1348

No. 7895

NORWAY
and
UNITED ARAB REPUBLIC

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Signed at Cairo, on 20 October 1964

Official text: English.

Registered by Norway on 16 August 1965.

NORVÈGE
et
RÉPUBLIQUE ARABE UNIE

Convention tendant à éviter la double imposition et à prévenir l'évasion fiscale en matière d'impôts sur le revenu. Signée au Caire, le 20 octobre 1964

Texte officiel anglais.

Enregistrée par la Norvège le 16 août 1965.

No. 7895. CONVENTION[1] BETWEEN THE ROYAL NORWEGIAN GOVERNMENT AND THE GOVERNMENT OF THE UNITED ARAB REPUBLIC FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME. SIGNED AT CAIRO, ON 20 OCTOBER 1964

The Royal Norwegian Government and the Government of the United Arab Republic,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have agreed as follows :

CHAPTER I

SCOPE OF THE CONVENTION

Article 1

PERSONAL SCOPE

This Convention shall apply to persons who are residents of one or both of the Contracting States.

Article 2

TAXES COVERED

1. This Convention shall apply to taxes on income imposed on behalf of each Contracting State or of its political subdivisions or local authorities, irrespective of the manner in which they are levied.

2. There shall be regarded as taxes on income all taxes imposed on total income, or on all elements of income including taxes on gains from the alienation of movable or immovable property and taxes on the total amounts of wages or salaries paid by enterprises.

3. The existing taxes to which the Convention shall apply are in particular :

[1] Came into force on 29 July 1965, thirty days after the exchange of the instruments of ratification which took place at Oslo on 29 June 1965, in accordance with the provisions of article 28.

(*a*) In the case of the United Arab Republic :

(1) Tax on income derived from immovable property (including the land tax, the buildings tax and the ghaffir tax);

(2) Tax on income from movable capital;

(3) Tax on commercial and industrial profits;

(4) Tax on wages, salaries, indemnities and pensions;

(5) Tax on profits from liberal professions and all other non-commercial professions;

(6) General income tax;

(7) Defence tax;

(8) Supplementary taxes imposed as a percentage of taxes mentioned above or otherwise;

(hereinafter referred to as " United Arab Republic tax ").

(*b*) In the case of Norway :

(1) National income taxes;

(2) National tax-equalization dues;

(3) National tax in aid of developing countries;

(4) Municipal income taxes;

(5) Seamen's tax;

(hereinafter referred to as " Norwegian tax ").

4. The Convention shall also apply to any identical or substantially similar taxes with are subsequently imposed in addition to, or in the place of, the existing taxes.

5. At the end of each year, the competent authorities of the Contracting States shall notify to each other any signifiant changes which have been made in their respective taxation laws.

CHAPTER II

DEFINITIONS

Article 3

GENERAL DEFINITIONS

1. In this Convention, unless the context otherwise requires :

(*a*) the term " Norway " means the Kingdom of Norway, excluding Svalbard (Spitsbergen), Jan Mayen and the Norwegian dependencies outside Europe;

(*b*) the term " United Arab Republic " means Egypt;

(*c*) the terms " a Contracting State " and " the other Contracting State " mean Norway or the United Arab Republic, as the context requires;

(*d*) the term " tax " means Norwegian tax or United Arab Republic tax, as the context requires;

(*e*) the term " person " includes individuals, companies and all other entities which are treated as taxable units under the tax laws in force in either Contracting State;

(*f*) the term " company " means any body corporate or any entity which is treated as a body corporate for tax purposes;

(*g*) the terms " enterprise of a Contracting State " and " enterprise of the other Contracting State " mean respectively an enterprise carried on by a resident of a Contracting State and an enterprise carried on by a resident of the other Contracting State;

(*h*) the term " competent authorities " means in the case of Norway, the Minister of Finance and Customs or his authorised representative; and in the case of the United Arab Republic, the Minister of the Treasury or his authorised representative.

2. In the application of the provisions of this Convention by one of the Contracting States any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws in force in that State relating to the taxes which are the subject of this Convention.

Article 4

FISCAL DOMICILE

1. For the purposes of this Convention, the term " resident of a Contracting State " means any person who, under the law of that State, is liable to taxation therein by reason of his domicile, residence, place of management or any other criterion of a similar nature.

2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Contracting States, then this case shall be determined in accordance with the following rules :

(*a*) He shall be deemed to be a resident of the Contracting State in which he has a permanent home available to him. If he has a permanent home available to him in both Contracting States, he shall be deemed to be a resident of the Contracting State with which his personal and economic relations are closest (centre of vital interests);

(*b*) If the Contracting State in which he has his centre of vital interests cannot be determined, or if he has not a permanent home available to him in either Contracting State, he shall be deemed to be a resident of the Contracting State in which he has an habitual abode;

(*c*) If he has an habitual abode in both Contracting States or in neither of them, he shall be deemed to be a resident of the Contracting State of which he is a national;

(*d*) If he is a national of both Contracting States or of neither of them, the competent authorities of the Contracting States shall settle the question by mutual agreement.

3. Where by reason of the provisions of paragraph 1 a person other than an individual is a resident of both Contracting States, then it shall be deemed to be a resident of the Contracting State in which its place of effective management is situated.

Article 5

PERMANENT ESTABLISHMENT

1. For the purpose of this Convention, the term " permanent establishment " means a fixed place of business in which the business of the enterprise is wholly or partly carried on.

2. The term " permanent establishment " shall include especially :

(*a*) a place of management;

(*b*) a branch;

(*c*) an office;

(*d*) a factory;

(*e*) a workshop;

(*f*) a mine, a quarry, an oilfield or other place of extraction of natural resources;

(*g*) a farm, a plantation and a warehouse;

(*h*) a building site or construction or assembly project which exists for more than six months.

3. The term " permanent establishment " shall not be deemed to include :

(*a*) the use of facilities solely for the purpose of storage, display or delivery of goods or merchandise belonging to the enterprise;

(*b*) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage, display or delivery;

(*c*) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise;

(*d*) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise, or for collecting information, for the enterprise;