.22

Hon Stephen Jones MP, Assistant Treasurer and Minister for Financial Services
PO Box 264
Shellharbour City Centre, NSW 2529

Dear Stephen,

Congratulations on your recent election win.

I seek your assistance to protect Superannuation from infringement by a foreign country.

Why under Australian law may a Superannuation rollover from one account to another attract early withdrawal penalty, from U.S. tax law for Australian tax resident U.S. persons? Early withdrawal penalty may be applied when a double tax professional is consulted. For Australian only persons a rollover is common, tax free, and an expense saving measure. This should be the same for all Australians.

Why, under Australian law, is the U.S. allowed to claim a parallel tax system on Australian tax residents, who are U.S. persons, including double taxation of Superannuation? It does not make sense, it is confusing, and it is wrong. In my opinion, you should act to guarantee the integrity of Superannuation from the infringement of U.S. "domestic" tax law.

The U.S. claims U.S. persons living in other countries as U.S. residents for tax purposes. The tax treaty does not explicitly block U.S. double taxation on Superannuation. The ATO has not issued an opinion that for Australian tax residents that U.S. double taxation of Superannuation does not apply. Thus under the tax treaty the double tax overlay is permitted by Australian law as the treaty is Australian law.

I imagine you may refer this letter to Treasurer Chalmers for response as tax treaties are under his responsibility. Yes, please do so. Yet also please do not "leave it with him." Treasury under previous governments has deflected issues of double taxation of Superannuation for decades. **Please follow up to protect Superannuation and make sure Treasury does not "drop the ball."**

I believe a short-term answer is for the ATO to issue a public opinion, as the Competent Authority under the treaty, that for Australian tax residents Superannuation is covered under the treaty and exempt from double taxation and double reporting.

I have attached my recent letter to Hon Jim Chalmers for some background. Thank you for your consideration of this letter.

Regards, Private Citizen

11.11.22

Hon Jim Chalmers MP, Member for Rankin, Treasurer of Australia
PO Box 349
Woodridge QLD 4114

Hon Kylea Tink MP, Independent Member for North Sydney
Level 10, 2 Elizabeth Plaza
North Sydney, NSW 2060

Congratulations on your recent election wins.

I am pleased that both Labor and the Independent for my electorate – Kylea Tink of North Sydney - advocate a focus on greater transparency in government in the new Parliament.

I seek the assistance of both of you to elevate transparency and good governance with the Australian- U.S. Tax Treaty ("The Treaty"), with focus on improving outcomes for individual Australians.

In my opinion, for decades the Australian Government has disregarded appropriate stewardship of the key Treaty aim <u>to avoid double taxation for individuals</u>. This inattention to The Treaty has been to the detriment to my financial planning (as an Australian tax resident since 1997), and as I am head of household by extension to the detriment to the finances of my family – vis a vis other Australians who may have been born in or have parents from any country other than the U.S.

I would like to make a point about tax jurisdiction and when and where it is justified. In the literature on 'the justification of taxation,' government protection of property and persons is the underpinning reason cited most often. Other reasons include the provision of resident services and to a lesser extent protection of individual rights. America's claim of tax jurisdiction over some Australian residents is not justified. While Australia's exercise of tax jurisdiction over Australia is justified this comes with obligations.

In my opinion, the Australian Government has failed in their obligation of protection for Australian citizen U.S persons tax resident in Australia. In this case it is a failure of protection from the extraterritorial tax laws of the U.S.

Jim and Kylea, I believe you would agree that it is an ideal of Australia to strive for equal opportunity for Australians no matter the country one is born in and no matter the country one's parents were born in. The Australian Constitution makes no reference to any group of Australian who are to be excluded from the protection of government.

I present three areas highlighting why the tax treaty with the U.S. is different to treaties with other countries and requires more active engagement by Treasury:

1) The U.S. is unique among OECD countries in that as part of its "domestic" tax law U.S. Persons are claimed as U.S. tax residents no matter where in the world they live. As The Treaty does not say otherwise, Australians, under Australian law (The Treaty), who are U.S. persons living in Australia are claimed by the U.S. as tax residents of the U.S.

While The Treaty protects against double taxation through tax credits on 'like for like' taxes, such as on earned income where Australian rates are generally higher than those in the U.S.; there are significant U.S. taxes on unearned income and assets that Australia does not have. These different U.S. taxes, or taxes by a different name than what Australia calls them, are where **'tax treaty gaps'** may guarantee double taxation, such as on Superannuation.

For Australians tax resident in Australia and for those living in the U.S., Australian based Superannuation may be taxed as an unqualified U.S. pension fund as "Superannuation" is not explicitly exempted from U.S. double taxation in The Treaty, The Australian Competent Authority under The Treaty has not made public an opinion that Superannuation is exempt from double taxation, and the U.S. double tax overlay only recognises U.S. retirement funds for favourable treatment under U.S. law.

Changes in either the Australian or U.S. tax codes may result in double taxation guaranteed for Australian residents. The Australian Treasury provides no warnings to individuals, and did not point out to Parliament, when The Treaty was presented for approval, areas where The Treaty may guarantee double taxation.

2) Many benefits flow to Australia's economic, security and tech aspirations from close association with U.S. based companies and the U.S. government. This includes through the mobility of specialised and tech workers and their families between the U.S. and Australia. Double taxation and complex double compliance may provide these workers reason to not want to move to the other country for work assignments and thus reduces the potential benefits of the Australian relationship with the U.S. Once in the U.S. the families of Australians may grow to include U.S. Persons.

3) By not communicating about and not acting to block the U.S. double tax overlay, The Australian Treasury causes confusion about and conflict with Australian domestic laws and public policy. Australia should be clear and upfront with Australians where it allows extraterritorial tax laws from other nations to apply to Australian tax residents on Australian income and assets. The Treaty permits the U.S. tax overlay by not explicitly excluding it. Some examples of conflict with Australian domestic policy are as follows:

a) Treasury does not warn Australian Certified Financial Planners about U.S. Double Taxation. These planners may place Australians in the cross hairs of U.S. PFIC (Passive Foreign Investment Corporation) punitive U.S. tax treatment of U.S. taxation on <u>unrealised gains</u> every year as ordinary income (SMSF, Family Trust, Australian Trust, plain vanilla Australian mutual funds!); Regular Superannuation accounts may attract U.S. double taxation as the U.S. does not recognise Australian tax paid on Superannuation by way of tax credit, and Australia does not provide credit for U.S. tax paid on Australian resident Superannuation.

The retirement fund mismatch is heightened as Australian Superannuation is taxed on contribution and along the way while qualified U.S. retirement funds are taxed upon withdraw in retirement.

b) The ATO posts misleading information on their website such as on the basic tax obligations on Australian Superannuation, because it is without note of Treaty permitted double tax overlay for Australians who are U.S. Persons (and those of the most basic income may be impacted);
c) Treasury has not been unequivocal about tax treaty gaps to Parliament and Australians with warning for circumstances where The Treaty may guarantee double taxation/double compliance.

Kylea Tink, this is why I expect to shortly request to meet with you in your office and <u>ask that The Australian – U.S. Tax Treaty be added to the Teal Independent focus on delivery of greater transparency in government:</u>

I have letters from **Hon Scott Morrison** (then Treasurer), and **Hon Michael Sukkar** (then Assistant Treasurer). Both suggested that I take matters of Australian resident double taxation of Superannuation to the U.S. government in the first instance. **They did not express any interest in Australian government responsibilities or measures the Australian Government may take** to protect Superannuation :: such as an ATO opinion as the 'Competent Authority' of The Treaty that no U.S. double taxation or double reporting shall apply to Superannuation of Australian residents.

Kylea, Superannuation was implemented over 30 years ago. Treasury has not pursued or achieved exemptions in The Treaty or via ATO opinion for "Superannuation" for decades, while other countries such as the U.K. and New Zealand have exemptions in their treaties.

Perhaps the Australian Government may take cues from industry on governance for The Treaty. Companies produce Annual Reports every year. Companies may have periodic reviews of their key objectives which could be every year, or less frequently such as every three years or every five years. In comparison, **The Treaty has never been reviewed initially or over decades as to how well it functions to fulfil its key aim of preventing double taxation for individuals.**

In my opinion, the inaction stems from Treasury having competent individuals "in the know" on double taxation who will act by the request of the responsible Minister, while the responsible Minister will act by request of Treasury; and **there does not seem to be in place a mechanism to start the ball rolling, such as a governance control that The Treaty will be reviewed every three years for how well it meets its aim of avoiding double taxation for individuals.** Such review would be warranted periodically to cover any new tax by either Australia or the U.S. that may lead to additional double taxation guaranteed.

Inadequate governance and regulation of that governance appears to me to be in play with the Australian-U.S. Tax Treaty. One reason for the prompting of the Royal Commission into Banking was the view that the regulatory bodies of the industry and their powers were inadequate. This seems to me the case with stewardship of The Treaty. Will the responsible Minister exercise leadership on these issues?

Legal review of requests to address tax treaty gaps. If my past letters to my MP were sent to "Legal" to see what they think of them, the most minimal response I may imagine is that Legal would come back and say The Treaty was passed by Parliament, Australia signed The Treaty, and something along the lines of "the law is the law." This would explain the reply to letters I received in the past with comment that treaty negotiations take many years, without saying anything about any other measures Australia may take to do anything short or long term to shield Australians from the double tax overlay. If the above was the response from Legal it should have come with qualification that the opinion only applied to Australian law permitting the double tax overlay and not other issues raised in my letters.

Perhaps Legal was not asked the right questions for review, such as:

1) Did the information pack to Parliament about The Treaty (at the time of asking for a vote by Parliament) include a statement of areas where The Treaty may guarantee double taxation on individuals? The insinuation here is that Parliament was likely mislead into voting for The Treaty as if it was an "all good agreement." Significant treaty "gaps" should have been disclosed as areas where The Treaty fails in its key aim of avoiding double taxation. The remedy is to inform Parliament now with notice that they were not properly informed previously, and to fully disclose tax treaty "gaps."
2) What is the legitimate purpose of allowing the U.S. exterritorial double tax overlay onto Australian residents? Is it allowed by the Australian Constitution? If Australia tells the U.S. the U.S claim of double tax jurisdiction is not allowed under the Australian Constitution, then the Americans should understand that language and reason for Australia to back out of that aspect of The Treaty. Another related question: Is the double tax overlay against the Australian public policy of Residence Based Taxation?
3) Given The Treaty is Australian law should the ATO website footnote pages where general taxes are cited, such as under Superannuation pages, with note that any Australian U.S. persons resident in Australia may face additional taxation as indicated here as the AU-U.S. Tax Treaty allows for the overlay of the U.S. tax code on top of the Australian code?
4) Should Treasury warn the Australian Financial Planning industry / Australian financial planners that they should not provide financial advice to Australian residents who are U.S. persons (even if individuals only have Australian based income and assets), as the double tax overlay permitted by The Treaty provides complex double tax and double compliance considerations including currency swings and different tax year ends, with complexity to the extent that among double tax professionals there are a few significantly different interpretations as to how Australian resident Superannuation is to be double taxed.

In 2021 Treasury announced a review of the Australian Tax Treaty Network. One focus of this review is the establishment of 10 new tax treaties. Public submissions were requested including on any matters regarding the Tax Treaty Network.

Of the 35 public submissions (excluding 6 non-public submissions), 22 or 63% regarded the Australian-U.S. Tax Treaty. With nearly 2/3 of the submissions on the AU-U.S. Tax Treaty, that should be received as strong indication that The Treaty needs attention and fixing. My submission (attached) is under ANON (2): https://treasury.gov.au/consultation/c2021-208427 **I provide several**

short-term measures that the Australian Government may take to better remove potential instances of double taxation. My submission is attached to this letter.

A website www.FixTheTaxTreaty.org highlights Australian-U.S. Tax Treaty tax Treaty gaps of double taxation. The information provided would assist review of The Treaty. The public submission from this organisation is the first on the list of submissions to the review of The Tax Treaty Network.

The review of the Tax Treaty Network has been funded.

Jim I look forward to your consideration and action on the Australian-U.S. Tax Treaty, including acknowledgement that 2/3 of all public submissions on the review of the Tax Treaty Network is strong indication that focused attention to The Treaty is overdue and should be a priority, and acknowledgement that Superannuation of Australian tax residents should not be double taxed nor required to report to two countries under Australian law.

Kylea, one way or another I will be in touch. Thank you for your consideration of these issues.

Regards, Private Citizen

[October 2021 public submission to the review of the Tax Treaty Network]

Public Submission with request to withhold name from Public, as I write as a private individual and not an organisation. I acknowledge your copy write. Re: Expanding Australia's Tax Treaty Network.

Re: Expanding Australia's Tax Treaty Network. Submission in request for submissions "…and any other issues related to Australia's tax treaty network."

My Submission is in regards to the Australia-U.S. Tax Treaty.

For Australians resident in Australia who are considered U.S. Persons, of which I am one since moving to Australia in 1997…

The Treaty lacks clarity and exemptions from U.S. double taxation which quickly becomes unfathomable, requiring costly consultation with double tax specialists. Even with the professionals there are a few different interpretations with how Superannuation should be double taxed.

Good government, in my view, is proactive in ensuring that individuals are not over-regulated with complex and conflicting laws causing unnecessary anxiety, time, and expense.

An Australian citizen resident in Australia should pay no more tax on Superannuation than what is outlined on the ATO website. For Australia to not recognise and prevent U.S. double taxation on superannuation is wrong. The Australian law permitting it – the tax treaty – needs review.

However, in the past there appears to have been a lack of Australian government interest, controls and/or ineffectiveness of controls: in regards to monitoring and reporting with transparency how well the treaty meets its key aim of "avoidance of double taxation" for individuals, and pursuit of remedies for tax treaty "gaps."

I received a letter from the Assistant Treasurer in 2019 that suggested things that I may do and appeared to suggest that I contact the U.S. government in the first instance, as the double taxation may change with a change in the U.S. "domestic law". While I appreciate the suggestions, I was not satisfied with a lack of focus in the letter on what the Australian government may do.

In the context of the recent subs deal Dutton said his job was the Australian interest. The same should apply here for Australian Treasury stewardship of the tax treaty, to act in the Australian interest to protect Australian resident citizens; and NOT to defer to the U.S. in the first instance matters of Australian sovereignty, as if the U.S. would care about and would prioritise compliance and tax matters in Australian's sovereign interest. There is international consensus called the Master Nationality Rule that generally, for differences in law with another nation, that a country and its law shall be the definitive law within its borders to the exclusion of the extraterritorial law of another country, especially if these persons are citizens and tax residents of Australia.

Heightened imagination and leadership within the Australian government is necessary to fulfil the responsibility here. My suggestions are as follows:

1) Pursue Transparency.

a) Conduct an audit of how well the Treaty avoids double taxation for individuals with highlight of where it may guarantee double taxation – and to table this with the Joint Standing Committee on Treaties in Parliament. In my view, the Australian Treasury in the past has mislead Parliament: when Treasury forwarded to Parliament for passage the Treaty as if it were "an all good agreement," as if it were wholly similar to treaties with other nations, and without an accompanying audit of how well the proposed treaty would meet its key aim of 'avoiding double taxation', with highlight of where it may guarantee double taxation, as part of the documentation packet.

The audit will form a basis for further actions. Yes there may be some expense with this yet it has never been done, which in my opinion does not reflect well on the governance of the Treaty by previous Treasurers. As part of the current review of the tax treaty network money has been budgeted for treaty review.

b) Post the audit results on the ATO website under Tax Treaties. Currently the site just says tax treaties mitigate double taxation with no further explanation. Provide footnotes for key sections of the ATO website such as under Superannuation to suggest the potential for the double tax overlay – and not to pretend that only Australian domestic tax may apply for Australian resident Superannuation.

c) Provide warning for Australian residents who are U.S. Persons that generally Australian law – the Treaty – obliges the overlay of the U.S tax code on top of the Australian tax code. There may be double taxation for any existing and new federal taxes that the U.S. has but not Australia. That the U.S. does not recognise Australian Superannuation and does not provide tax credit for any Australian tax paid on Superannuation; nor does Australia provide tax credit for any U.S. tax on Australian resident Superannuation. **Superannuation is a good example where the Treaty does not work to "avoid double taxation" for Australians in Australia and also in the U.S.**

The Australian government provides health and safety warnings for Australians travelling overseas. Lately there have been Australian government warnings within Australia in regards to covid. This Treaty warning would be in regards to protection from double taxation and double compliance guaranteed under Australian law – the Treaty.

d) Provide warning to the Australian Financial Planning Association that their members may be providing detrimental financial planning advice in regards to Superannuation and other financial planning matters to Australians who are U.S. Persons. The vast majority of The Certified Australian Financial Planners are not certified in matters around the U.S. tax code overlay for Australian residents and thus should not be providing advice to these Australians.

Alternatively, a few ATO rulings as the "Competent Authority" under the Treaty may avoid some of the need for such warnings. Australia need not rely on permission from the U.S. for such rulings, similar to the fact that the U.S. does not ask permission of Australia to add new taxes on Australian source for resident Australians. The big difference here is that Australia may claim a sovereign right to issue these rulings.

2) ATO Ruling that Superannuation is exempt from U.S. double taxation and U.S. double compliance for Australian tax residents. The ATO may do this as the "Competent Authority" under the Treaty.

Articles 18 and 19 of the Treaty outlines explicit exclusion from U.S. taxation of Australian government pensions. Government employees are explicitly protected but not Australian government mandated Superannuation for nongovernment persons. The Treaty was passed in 1984 before the existence of Superannuation. Such a ruling on Superannuation is decades overdue.

The Australian Competent Authority may rule that "Superannuation" falls under Articles 18 and 19 of the Treaty. All types of Superannuation (including "Employer," "Employee" "after tax" and "Self Managed Super Funds") should be labelled explicitly as exempt from U.S. double taxation under the Treaty for Australian residents.

U.S. domestic tax law does not specify that "Superannuation" for U.S. Persons who are Australian residents should be double taxed. Thus U.S. double taxation of Australian resident Superannuation has reduced to no standing in regards to being backed by a 'legitimate purpose' as none is enunciated.

3) ATO Ruling limiting the possibility under the Treaty for Australian Residents to also be claimed simultaneously as U.S. Residents, in unequivocal support of the Australian public policy and international norm of Residence Based Taxation. And also as protection from the compliance quagmire and double tax sinkhole of a disparate tax code being overlayed on top of the Australian tax code under Australian law.

The Assistant Treasurer wrote to me that double tax issues may be resolved with a change in U.S. domestic law. Indeed one measure pursued by U.S. Person overseas groups for years has been an administrative change in the definition of "resident" in the U.S. tax code, to exclude those who are not actual U.S. residents, such as those tax resident in Australia, (this would not need legislation passed by Congress, a legislative body some have characterised as passing nearly all tax law with zero consideration or care of how the laws impact U.S. Persons tax resident in other countries).

The Australian government could assist in these areas via this ATO ruling as suggested, AND to formally ask for such administrative change in the definition of resident in the U.S. domestic tax code from the U.S. Treasury. Normally, governments may refrain from asking other governments to change their domestic law as this may be characterised as 'interfering with the internal affairs of another country' generally and internationally viewed as "a bad."

Point of Information, it is the U.S. with their "domestic" law who is interfering with the internal affairs of Australia; with an extraterritorial portion of their "domestic" law imposed as a parallel tax system within Australia unjustifiably dipping into the tax base of Australia; and as an impingement on a number of Australian domestic policies and their aims such as Superannuation retirement savings accounts, Residence Based Taxation, certification of Australian Financial Planners, and others.

4) **ATO ruling of Exemption from U.S. Taxation of "Passive Foreign Investment Corporation"** punitive taxation and reporting, explicitly for Australian Mutual Funds, Self Managed Super Funds, and other structures under Australian law for Australian tax residents. That the Australian government does not consider these as "foreign" for Australian tax residents, so any adverse "foreign" treatment, reporting, and extra penalties by U.S. extraterritorial tax law shall not apply.

5) ATO ruling of Exemption of Australian source from U.S. net investment income tax (NIIT) 3.8% tax for Australian tax residents. If Australia adhered to the aims of "avoiding double taxation" Australia would provide credit for this tax on Australian and U.S. source, instead of pretending it is not a tax on investment income and gains. It should explicitly be exempted for Australian source for Australian residents.

6) ATO ruling on the definition of double taxation.

Some of the guaranteed double taxation is through acceptance of the U.S. Treasury Department definition of avoiding double taxation, which may consider types of taxes in 'silos', with additional silos created simply by having a tax by a different name than the other country, or a tax that the other country does not have; with the result of leaving credits on taxes paid that are not usable in a year, for years, or never.

For instance: with NIIT the tax is no higher than either the level of Australia or the U.S.; then the 3.8% U.S. tax may always apply when thresholds are met because Australia does not have a "NIIT."

Sometimes taxes have a different name such as "Superannuation" which does not fit the U.S. definition of U.S. domiciled 401K / IRA / Keogh IRA plans and is treated less favourably as an 'unqualified pension plan.' No doubt the intent of the U.S. law is to funnel U.S. domestic retirement savings into "qualified" U.S. pension funds, yet these types of U.S. qualified funds are not an option for the Superannuation "guarantee" or added Superannuation contributions under Australian law.

The definition of avoiding double taxation would benefit those impacted through consideration of all tax paid in aggregate and for taxes paid to be applicable to other categories, to break 'silos' where credits may be unusable.

The definition of 'avoidance of double taxation" the Australian government should adapt should fit the following circumstance: If an Australian tax resident individual has zero U.S. source income/assets then there should be zero U.S. taxation and zero U.S. compliance.

The Treaty should be especially viewed through this group of individuals: Accidental Americans, those Australians who may have had a parent born in the U.S. or were born there but left at an early age and presently have very tenuous ties to the U.S. All Australian residents should be treated equally under Australian law regardless of where their parents are from or where they were born.

Items 1-6 above could be a start. There are other taxes with double tax implications. There should be robustness in the Treaty and monitoring of it to avoid current and future double taxation especially where it may be caused by changes to either U.S. or Australian tax codes. It should not take 29 years and counting for the Australian Treasury/ATO Competent Authority to pursue Treaty implications and exemptions for superannuation, for instance.

Perhaps Treasury may explain to me the legitimate purpose of the Treaty to require the overlay of the U.S. tax code on Australian residents who are Accidental Americans. Or Treasury may agree with me that the Australian law requiring the overlay of the U.S. tax code on any Australian residents is unjustifiable in view of Australian sovereignty. Then transparency should be pursued including audit identifying double taxation guaranteed under Australian law – the Treaty. Corrective short and longer term measures should then be implemented.

I have attached a letter from FixTheTaxTreaty sent in response to the call for public submissions to on the Tax Treaty Network. [This is first on the list of public submissions].

Regards,

Private Citizen