

**No. 48788**

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**Estonia  
and  
Republic of Korea**

**Convention between the Government of the Republic of Estonia and the Government of the Republic of Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. New York, 23 September 2009**

**Entry into force:** *25 May 2010 by notification, in accordance with article 28*

**Authentic texts:** *English, Estonian and Korean*

**Registration with the Secretariat of the United Nations:** *Estonia, 3 August 2011*

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**Estonie  
et  
République de Corée**

**Convention entre le Gouvernement de la République d'Estonie et le Gouvernement de la République de Corée tendant à éviter la double imposition et à prévenir l'évasion fiscale en matière d'impôts sur le revenu. New York, 23 septembre 2009**

**Entrée en vigueur :** *25 mai 2010 par notification, conformément à l'article 28*

**Textes authentiques :** *anglais, estonien et coréen*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Estonie, 3 août 2011*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**CONVENTION**  
**BETWEEN**  
**THE GOVERNMENT OF THE REPUBLIC OF ESTONIA**  
**AND**  
**THE GOVERNMENT OF THE REPUBLIC OF KOREA**  
**FOR THE AVOIDANCE OF DOUBLE TAXATION**  
**AND THE PREVENTION OF FISCAL EVASION WITH RESPECT**  
**TO TAXES ON INCOME**

The Government of the Republic of Estonia and the Government of the Republic of Korea,  
  
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:

**Article 1**

**PERSONS COVERED**

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 a 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 elements of income, including taxes on gains from the alienation of movable or immovable property, as well as taxes on capital appreciation.
3. The existing taxes to which the Convention shall apply are in particular:
  - a) in Korea:
    - i) the income tax;
    - ii) the corporation tax; and
    - iii) the special tax for rural development;(hereinafter referred to as "Korean tax")

b) in Estonia:

the income tax

(hereinafter referred to as “Estonian tax”).

4. The Convention shall apply also to any identical or substantially similar taxes which are imposed after the date of signature of the Convention in addition to, or in place of, the existing taxes. The competent authorities of the Contracting States shall notify each other of any significant changes which have been made in their respective taxation laws, within the reasonable period of time after such changes.

### **Article 3**

#### **GENERAL DEFINITIONS**

1. For the purposes of this Convention, unless the context otherwise requires:
- a) the term “Korea” means the Republic of Korea, and when used in a geographical sense, means the territory of the Republic of Korea, including its territorial sea, and any adjacent to the territorial sea of the Republic of Korea which, in accordance with international law, has been or may hereafter be designated under the laws of the Republic of Korea as an area within which the sovereign rights or jurisdiction of the Republic of Korea with respect to the waters, the sea-bed and subsoil, and their natural resources may be exercised;
- b) the term “Estonia” means the Republic of Estonia and, when used in the geographical sense, means the territory of Estonia and any other area adjacent to

the territorial waters of Estonia within which under the laws of Estonia and in accordance with international law, the rights of Estonia may be exercised with respect to the sea-bed and its subsoil and their natural resources;

- c) the terms “a Contracting State” and “the other Contracting State” mean Korea or Estonia, as the context requires;
- d) the term “tax” means Korean tax or Estonian tax, as the context requires;
- e) the term “person” includes an individual, a company and any other body of persons;
- 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 “international traffic” means any transport by a ship or aircraft operated by an enterprise of a Contracting State, except when the ship or aircraft is operated solely between places in the other Contracting State;
- i) the term “competent authority” means:
  - i) in Korea, the Minister of Strategy and Finance or his authorized