
DRAFT STATUTORY INSTRUMENTS

2004 No.

INCOME TAX

**The Double Taxation Relief (Taxes
on Income) (Georgia) Order 2004**

Made - - - - 2004

**THE DOUBLE TAXATION RELIEF (TAXES
ON INCOME) (GEORGIA) ORDER 2004**

1. Citation
2. Double taxation arrangements to have effect
Signature

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

Article 1 — **Persons covered**

Article 2 — **Taxes covered**

1. This Agreement 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 Agreement shall apply are...
4. This Agreement shall also apply to any identical or substantially...

Article 3 — **General definitions**

1. For the purposes of this Agreement, unless the context otherwise...
2. As regards the application of this Agreement at any time...

Article 4 — **Resident**

1. For the purposes of this Agreement, 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 Agreement, 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 6 — Income 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 7 — Business 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. No profits shall be attributed to a permanent establishment by...
5. For the purposes of the preceding paragraphs, the profits to...
6. Where profits include items of income or capital gains which...

Article 8 — Income from international traffic

1. Profits from the operation of ships or aircraft in international...
2. If the place of effective management of a shipping enterprise...
3. The provisions of paragraph (1) of this Article shall also...

Article 9 — Associated 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: (a) shall be exempt from tax in...
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 11 — Interest

1. Interest arising in a Contracting State and beneficially owned by...
2. The term “interest” as used in this Article means income...
3. The provisions of paragraph (1) of this Article shall not...
4. Where, by reason of a special relationship between the payer...
5. The provisions of this Article shall not apply if it...

Article 12 — Royalties

1. Royalties arising in a Contracting State and beneficially owned by...
2. The term “royalties” as used in this Article means payments...
3. The provisions of paragraph (1) of this Article shall not...
4. Where, by reason of a special relationship between the payer...
5. The provisions of this Article shall not apply if it...

Article 13 — Capital 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 this Article shall not affect the right...

Article 14 — Income from employment

1. Subject to the provisions of Articles 15, 17, 18, 19...

2. Notwithstanding the provisions of paragraph (1) of this Article, remuneration...
3. Notwithstanding the preceding provisions of this Article, remuneration derived in...
 - Article 15 — **Directors' fees**
 - Article 16 — **Artistes and sportsmen**
1. Notwithstanding the provisions of Articles 7 and 14 of this...
2. Where income in respect of personal activities exercised by an...
 - Article 17 — **Pensions and annuities**
1. Subject to the provisions of paragraph (2) of Article 18...
2. The term “annuity” means a stated sum payable to an...
 - Article 18 — **Government service**
1. (a) Salaries, wages and other similar remuneration, other than a...
2. (a) Any pension paid by, or out of funds created...
3. The provisions of Articles 14, 15, 16 and 17 of...
 - Article 19 — **Students**
 - Article 20 — **Professors, teachers and researchers**
1. A professor, teacher or researcher who visits one of the...
2. The provisions of this Article shall apply to income from...
 - Article 21 — **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 resident...
4. The provisions of this Article shall not apply if it...
 - Article 22 — **Capital**
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 and aircraft operated in international traffic,...
4. All other elements of capital of a resident of a...
 - Article 23 — **Elimination of double taxation**
1. (a) Where a resident of Georgia derives income or owns...
2. Subject to the provisions of the law of the United...
3. For the purposes of paragraph (2) of this Article, profits,...
- Article 24 — **Limitation of relief**
1. Where under any provision of this Agreement any income or...
2. Notwithstanding the provisions of any other Article of this Agreement,...
- Article 25 — **Non-discrimination**
1. Nationals of a Contracting State shall not be subjected in...
2. Stateless persons who are residents of a Contracting State shall...
3. The taxation on a permanent establishment which an enterprise of...
4. Except where the provisions of paragraph (1) of Article 9,...
5. Enterprises of a Contracting State, the capital of which is...
6. Nothing contained in this Article shall be construed as obliging...
7. The provisions of this Article shall apply to the taxes...
 - Article 26 — **Mutual 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 27 — **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...

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK
Statutory Instrument: *The Double Taxation Relief (Taxes on Income) (Georgia) Order 2004 No. 3325*

Article 28 — **Members of diplomatic missions and consular posts**

Article 29 — **Entry into force**

1. This Agreement shall be ratified and instruments of ratification shall...
2. This Agreement shall enter into force upon the exchange of...

Article 30 — **Termination**

Explanatory Note