

L.N. 90 of 2008**SPECIFICATION OF ARRANGEMENTS (THE MAINLAND OF CHINA) (AVOIDANCE OF DOUBLE TAXATION ON INCOME) (REVOCATION) ORDER**

(Made by the Chief Executive in Council under section 49 of the Inland Revenue Ordinance (Cap. 112))

1. Commencement

This Order shall come into operation on 22 May 2008.

2. Orders revoked

The following orders are revoked—

- (a) the Specification of Arrangements (Arrangements with the Mainland of China for the Avoidance of Double Taxation on Income) Order (Cap. 112 sub. leg. S); and
- (b) the Specification of Arrangements (The Mainland of China Concerning Air Services) (Double Taxation) Order (Cap. 112 sub. leg. Z).

LAM Chik-ting, Tony
Clerk to the Executive Council

COUNCIL CHAMBER
15 April 2008

Explanatory Note

As a result of the entering into force, on 8 December 2006, of the arrangements in the instrument entitled “《內地和香港特別行政區關於對所得避免雙重徵稅和防止偷漏稅的安排》”, whose English translation is “Arrangement between the Mainland of China and the Hong Kong Special Administrative Region for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income”, done on 21 August 2006, the arrangements in the Memorandum between the State Administration of Taxation of the Mainland of China and the Finance Bureau of the Hong Kong Special Administrative Region done on 11 February 1998, and the arrangements in paragraphs 6 and 7 of Article 11 of the Air Services

Arrangement between the Mainland of China and the Hong Kong Special Administrative Region done on 2 February 2000, ceased to apply to—

- (a) any income derived in the Mainland of China in any taxable year beginning on or after 1 January 2007; and
- (b) any income derived in the Hong Kong Special Administrative Region in any year of assessment beginning on or after 1 April 2007.

2. In view of the above-mentioned development, 2 orders made under section 49 of the Inland Revenue Ordinance (Cap. 112), namely the Specification of Arrangements (Arrangements with the Mainland of China for the Avoidance of Double Taxation on Income) Order (Cap. 112 sub. leg. S) and the Specification of Arrangements (The Mainland of China Concerning Air Services) (Double Taxation) Order (Cap. 112 sub. leg. Z) (“the 2 Orders”) may be revoked. The object of this Order is to revoke the 2 Orders.