STATUTORY INSTRUMENTS

1996 No. 2598

INCOME TAX

The Double Taxation Relief (Taxes on Income) (Mongolia) Order 1996

Made - - - - 15th October 1996

THE DOUBLE TAXATION RELIEF (TAXES ON INCOME) (MONGOLIA) ORDER 1996

- 1. This Order may be cited as the Double Taxation Relief...
- 2. It is hereby declared- (a) that the arrangements specified in... Signature

SCHEDULE — CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF MONGOLIA FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME AND CAPITAL

- Article 1Personal scope
- Article 2**Taxes covered**
- 1. This Convention shall apply to taxes on income and on...
- 2. There shall be regarded as taxes on income and on...
- 3. The existing taxes to which this Convention shall apply are:...
- This Convention shall apply also to any identical or substantially...
 Article 3General definitions
- 1. For the purposes of this Convention, unless the context otherwise...
- 2. A partnership which is treated as a taxable unit under...
- 3. Where, under any provision of this Convention, a partnership is...
- 4. As regards the application of this Convention by a Contracting...

— Article 4**Residence**

- 1. For the purposes of this Convention, the term "resident of...
- 2. Where by reason of the provisions of paragraph (1) of...
- 3. Where by reason of the provisions of paragraph (1) of...

— Article 5**Permanent establishment**

1. For the purposes of this Convention, the term "permanent establishment"...

- 2. The term "permanent establishment" includes especially: (a) a place of...
- 3. A building site or construction or installation project constitutes a...
- 4. Notwithstanding the preceding provisions of this Article, the term "permanent...
- 5. Notwithstanding the provisions of paragraphs (1) and (2) of this...
- 6. An enterprise shall not be deemed to have a permanent...
- 7. The fact that a company which is a resident of...

— Article 6Income from immovable property

- 1. Income derived by a resident of a Contracting State from...
- 2. The term "immovable property" shall have the meaning which it...
- 3. The provisions of paragraph (1) of this Article shall apply...
- 4. The provisions of paragraphs (1) and (3) of this Article...

— Article 7Business profits

- 1. The profits of an enterprise of a Contracting State shall...
- 2. Subject to the provisions of paragraph (3) of this Article,...
- 3. In determining the profits of a permanent establishment, there shall...
- 4. Insofar as it has been customary in a Contracting State...
- 5. No profits shall be attributed to a permanent establishment by...
- 6. For the purposes of the preceding paragraphs, the profits to...
- 7. Where the profits include items of income which are dealt...

— Article 8International transport

- 1. Profits of an enterprise of a Contracting State from the...
- 2. For the purposes of this Article, profits from the operation...
- 3. The provisions of paragraphs (1) and (2) of this Article...

— Article 9Associated enterprises

- 1. Where: (a) an enterprise of a Contracting State participates directly...
- 2. Where a Contracting State includes in the profits of an...

- Article 10**Dividends**

- 1. Dividends paid by a company which is a resident of...
- 2. However, such dividends may also be taxed in the Contracting...
- 3. The term "dividends" as used in this Article means income...
- 4. The provisions of paragraphs (1) and (2) of this Article...
- 5. Where a company which is a resident of a Contracting...
- 6. The provisions of this Article shall not apply if it...

— Article 11Interest

- 1. Interest arising in a Contracting State and paid to a...
- 2. However, such interest may also be taxed in the Contracting...
- 3. Notwithstanding the provisions of paragraph (2) of this Article, where...
- 4. The term "interest" as used in this Article means income...
- 5. The provisions of paragraphs (1), (2), (3), (12) and (13)...
- 6. Interest shall be deemed to arise in a Contracting State...
- 7. Where, by reason of a special relationship between the payer...
- 8. Any provision in the laws of either Contracting State relating...
- 9. The relief from tax provided for in paragraph (2) of...
- 10. The provisions of this Article shall not apply if it...
- 11. Notwithstanding the provisions of paragraph (2) of this Article, interest...
- 12. Notwithstanding paragraphs (2) and (3) of this Article, interest arising...
- 13. Notwithstanding paragraphs (2) and (3) of this Article, interest arising...
 Article 12Royalties
- 1. Royalties arising in a Contracting State and paid to a...
- 2. However, such royalties may also be taxed in the Contracting...
- 3. The term "royalties" as used in this Article means payments...
- 4. The provisions of paragraphs (1) and (2) of this Article...

- 5. Royalties shall be deemed to arise in a Contracting State...
- 6. Where, by reason of a special relationship between the payer...
- 7. The provisions of this Article shall not apply if it...

— Article 13Capital gains

- 1. Gains derived by a resident of a Contracting State from...
- 2. Gains derived by a resident of a Contracting State from...
- 3. Gains from the alienation of movable property forming part of...
- 4. Gains derived by a resident of a Contracting State from...
- 5. Gains from the alienation of any property other than that...
- 6. The provisions of paragraph (5) of this Article shall not...

— Article 14Independent personal services

- 1. Income derived by a resident of a Contracting State in...
- 2. The term "professional services" includes especially independent scientific, literary, artistic,...

— Article 15**Dependent personal services**

- 1. Subject to the provisions of Articles 16, 18, 19, 20...
- 2. Notwithstanding the provisions of paragraph (1) of this Article, remuneration...
- 3. Notwithstanding the preceding provisions of this Article, remuneration derived in...

— Article 16**Directors' fees**

- Article 17Artistes and sportsmen

- 1. Notwithstanding the provisions of Article 14 and Article 15 of...
- 2. Where income in respect of personal activities exercised by an...
- 3. Notwithstanding the provisions of paragraphs (1) and (2) of this... — Article 18**Pensions**
- 1. Subject to the provisions of paragraph (2) of Article 19...
- 2. Notwithstanding the provisions of paragraph (1) of this Article, pensions...
- 3. The term "annuity" means a stated sum payable to an...

— Article 19Government service

- 1. (a) Remuneration, other than a pension, paid by a Contracting...
- 2. (a) Any pension paid by, or out of funds created...
- 3. The provisions of Articles 15, 16, 17 and 18 of...

— Article 20**Teachers and researchers**

- 1. Subject to paragraph (2) of this Article, an individual who...
- 2. Where, under the provisions of this Convention taken together with...
- 3. The provisions of this Article shall apply to income from...
 - Article 21Students

— Article 22**Other income**

- 1. Items of income beneficially owned by a resident of a...
- 2. The provisions of paragraph (1) of this Article shall not...
- 3. Where, by reason of a special relationship between the payer...
- 4. The provisions of this Article shall not apply if it...

— Article 23Capital

- 1. Capital represented by immovable property referred to in Article 6...
- 2. Capital represented by movable property forming part of the business...
- 3. Capital represented by ships or aircraft or railway or road...
- 4. All other elements of capital of a resident of a...

— Article 24Elimination of double taxation

- 1. Subject to the provisions of the law of the United...
- 2. Where a resident of Mongolia derives income from the United...
- 3. For the purposes of paragraph (1) of this Article, profits,...
- 4. For the purposes of paragraph (1) of this Article, the...

- 5. Relief from United Kingdom tax by virtue of paragraph (4)...
- 6. The period referred to in paragraph (5) of this Article...

— Article 25Limitation of relief

- 1. Where under any provision of this Convention any income is...
- 2. Notwithstanding the provisions of any other Article of this Convention,...

— Article 26Non-discrimination

- 1. Nationals of a Contracting State shall not be subjected in...
- 2. The taxation on a permanent establishment which an enterprise of...
- 3. Except where the provisions of paragraph (1) of Article 9,...
- 4. Enterprises of a Contracting State, the capital of which is...
- 5. Nothing contained in this Article shall be construed as obliging...
- 6. The provisions of this Article shall apply to the taxes...

- Article 27Mutual agreement procedure

- 1. Where a resident of a Contracting State considers that the...
- 2. The competent authority shall endeavour, if the objection appears to...
- 3. The competent authorities of the Contracting States shall endeavour to...
- 4. The competent authorities of the Contracting States may communicate with...

— Article 28**Exchange of information**

- 1. The competent authorities of the Contracting States shall exchange such...
- 2. In no case shall the provisions of paragraph (1) of...
 - Article 29Members of diplomatic or permanent missions and consular posts
 - Article 30Entry into force
 - Article 31**Termination**

Explanatory Note