

**No. 49770**

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**Republic of Korea  
and  
Slovakia**

**Convention between the Republic of Korea and the Slovak Republic for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Seoul, 27 August 2001**

**Entry into force:** *8 July 2003 by the exchange of the instruments of ratification, in accordance with article 28*

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

**Registration with the Secretariat of the United Nations:** *Republic of Korea, 6 July 2012*

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**République de Corée  
et  
Slovaquie**

**Convention entre la République de Corée et la République slovaque tendant à éviter la double imposition et à prévenir l'évasion fiscale en matière d'impôts sur le revenu. Séoul, 27 août 2001**

**Entrée en vigueur :** *8 juillet 2003 par l'échange des instruments de ratification, conformément à l'article 28*

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

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *République de Corée, 6 juillet 2012*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

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

The Republic of Korea and the Slovak 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:

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

- b) in the case of the Slovakia:
  - ( i ) the tax on income of individuals;
  - ( ii ) the tax on income of legal persons;
  - ( iii ) the tax on immovable property;(hereinafter referred to as "Slovak tax").

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

### Article 3 GENERAL DEFINITIONS

1. For the purpose of this Convention, unless the context otherwise requires:
  - a) the term "Korea" means the territory of the Republic of Korea including any area 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 of the Republic of Korea with respect to the sea-bed and sub-soil and their natural resources may be exercised;
  - b) the term "Slovakia" means the Slovak Republic;
  - c) the terms "a Contracting State" and "the other Contracting State" mean Korea or Slovakia, as the context requires;
  - d) the term "person" includes an individual, a company and any other body of persons;
  - e) the term "company" means any body corporate or any entity which is treated as a body corporate for tax purposes;
  - f) 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;
  - g) the term "national" means:

- ( i ) any individual possessing the nationality of a Contracting State;
  - ( ii ) any legal person, partnership and association deriving its status as such from the laws in force in a Contracting State;
  - h) the term "international traffic" means any transport by a ship, boat or aircraft operated by an enterprise of a Contracting State, except when the ship, boat or aircraft is operated solely between places in the other Contracting State;
  - i) the term "competent authority" means:
    - ( i ) in the case of Korea, the Minister of Finance and Economy or his authorised representative;
    - ( ii ) in the case of Slovakia, the Minister of Finance of the Slovak Republic or his authorised representative.
2. As regards the application of the Convention by a Contracting State, any term not defined therein shall, unless the context otherwise requires, have the meaning which it has under the law of that State concerning the taxes to which the Convention applies.

#### Article 4

##### RESIDENT

1. For the purposes of this Convention, the term "resident of a Contracting State" means any person who, under the laws of that State, is liable to tax therein by reason of his domicile, residence, place of head or main office, place of management or any other criterion of a similar nature. But this term does not include any person who is liable to tax in that State in respect only of income from sources in that State.
2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Contracting States, then his status shall be determined as follows:
- 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 closer (centre of vital interests);