

No. 6123

**BELGIUM
and
DENMARK**

**Convention for the avoidance of double taxation of income
derived from air transport. Signed at Copenhagen,
on 23 October 1961**

Official texts: French and Danish.

Registered by Belgium on 17 April 1962.

**BELGIQUE
et
DANEMARK**

**Convention tendant à éviter la double imposition des revenus
des entreprises de navigation aérienne. Signée à Copen-
hague, le 23 octobre 1961**

Textes officiels français et danois.

Enregistrée par la Belgique le 17 avril 1962.

[TRANSLATION — TRADUCTION]

No. 6123. CONVENTION¹ BETWEEN BELGIUM AND DENMARK FOR THE AVOIDANCE OF DOUBLE TAXATION OF INCOME DERIVED FROM AIR TRANSPORT. SIGNED AT COPENHAGEN, ON 23 OCTOBER 1961

His Majesty the King of the Belgians and His Majesty the King of Denmark,
Desiring to avoid double taxation of income derived from air transport,

Have decided to conclude a Convention and have for that purpose appointed as their plenipotentiaries :

His Majesty the King of the Belgians :

Mr. Jean Nieuwenhuys, Ambassador of Belgium to Denmark ;

His Majesty the King of Denmark :

Mr. Jens Otto Krag, Minister for Foreign Affairs ;

who, having exchanged their full powers, found in good and due form, have agreed as follows :

Article 1

On the basis of article 10 of the Act of 8 March 1951, profits derived by a Danish company or other body corporate from the operation of aircraft in international traffic shall be exempt, subject to reciprocity, from any Belgian tax on profits or income. Belgium does not at present levy any tax on fortune or capital.

Article 2

On the basis of Act No. 74 of 31 March 1953, profits derived by a Belgian company or other body corporate from the operation of aircraft in international traffic and the capital (not including immovable property) belonging to such enterprises shall be exempt, subject to reciprocity, from any Danish taxes.

Article 3

The exemptions provided for in articles 1 and 2 shall also apply to Belgian or Danish companies or other bodies corporate participating in a pool, a joint operating arrangement or an international air navigation operating organization.

¹ Came into force on 3 April 1962, the date of the exchange of the instruments of ratification at Brussels, in accordance with article 8.

Article 4

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.

Article 5

The expression "Danish company or other body corporate" means the Danish State or any company or partnership—including any company in which the Danish State has an interest—constituted in conformity with the laws in force in Denmark and having its actual head office in Danish territory.

Article 6

The expression "Belgian company or other body corporate" means the Belgian State or any company or partnership—including any company in which the Belgian State has an interest—constituted in conformity with the laws in force in Belgium and having its actual head office in Belgian territory.

Article 7

This Convention shall apply :
in Belgium, to profits earned during accounting years ending on or after 31 December 1959 ;
in Denmark, from the financial year beginning on 1 April 1960.

Article 8

This Convention shall be ratified and the instruments of ratification shall be exchanged at Brussels as soon as possible.

It shall enter into force on the day of the exchange of the instruments of ratification.

Article 9

This Convention may be denounced at any time upon six months' notice ; in that event, exemption shall last apply :

in Belgium, to profits earned during accounting years ending not later than 31 December of the year in which the six months' notice expires ;

in Denmark, for the financial year beginning in the calendar year immediately following the expiry of the six months' notice.

IN WITNESS WHEREOF the Plenipotentiaries of the two States have signed this Convention and have thereto affixed their seals.

DONE at Copenhagen, on 23 October 1961, in duplicate, in the French and Danish languages, the two texts being equally authentic.

Jean NIEUWENHUYNS

J. O. KRAG