

No. 3211

**BELGIUM
and
FRANCE**

Exchange of letters constituting an agreement for the avoidance of double taxation on profits or income from air transport. Paris, 10 December 1955

Official text: French.

Registered by Belgium on 6 April 1956.

**BELGIQUE
et
FRANCE**

Échange de lettres constituant un accord visant à éviter la double imposition sur les bénéfices ou revenus de la navigation aérienne. Paris, 10 décembre 1955

Texte officiel français.

Enregistré par la Belgique le 6 avril 1956.

[TRANSLATION — TRADUCTION]

No. 3211. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN BELGIUM AND FRANCE FOR THE AVOIDANCE OF DOUBLE TAXATION ON PROFITS OR INCOME FROM AIR TRANSPORT. PARIS, 10 DECEMBER 1955

I

BELGIAN EMBASSY

No. 18.671B.17F.2

Paris, 10 December 1955

Your Excellency,

I have the honour to refer to the note of 16 July 1955 addressed by the Ministry of Foreign Affairs of the French Republic to this Embassy under references "Directorate of Administrative and Social Affairs, Conventions, dossier 7-6 No. C.A.3", the text of which, suggested as a basis for an exchange of letters between the two Governments, is as follows :

"(1) The Government of the French Republic, in virtue of its powers under article 246 of the *Code Général des Impôts*, undertakes, subject to reciprocity, to exempt from French income tax and any other tax on profits the earnings derived by any Belgian company or other Belgian body corporate from the international operation of aircraft registered in Belgium.

"(2) The expression "operation of aircraft" means the carriage by air of persons or goods by the owners or charterers of aircraft, including the sale of tickets.

"(3) The expression "Belgian company or other Belgian body corporate" means any association of capital or of persons, including any company in which the Belgian State has an interest, constituted in conformity with the laws in force in Belgium and having the seat of its management in Belgian territory, as well as the Belgian State.

"(4) The exemption provided for in paragraph 1 hereabove shall apply to all profits accrued in any full financial year since 31 December 1953.

"(5) If any general convention on double taxation between France and Belgium should provide for an exemption similar to the one specified in paragraph 1 hereabove, the effect of the present agreement shall be suspended as long as that convention remains in force."

¹ Came into force on 10 December 1955 by the exchange of the said letters. This Agreement is not applicable to the territories of the Belgian Congo and Ruanda-Urundi.

In communicating to you the Belgian Government's agreement to the terms of the above note, I have the honour to inform you that :

(1) The Government of Belgium, in virtue of its powers under article 10 of the Act of 8 March 1951, undertakes, subject to reciprocity, to exempt from Belgian income tax and any other tax on profits the earnings derived by any French company or other French body corporate from the international operation of aircraft registered in France.

(2) The expression "operation of aircraft" means the carriage by air of persons or goods by the owners or charterers of aircraft, including the sale of tickets.

(3) The expression "French company or other French body corporate" means any association of capital or of persons, including any company in which the French State has an interest, constituted in conformity with the laws in force in the French Republic and having the seat of its management in French territory, as well as the French State.

(4) The exemption provided for in paragraph 1 hereabove shall apply to all profits accrued in any full financial year since 31 December 1953.

(5) If any future general convention on double taxation between France and Belgium should provide for an exemption similar to the one specified in paragraph 1 hereabove, the effect of the present agreement shall be suspended as long as that convention remains in force.

I have the honour to be, etc.

(Signed) GUILLAUME

His Excellency Mr. Antoine Pinay
Former President of the Council
Minister of Foreign Affairs
Paris

II

FRENCH REPUBLIC
MINISTRY OF FOREIGN AFFAIRS

Directorate of Administrative and Social Affairs

Conventions
No. C.A.3
Dossier 7-6

Paris, 10 December 1955

Your Excellency,

In your letter No. 18.671/B.17/F2, of today's date, you have informed me of the Belgian Government's agreement to the texts whereby the French Government

and the Belgian Government undertake, subject to reciprocity, to exempt from income tax and any other tax on profits the earnings derived by any French or Belgian company or other body corporate from the international operation of aircraft registered in Belgium or in France.

I have the honour to confirm that, to this end :

[See subparagraphs 1 to 5 of the first paragraph of note I]

I have the honour to inform you that the French Government agrees to the terms of your above-mentioned letter.

I have the honour to be, etc.

His Excellency Baron Jules Guillaume
Ambassador of Belgium to France

(Signed) Philippe MONOD