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ノガ ポ	条	条	条	条	条	条	条	条	文											府に対
ールとの租税(所得)協定	船舶又は航空機に係る利得	企業又は恒久的施設の利得	不動産に係る所得	恒久的施設	一方の締約国の居住者	定義	適用される租税	人的範囲		次									シンガポールとの租税(所得)協定	政府とシンガポール共和国政府との間の協定得に対する租税に関する二重課税の回避及び脱税の防
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10011	O			0 1 01 1		二〇〇八	100七			ペ ー ジ		示第二四八号)	(条約第八号及び外務省告	公布及び告示	東京で批准書の交換	批准の閣議決定	国会承認	シンガポールで署名		

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シンガポ	ニ 〇 四	四
第 九 条	特殊関係企業に係る利得	11011
第 十 条	配当	〇 一 四
+ _	利子	二〇一 五
+ 二	使用料	〇 一 七
	讓渡収益	〇 一 八
+	自由職業の所得	0110
第十五条	勤務に対する報酬	0.0
第十六条	役員の報酬	0
第十七条	芸能人等の所得	0
第十八条	退職年金	0111
第十九条	公務遂行に係る報酬	0
第二十条	学生又は事業修習者への給付金	01111
第二十一条	その他の所得	01111
第二十二条	租税の減免の適用制限	01111
第二十三条	二重課税の排除方法	
第二十四条	無差別取扱い	O ፹
第二十五条	不服申立て及び両国当局間の協議	O 二 六
第二十六条	情報の交換	<u>○</u> 一七
第二十七条	不正利用の防止を目的とする租税の徴収共助	<u>○</u> 一七
第二十八条	外交官又は領事官の特権との関係	〇 二 八
第二十九条	批准、効力発生	二〇二八
第三十条	有効期間	〇 一 九
末文		〇 二 九
○議定書		011011
○所得に対す	所得に対する租税に関する二重課税の回避及び脱税の防止のための日本国政府とシンガポール共和国政府	
との間の協会	÷	

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シンガポールとの租税(所得)協定

日本側書簡
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			る適 人 和用 約 税 さ 範 用	前	
シンガポールとの租税(所得)協定	な改正を、その改正後の妥当な期間内に、相互に通知する。2 この協定は、1に掲げる租税と同一であるもの又は実質的に類似するもの(国税であるか地方税であるかを問わなって1に掲げる租税と同一であるもの又は実質的に類似するもの(国税であるか地方税であるかを問わな「別下「シンガボールの租税」という。)	(i) 所得税 (ii) 法人税 (ii) 法人税 (ii) 法人税 (ii) 法人税	<ul> <li>(a) 日本国においては、</li> <li>(a) 日本国においては、</li> <li>第二条</li> <li>第二条</li> <li>第二条</li> <li>第二条</li> </ul>	き ree 次のとおり協定した。 日本国政府及びシンガポール共和国政府は、	政府との間の協定
100H	<pre>the income tax   (hereinafter referred to as "Singapore tax").   (hereinafter referred to as "Singapore tax"). 2. This Agreement shall also apply to any identical or   substantially similar taxes, whether national or local,   which are imposed after the date of signature of this   Agreement in addition to, or in place of, those referred   to in paragraph 1. The competent authorities of the   Contracting States shall notify each other of any substantial   changes which have been made in their respective taxation   laws within a reasonable period of time after such changes.</pre>	<ul> <li>(i) the income tax;</li> <li>(ii) the corporation tax; and</li> <li>(iii) the local inhabitant taxes</li> <li>(hereinafter referred to as "Japanese tax");</li> <li>(b) in Singapore:</li> </ul>	Article 1 This Agreement shall apply to persons who are residents of one or both of the Contracting States. Article 2 1. This Agreement shall apply to the following taxes: (a) in Japan:	The Government of Japan and the Government of the Republic of Singapore, Desiring to conclude an Agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, Have agreed as follows:	AGREEMENT BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

第三条

- 1 この協定の適用上、文脈により別に解釈すべき場合を除くほか、
- 国の租税に関する法令が施行されているすべての水域(海底及びその下を含む)をいう。の領域(領海を含む)及びその領域の外側に位置する水域で日本国が国際法に基づき管轄権を有し日本(۵) 「日本国」とは、地理的意味で用いる場合には、日本国の租税に関する法令が施行されているすべて
- (b) 「シンガポール」とは、シンガポール共和国をいう。
- ( 「一方の締約国」及び「他方の締約国」とは、文脈により、日本国又はシンガポールをいう。
- (d) 「租税」とは、文脈により、日本国の租税又はシンガポールの租税をいう。
- (e) 「者」には、個人、法人及び法人以外の団体を含む。
- ① 「法人」とは、法人格を有する団体又は租税に関し法人格を有する団体として取り扱われる団体をい

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- 業及び他方の締約国の居住者が営む企業をいう。(6) 「一方の締約国の企業」及び「他方の締約国の居住者が営む企
- 税に関し当該一方の締約国の法令に基づいて設立され又は組織された法人として取り扱われるすべての令に基づいて設立され又は組織されたすべての法人及び法人格を有しないがいずれか一方の締約国の租()) 「国民」とは、いずれか一方の締約国の国籍を有するすべての個人並びにいずれか一方の締約国の法

団体をいう

- ()「国際運輸」とは、一方の締約国の企業が運用する船舶又は航空機による運送(他方の締約国内の地)
- 点の間においてのみ運用される船舶又は航空機による運送を除く。) をいう。

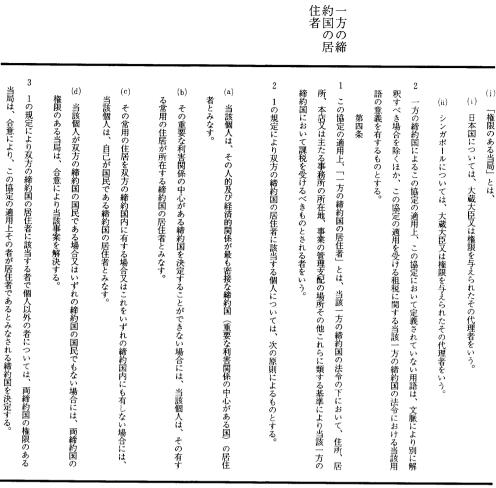
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Article 3

 For the purposes of this Agreement, unless the context otherwise requires:

- (a) the term "Japan", when used in a geographical sense, means all the territory of Japan, including its territorial sea, in which the laws relating to Japanese tax are in force, and all the area beyond its territorial sea, including the sea-bed and subsoil thereof, over which Japan has jurisdiction in accordance with international law and in which the laws relating to Japanese tax are in force;
- (b) the term "Singapore" means the Republic of Singapore;
- (c) the terms "a Contracting State" and "the other Contracting State" mean Japan or Singapore, as the context requires;
- (d) the term "tax" means Japanese tax or Singapore 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 "nationals" means all individuals possessing the nationality of either Contracting State and all juridical persons created or organized under the laws of that Contracting State and all organizations without juridical personality treated for the purposes of tax of that Contracting State as juridical persons created or organized under the laws of that Contracting State;
- (i) 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; and

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シンガポールとの租税(所得)協定

- (j) the term "competent authority" means:
- (i) in the case of Japan, the Minister of Finance or his authorized representative;
- (ii) in the case of Singapore, the Minister for Finance or his authorized representative.

2. As regards the application of this Agreement by a Contracting State, any term not defined therein shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State concerning the taxes to which this Agreement applies.

#### Article 4

1. For the purposes of this Agreement, the term "resident of a Contracting State" means any person who, under the laws of that Contracting State, is liable to tax therein by reason of his domicile, residence, place of head or main office, place of control and 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 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, 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 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 the competent authorities of the

				設恒 久 的 施	
の場所を保有すること。(c) 企業に属する物品又は商品を購入し又は情報を収集することのみを目的として、事業を行う一定(d) 企業のために物品若しくは商品を購入し又は情報を収集することのみ保有すること。	(b) 企業に属する物品又は商品の在庫を保管、展示又は引渡しのためにのみ保有すること。 (a) 企業に属する物品又は商品の保管、展示又は引渡しのためにのみ施設を使用すること。	4 1から3までの規定にかかわらず、「恒久的施設」には、次のことは、含まれないものとする。間存続する場合に限り、「恒久的施設」とする。	<ul> <li>(f) 鉱山、石油又は天然ガスの坑井、採石場その他天然資源を採取する場所</li> <li>(e) 作業場</li> <li>(b) 支店</li> </ul>	- をこ	シンガポールとの租税(所得)協定

### Article 5

1. For the purposes of this Agreement, the term "permanent establishment" means a fixed place of business through which the business of an enterprise is wholly or partly carried on.

- The term "permanent establishment" includes especially:
- (a) a place of management;
- (b) a branch;
- (c) an office;
- (d) a factory;
- (e) a workshop; and
- (f) a mine, an oil or gas well, a guarry or any other place of extraction of natural resources.

3. A building site, a construction or installation project or supervisory activities in connection therewith, constitute a permanent establishment only if such site, project or activities last more than six months.

4. Notwithstanding the provisions of the preceding paragraphs of this Article, the term "permanent establishment" shall be deemed not 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 of collecting information, for the enterprise;

(e) の場所を保有すること。 企業のためにその他の準備的又は補助的な性格の活動を行うことのみを目的として、事業を行う一定

(f) 助的な性格のものである場合に限る を保有すること。ただし、当該一定の場所におけるこのような組合せによる活動の全体が準備的又は補 (a)から(きでに掲げる活動を組み合わせた活動を行うことのみを目的として、事業を行う一定の場所

5 動 業を行う一定の場所で行われたとしても、4の規定により当該一定の場所が「恒久的施設」とされない活 該一方の締約国内に「恒久的施設」を有するものとされる。ただし、その者の活動が4に掲げる活動 限を反復して行使する場合には、当該企業は、その者が当該企業のために行うすべての活動について、当 代理人を除く。)が、一方の締約国内で、当該企業の名において契約を締結する権限を有し、かつ、この権 1及び2の規定にかかわらず、企業に代わって行動する者(6の規定が適用される独立の地位を有する のみである場合は、この限りでない。 爭

- 6 締約国内で事業活動を行っているという理由のみでは、当該一方の締約国内に「恒久的施設」を有するも のとされない 企業は、通常の方法でその業務を行う仲立人、問屋その他の独立の地位を有する代理人を通じて一方の
- 7 とはされない。 れらに支配されているという事実のみによっては、いずれの一方の法人も、他方の法人の「恒久的施設」 て事業(「恒久的施設」を通じて行われるものであるかないかを問わない。)を行う法人を支配し、又はこ 一方の締約国の居住者である法人が、他方の締約国の居住者である法人若しくは他方の締約国内におい

第六条

1 所得を含む。)に対しては、当該他方の締約国において租税を課することができる 一方の締約国の居住者が他方の締約国内に存在する不動産から取得する所得(農業又は林業から生ずる

係る所得

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動産には、いかなる場合にも、

シンガポールとの租税

(所得)

協定

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- 一不動産」の用語は、当該財産が存在する締約国の法令における不動産の意義を有するものとする。

- これに附属する財産、農業又は林業に用いられている家畜類及び設備、 不

- (e) enterprise, any other activity of a preparatory the maintenance of a fixed place of business or auxiliary character; and solely for the purpose of carrying on, for the
- (f the maintenance of a fixed place of business solely for any combination of activities business resulting from this combination is of a mentioned in sub-paragraphs (a) to (e), provided preparatory or auxiliary character. that the overall activity of the fixed place of

in paragraph 4 which, if exercised through a fixed place of business, would not make this fixed place of business permanent establishment under the provisions of that paragraph. activities of such person are limited to those mentioned Contracting State in respect of any activities which that person undertakes for the enterprise, unless the shall be deemed to have a permanent establishment in that exercises, in a Contracting State an authority to contract contracts in the name of the enterprise, that enterprise acting on behalf of an enterprise and has, and habitually exercises, in a Contracting State an authority to conclude where a person -- other than an agent of an independent status to whom the provisions of paragraph 6 apply -- is . ა Notwithstanding the provisions of paragraphs 1 and

6. An enterprise shall not be deemed to have a permanent establishment in a Contracting State merely because it carries on business in that Contracting State through a in the ordinary course of their business. independent status, provided that such persons are acting broker, general commission agent or any other agent of an

shall not of itself constitute either company a permanent which carries on business in that other Contracting State Contracting State controls or is controlled by a company which is a resident of the other Contracting State, or establishment of the other. (whether through a permanent establishment or otherwise), The fact that a company which is a resident of a

# Article 6

1. Income derived by a resident of a Contracting State from immovable property (including income from agriculture or forestry) situated in the other Contracting State may be taxed in that other Contracting State.

which it has under the laws of the Contracting State in which the property in question is situated. The term s N. in any case include property accessory to immovable The term "immovable property" shall have the meaning The term shall

3 1の規定は、不動産の直接使用、賃貸その他のすべての形式による使用から生ずる所得について適用す

る。

**4.1及び3の規定は、企業の不動産から生ずる所得及び独立の人的役務を提供するために使用される不動** 

第七条

- て租税を課することができる。
  て租税を課することができる。
  て租税を課することができる。
  て租税を課することができる。
  この締約国内において事業を行わない限り、当該一方の締約国内においてのみ租税を課することができる。
  の締約国内企業の利得に対しては、その企業が他方の締約国内にある恒久的施設を通じて当該他方の締約国内において事業を行う場の締約国内において事業を行わない限り、当該一方の締約国内にある恒久的施設を通じて当該他方
- 2 3の規定に従うことを条件として、一方の締約国の企業が他方の締約国内にある恒久的施設に 業であるとしたならば当該恒久的施設が取得したとみられる利得が、各締約国において当該恒久的施設に 業であるとしたならば当該恒久的施設が取得したとみられる利得が、各締約国において当該恒久的施設に 業であるとしたならば当該恒久的施設が取得したとみられる利得が、各締約国において当該恒久的施設を通じて当
- 3 恒久的施設の利得を決定するに算入することを認められる。
  3 恒久的施設の利得を決定するに当たっては、経営費及び一般管理費を含む費用で当該恒久的施設のため

4 恒久的施設が企業のために物品又は商品の単なる購入を行ったことを理由としては、いかなる利得も、

当該恒久的施設に帰せられることはない

property, livestock and equipment used in agriculture and forestry, rights to which the provisions of general law respecting immovable property apply, usufruct of immovable property and rights to variable or fixed payments as consideration for the working of, or the right to work, mineral deposits, sources and other natural resources; ships and aircraft shall not be regarded as immovable property.

3. The provisions of paragraph 1 shall apply to income derived from the direct use, letting, or use in any other form of immovable property.

4. The provisions of paragraphs 1 and 3 shall also apply to the income from immovable property of an enterprise and to income from immovable property used for the performance of independent personal services.

#### Article 7

1. The profits of an enterprise of a Contracting State shall be taxable only in that Contracting State unless the enterprise carries on business in the other Contracting State through a permanent establishment situated therein. If the enterprise carries on business as aforesaid, the profits of the enterprise may be taxed in that other Contracting State but only so much of them as is attributable to that permanent establishment.

2. Subject to the provisions of paragraph 3, where an enterprise of a Contracting State carries on business in the other Contracting State through a permanent establishment situated therein, there shall in each Contracting State be attributed to that permanent establishment the profits which it might be expected to make if it were a distinct and separate enterprise engaged in the same or similar activities under the same or similar conditions and dealing wholly independently with the enterprise of which it is a permanent establishment.

3. In determining the profits of a permanent establishment, there shall be allowed as deductions expenses which are incurred for the purposes of the permanent establishment, including executive and general administrative expenses so incurred, whether in the Contracting State in which the permanent establishment is situated or elsewhere.

4. No profits shall be attributed to a permanent establishment by reason of the mere purchase by that permanent establishment of goods or merchandise for the enterprise.



5. For the purposes of the provisions of the preceding paragraphs of this Article, the profits to be attributed to the permanent establishment shall be determined by the same method year unless there is good and sufficient reason to the contrary.

6. Where profits include items of income which are dealt with separately in other Articles of this Agreement, then the provisions of those Articles shall not be affected by the provisions of this Article.

#### Article 8

 Profits from the operation of ships or aircraft in international traffic carried on by an enterprise of a Contracting State shall be taxable only in that Contracting State.

2. In respect of the operation of ships or aircraft in international traffic carried on by an enterprise of a Contracting State, that enterprise, if an enterprise of Singapore, shall be exempt from the enterprise tax in Japan, and, if an enterprise of Japan, shall be exempt from any tax similar to the enterprise tax in Japan which may hereafter be imposed in Singapore.

3. The provisions of the preceding paragraphs of this Article shall also apply to profits from the participation in a pool, a joint business or an international operating agency.

# Article 9

Where

- (a) an enterprise of a Contracting State participates directly or indirectly in the management, control or capital of an enterprise of the other Contracting State, or
- (b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of a Contracting State and an enterprise of the other Contracting State,

and in either case conditions are made or imposed between the two enterprises in their commercial or financial relations which differ from those which would be made between independent enterprises, then any profits which would, but for those conditions, have accrued to one of the enterprises, but, by reason of those conditions, have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

シンガポールとの租税

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協定

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協定

2 一方の締約国において租税を課された当該一方の締約国の企業の利得を他方の締約国において 課された租税の額につき適当な調整を行う。この調整に当たっては、この協定の他の規定に妥当な考慮を けられたであろう条件であったとしたならば当該他方の締約国の企業の利得となったとみられる利得であ ることに合意するときは、当該一方の締約国は、その合意された利得に対して当該一方の締約国において ることに合意するときは、当該一方の締約国は、その合意された利得に対して当該一方の締約国において ることに合意するときは、当該一方の締約国は、その合意された利得に対して当該一方の締約国において 私う。

#### 第十条

- 1 一方の締約国の居住者である法人が他方の締約国の居住者に支払う配当に対しては、当該他方の締約国
- 次の額を超えないものとする。その租税の額は、当該配当の受領者が当該配当の受益者である場合には、て租税を課することができる。その租税の額は、当該配当の受領者が当該配当の受益者である場合には、2 1の配当に対しては、これを支払う法人が居住者とされる締約国においても、当該締約国の法令に従っ
- (a) 当該配当の受益者が、利得の分配に係る事業年度の終了の日に先立つ六箇月の期間を通じ、当該
   (a) 当該配当の受益者が、利得の分配に係る事業年度の終了の日に先立つ六箇月の期間を通じ、当該配当
- (b) その他のすべての場合には、当該配当の額の十五パーセント

この2の規定は、当該配当を支払う法人のその配当に充てられる利得に対する課税に影響を及ぼすもの

ではない

ずる所得及びその他の持分から生ずる所得であって分配を行う法人が居住者とされる締約国の税法上株式3 この条において、「配当」とは、株式その他利得の分配を受ける権利(信用に係る債権を除く。)から生

から生ずる所得と同様に取り扱われるものをいう。

2. Where a Contracting State includes, in accordance with the provisions of paragraph 1, in the profits of an enterprise of that Contracting State -- and taxes accordingly -- profits on which an enterprise of the other Contracting State has been charged to tax in that other contracting State and where the competent authorities of the Contracting State and where the competent authorities of the Contracting State sagree, upon consultation, that all or part of the profits so included are profits which would have accrued to the enterprise of the first-mentioned Contracting State if the conditions made between the two enterprises had been those which would have been made between independent enterprises, then that other Contracting State shall make an appropriate adjustment to the amount of the tax charged therein on those agreed profits. In determining such adjustment, due regard shall be had to the other provisions of this Agreement.

### Article 10

1. Dividends paid by a company which is a resident of a Contracting State to a resident of the other Contracting State may be taxed in that other Contracting State.

2. However, such dividends may also be taxed in the Contracting State of which the company paying the dividends is a resident, and according to the laws of that Contracting State, but if the recipient is the beneficial owner of the dividends the tax so charged shall not exceed:

- (a) 5 per cent of the gross amount of the dividends if the beneficial owner is a company which owns at least 25 per cent of the voting shares of the company paying the dividends during the period of six months immediately before the end of the accounting period for which the distribution of profits takes place;
- (b) 15 per cent of the gross amount of the dividends in all other cases.

The provisions of this paragraph shall not affect the taxation of the company in respect of the profits out of which the dividends are paid.

3. The term "dividends" as used in this Article means income from shares or other rights, not being debt-claims, participating in profits, as well as income from other corporate rights which is subjected to the same taxation treatment as income from shares by the taxation laws of the Contracting State of which the company making the distribution is a resident. 当

ŋ シンガボールが法人の利得又は所得に対する租税以外に配当に対して租税を課さないこととしている限 シンガボールの居住者である法人が日本国の居住者に支払う配当については、2の規定にかかわら

ず シンガポールにおいて当該法人の利得又は所得に対する租税以外の租税を免除する。

5 国において当該他方の締約国内にある固定的施設を通じて独立の人的役務を提供する場合において、当該 配当の支払の基因となった株式その他の持分が当該恒久的施設又は当該固定的施設と実質的な関連を有す れる他方の締約国において当該他方の締約国内にある恒久的施設を通じて事業を行い又は当該他方の締約 るものであるときは、適用しない。この場合には、第七条又は第十四条の規定を適用する。 1及び2の規定は、一方の締約国の居住者である配当の受益者が、当該配当を支払う法人が居住者とさ

6 なる租税も課することができず、また、当該留保所得に対して租税を課することができない。 内にある恒久的施設又は固定的施設と実質的な関連を有するものである場合の配当を除く。)に対していか の締約国の居住者に支払われる配当及び配当の支払の基因となった株式その他の持分が当該他方の締約国 は一部が当該他方の締約国内において生じた利得又は所得から成るときにおいても、当該配当(当該他方 約国は、当該法人の支払う配当及び当該法人の留保所得については、これらの配当及び留保所得の全部又 一方の締約国の居住者である法人が他方の締約国から利得又は所得を取得する場合には、当該他方の締

#### 第十一条

1 において租税を課することができる。 一方の締約国内において生じ、他方の締約国の居住者に支払われる利子に対しては、当該他方の締約国

2 1の利子に対しては、当該利子が生じた締約国においても、 当該締約国の法令に従って租税を課するこ

とができる。その租税の額は、当該利子の受領者が当該利子の受益者である場合には、当該利子の額の十

パーセントを超えないものとする。

3 の締約国の地方公共団体、 2の規定にかかわらず、一方の締約国内において生ずる利子であって、他方の締約国の政府、当該他方

当該他方の締約国の中央銀行又は当該他方の締約国の政府の所有する機関が取

exempt from any tax in Singapore which may be chargeable on dividends in addition to the tax chargeable on the or income of a company, dividends paid by a company which is a resident of Singapore to a resident of Japan shall be 4. Notwithstanding the provisions of paragraph 2 of this Article, as long as Singapore does not impose a tax on dividends in addition to the tax chargeable on the profits profits or income of the company.

dividends are paid is effectively connected with such permanent establishment or fixed base. In such case 1 provisions of Article 7 or Article 14, as the case ma 5. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the dividends, being a resident of a Contracting State, carries on business in the other situated therein, or performs in that other Contracting dividends is a resident, through a permanent establishment shall apply. situated therein, and the holding in respect of which the State independent personal services from a fixed base Contracting State of which the company paying the as the case may In such case the be

Contracting State or insofar as the holding in respect of which the dividends are paid is effectively connected with a permanent establishment or a fixed base situated in that other Contracting State, nor subject the company's undistributed profits to a tax on the company's State, that other Contracting State may not impose any tax on the dividends paid by the company, except insofar as such dividends are paid to a resident of that other 6. Where a company which is a resident of a contracting State derives profits or income from the other Contracting or income arising in that other Contracting State undistributed profits consist wholly or partly of profits undistributed profits, even if the dividends paid or the Where a company which is a resident of a Contracting

#### Article Ľ

:other Contracting State. 1. Interest arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that

2. However, such interest may also be taxed in the Contracting State in which it arises, and according to the laws of that Contracting State, but if the recipient is the beneficial owner of the interest the tax so charged shall not exceed 10 per cent of the gross amount of the interest. However, such interest may also be taxed in the

3. Notwithstanding the provisions of paragraph 2, interest arising in a Contracting State and derived by the Government of the other Contracting State, a local authority thereof, the central bank of that other Contraction for

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peri	方の締約国内にある固定的施設を通じて独立の人的役務を提供する場合において、当該利子の支払の基因
	において当該他方の締約国内にある恒久的施設を通じて事業を行い又は当該他方の締約国において当該他
τ. Ο	6 1から3までの規定は、一方の締約国の居住者である利子の受益者が、当該利子の生じた他方の締約国
deb sec	あってして本子にの 龍山 マネノスで 食気 ちゃくにまし / さっしょう
par	券又は土貴り則曽姶及が資金とないる。そいう。券又は土貴り則曽姶及が資金とないる。
5. inc	5.この条において、「利子」とは、すべての種類の信用に係る債権(担保の有無及び債務者の利得の分配
	☞ シンガポール政府が資本の全部を所有するその他の機関で両締約国の政府が随時合意するもの
	⑾ シンガポール政府投資公社
	(i) シンガポール貨幣管理局
	() 通貨委員会
	(b) シンガボールについては、
	<b>Ⅲ 日本国政府が資本の全部を所有するその他の機関で両締約国の政府が随時合意するもの</b>
	(i) 日本輸出入銀行
	(1) 日本銀行
	(a) 日本国については、
the.	
<u> </u>	こま、 たつ うつ こう
299	は、当該一方の締約国において租税を免除する。
	れた債権又はこれらによる間接融資に係る債権に関し当該他方の締約国の居住者が取得するものについて
de r	行若しくは当該他方の締約国の政府の所有する機関によって保証された債権、これらによって保険に付さ
in	得するもの及び当該他方の締約国の政府、当該他方の締約国の地方公共団体、当該他方の締約国の中央銀
	シンガポールとの租税(所得)協定

istitution wholly owned by that Government, or by any ssident of the other Contracting State with respect to abt-claims guaranteed, insured or indirectly financed by re Government of that other Contracting State, a local ithority thereof, the central bank of that other intracting State or any institution wholly owned by that overnment shall be exempt from tax in the first-mentioned intracting State.

4. For the purposes of paragraph 3 of this Article, the terms "the central bank" and "institution wholly owned by that Government" mean:

- (a) in the case of Japan:
- (i) the Bank of Japan;
- (ii) the Export-Import Bank of Japan; and
- (iii) such other institution the capital of which is wholly owned by the Government of Japan as may be agreed upon from time to time between the Governments of the two Contracting States;
- (b) in the case of Singapore:
- (i) the Board of Commissioners of Currency;
- (ii) the Monetary Authority of Singapore;
- (iii) the Government of Singapore Investment Corporation; and
- (iv) such other institution the capital of which is wholly owned by the Government of Singapore as may be agreed upon from time to time between the Governments of the two Contracting States.

. The term "interest" as used in this Article means ncome from debt-claims of every kind, whether or not ecured by mortgage and whether or not carrying a right to articipate in the debtor's profits, and in particular, ncome from government securities and income from bonds or ebentures, including premiums and prizes attaching to such ecurities, bonds or debentures.

6. The provisions of paragraphs 1, 2 and 3 shall not apply if the beneficial owner of the interest, being a resident of a Contracting State, carries on business in the other Contracting State in which the interest arises, through a permanent establishment situated therein, or performs in

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業上若しくは学術上の設備の使用若しくは使用の権利の対価として、又は産業上、商業上若しくは学術上権。意匠「模型」図面「秘密方式老しくは秘密工程の伊用老しくに何月の枚利のた何として」 勇業上一番	
「急」で、莫利、図画、4及びラジオ放送用	
3.この条において、「使用料」とは、文学上、美術上若しくは学術上の著作物(ソフトウェア、映画フィ	
料の額の十パーセントを超えないものとする。	
ることができる。その租税の額は、当該使用料の受領者が当該使用料の受益者である場合には、当該使用	
2 1の使用料に対しては、当該使用料が生じた締約国においても、当該締約国の法令に従って租税を課す	
国において租税を課することができる。	
1 一方の締約国内において生じ、他方の締約国の居住者に支払われる使用料に対しては、当該他方の締約	料
第十二条	
上、各締約国の法令に従って租税を課することができる。	
る。この場合には、支払われた額のうち当該超過分に対し、この協定の他の規定に妥当な考慮を払った	
合意したとみられる額を超えるときは、この条の規定は、その合意したとみられる額についてのみ適用す	
双方と第三者との間の特別の関係により、利子の額が、その関係がないとしたならば支払者及び受益者が	
8 利子の支払の基因となった債権について考慮した場合において、利子の支払者と受益者との間又はその	
在する当該一方の締約国内において生じたものとされる。	
又は固定的施設によって負担されるものであるときは、当該利子は、当該恒久的施設又は固定的施設の存	
払の基因となった債務が当該恒久的施設又は固定的施設について生じ、かつ、当該利子が当該恒久的施設	
ないかを問わない。が一方の締約国内に恒久的施設又は固定的施設を有する場合において、当該利子の支	
は、当該一方の締約国内において生じたものとされる。ただし、利子の支払者(締約国の居住者であるか	
7 利子は、その支払者が一方の締約国又は当該一方の締約国の地方公共団体若しくは居住者である場合に	
い。この場合には、第七条又は第十四条の規定を適用する。	
となった債権が当該恒久的施設又は当該固定的施設と実質的な関連を有するものであるときは、適用しな	

使 用

シンガポールとの租税(所得)協定

that other Contracting State independent personal services from a fixed base situated therein, and the debt-claim in respect of which the interest is paid is effectively connected with such permanent establishment or fixed base. In such case the provisions of Article 7 or Article 14, as the case may be, shall apply.

7. Interest shall be deemed to arise in a Contracting State when the payer is that Contracting State issues, local authority thereof or a resident of that Contracting State. Where, however, the person paying the interest, whether he is a resident of a Contracting State or not, has in a Contracting State a permanent establishment or a fixed base in connection with which the indebtedness on which the interest is paid was incurred, and such interest is borne by such permanent establishment or fixed base, then such interest shall be deemed to arise in the Contracting State in which the permanent establishment or fixed base is situated.

8. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of the interest, having regard to the debt-claim for which it is paid, exceeds the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Agreement.

#### Article 12

1. Royalties arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other Contracting State.

2. However, such royalties may also be taxed in the Contracting State in which they arise, and according to the laws of that Contracting State, but if the recipient is the beneficial owner of the royalties the tax so charged shall not exceed 10 per cent of the gross amount of the royalties.

3. The term "royalties" as used in this Article means payments of any kind received as a consideration for the use of, or the right to use, any copyright of literary, artistic or scientific work including software, cinematograph films and films or tapes for radio or television broadcasting, any patent, trade mark, design or model, plan, secret formula or process, or for the use of, or the right to use, industrial, commercial or scientific equipment, or for information

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いて受領する料金(第八条で取り扱うものを除く。をいう。の経験に関する情報の対価として受領するすべての種類の支払金及び船舶又は航空機の裸用船契約に基づ

4 使用料は、その支払者が一方の締約国内において生じたものとされる。

型、図面、秘密方式又は秘密工程の譲渡から生ずる収入についても、同様に適用する。ジオ放送用又はテレビジョン放送用のフィルム又はテープを含む?の著作権、特許権、商標権、意匠、模5 1、2及び4の規定は、文学上、美術上若しくは学術上の著作物(ソフトウェア、映画フィルム及びラ

関連を有するものであるときは、適用しない。この場合には、第七条又は第十四条の規定を適用する。当該使用料又は収入の支払の基因となった権利又は財産が当該恒久的施設又は当該固定的施設と実質的な締約国において当該他方の締約国内にある固定的施設を通じて独立の人的役務を提供する場合において、6 1、2及び5の規定は、一方の締約国内居住者である使用料又は収入の受益者が、当該使用料又は収入

第十三条 第十三条 第十三条

する収益に対しては、当該他方の締約国において租税を課することができる。

1 一方の締約国の居住者が第六条に規定する不動産で他方の締約国内に存在するものの譲渡によって取得

concerning industrial, commercial or scientific experience, as well as receipts from a bare boat charter of ships or aircraft (other than those dealt with in Article 8).

4. Royalties shall be deemed to arise in a Contracting State when the payer is that Contracting State is contracting State. Where, however, the person paying the royalties, whether he is a resident of a Contracting State or not, has in a Contracting State a permanent establishment or a fixed base in connection with which the liability to pay the royalties was incurred, and such royalties are borne by such permanent establishment or fixed base, then such royalties the permanent establishment or fixed base is situated.

5. The provisions of paragraphs 1, 2 and 4 of this Article shall likewise apply to proceeds arising from the alienation of any copyright of literary, artistic or scientific work including software, cinematograph films and films or tapes for radio or television broadcasting, any patent, trade mark, design or model, plan, or secret formula or process.

6. The provisions of paragraphs 1, 2 and 5 shall not apply if the beneficial owner of the royalties or proceeds, being a resident of a Contracting State, carries on business in the other Contracting State in which the royalties or proceeds arise, through a permanent establishment situated therein, or performs in that other Contracting State independent personal services from a fixed base situated therein, and the right or property in respect of which the royalties or proceeds are paid is effectively connected with such permanent establishment or fixed base. In such case the provisions of Article 7 or Article 14, as the case may be, shall apply.

7. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of the royalties or proceeds, having regard to the use, right or information for which they are paid, exceeds the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Agreement.

# Article 13

 Gains derived by a resident of a Contracting State from the alienation of immovable property referred to in Article 6 and situated in the other Contracting State may be

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譲渡収益

4 3 2 (ь) (a) 財産 することができる 産の譲渡から生ずる収益については、適用しない。 方の締約国において租税を課することができる。ただし、この2の規定は、前条5の規定が適用される財 て行われる当該恒久的施設の譲渡又は当該固定的施設の譲渡から生ずる収益を含む。)に対しては、当該他 供している固定的施設に係る財産(不動産を除く。)の譲渡から生ずる収益(単独に若しくは企業全体とし く。の譲渡又は一方の締約国の居住者が独立の人的役務を提供するため他方の締約国内においてその用に 一方の締約国の企業が他方の締約国内に有する恒久的施設の事業用資産の一部を成す財産(不動産を除 2の規定が適用される場合を除くほか 一方の締約国の居住者が国際運輸に運用する船舶又は航空機及びこれらの船舶又は航空機の運用に係る 産の持分の譲渡から生ずる収益に対しては、当該一方の締約国において租税を課することができる。 引されるものを除く。)又は一方の締約国内に存在する不動産を主要な財産とする組合、信託若しくは遺 一方の締約国内に存在する不動産を主要な財産とする法人の株式(公認の株式取引所において通常取 一方の締約国の居住者が他方の締約国の居住者である法人の株式の譲渡によって取得する収益に対し !(不動産を除く?)の譲渡によって取得する収益に対しては、当該一方の締約国においてのみ租税を課

ては、次のことを条件として、当該他方の締約国において租税を課することができる

(i) 度に係る基準期間中のいかなる時点においても当該法人の株式の総数の少なくとも二十五パーセント であること 譲渡者が保有し又は所有するものと合算されるものを含む。)の数が、当該課税年度中又は当該賦課年 当該譲渡者が保有し又は所有する株式(当該譲渡者の特殊関係者が保有し又は所有する株式で当該

(ii) 当該譲渡者及びその特殊関係者が当該課税年度中又は当該賦課年度に係る基準期間中に譲渡した株

式の総数が、当該法人の株式の総数の少なくとも五パーセントであること。

シンガポールとの租税

(所得)

協定

taxed in that other Contracting State

alienation of such a permanent establishment (alone or together with the whole enterprise) or of such a fixed base, may be taxed in that other Contracting State. However, this provision shall not apply to the gains derived from such alienation of property to which the provisions of paragraph 5 of Article 12 apply. independent personal services, including such gains from the the other Contracting State for the purpose of performing any property, other than immovable property, pertaining to a fixed base available to a resident of a Contracting State in Contracting State has in the other Contracting State or of immovable property, forming part of the business property of a permanent establishment which an enterprise of a Gains from the alienation of any property, other than

3. Gains derived by a resident of a Contracting State from the alienation of ships or aircraft operated in international traffic and any property, other than immovable property, pertaining to the operation of such ships or aircraft shall be taxable only in that Contracting State.

- 4 Unless the provisions of paragraph 2 are applicable:
- (a) gains from the alienation of shares of a company Contracting State, may be taxed in that Contracting State. exchange, or of an interest in a partnership, a trust or an estate, the property of which consists principally of immovable property situated in a not traded regularly at a recognized stock
- 9 gains derived by a resident of a Contracting State resident of the other Contracting State may be taxed in that other Contracting State, if: from the alienation of shares of a company being a
- E company at any time during the taxable year or the basis period for the year of per cent of the entire share capital of such aggregated therewith) amount to at least 25 any other related persons as may be shares held or owned by the alienator assessment; and (together with such shares held or owned by
- (ii) the total of the shares alienated by the alienator and such related persons during that taxable year or the basis period for that year of assessment amounts to at least 5 per cent of the entire share capital of such company.

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国においてのみ租税を課することができる。	5 1から4までに規定する財産以外の財産の譲渡から生ずる収益に対しては、譲渡者が居住者である締約
	譲渡者が居住者である締約

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shall be taxable only in the Contracting State of which the 5. Gains from the alienation of any property other than that referred to in the preceding paragraphs of this Article alienator is a resident.

## Article 14

1. Income derived by a resident of a Contracting State in respect of professional services or other activities of an independent character shall be taxable only in that Contracting State unless:

- (a) he has a fixed base regularly available to him in performing his activities; or the other Contracting State for the purpose of
- છે he is present in that other Contracting State for a period or periods exceeding in the aggregate 183 days in any consecutive twelve-month period.

If he has such a fixed base or remains in that other Contracting State for the aforesaid period or periods, the income may be taxed in that other Contracting State but only so much of it as is attributable to that fixed base or is derived in that other Contracting State during the aforesaid period or periods.

accountants. physicians, lawyers, engineers, architects, dentists and teaching activities as well as the independent activities of 2. The term "professional services" includes especially independent scientific, literary, artistic, educational or

### Article 15

salaries, wages and other similar remuneration derived by a resident of a Contracting State in respect of an employment shall be taxable only in that Contracting State unless the employment is exercised in the other Contracting State. If the employment is so exercised, such remuneration as is derived therefrom may be taxed in that other Contracting State. Subject to the provisions of Articles 16, 18 and 19,

する報酬 勤務に対

2. Notwithstanding the provisions of paragraph 1, remuneration derived by a resident of a Contracting State in respect of an employment exercised in the other Contracting State shall be texable only in the first-mentioned Contracting State, if:

(a) the recipient is present in that other Contracting State for a period or periods not exceeding in the

(a)

報酬の受領者が継続するいかなる十二箇月の期間においても合計百八十三日を超えない期間当該他方

ることができる。