

efter nærværende Aftales Underskrift maatte blive udskrevet af enhver af de kontraherende Stater.

Artikel II.

(1) Anvendt i denne Aftale skal:

(a) Udtrykket »De Forenede Stater« betyde Amerikas Forenede Stater og anvendt i geografisk Forstand kun omfatte Staterne, Territorierne Alaska og Hawaii og Distriktet Columbia.

(b) Udtrykket »Danmark« betyde Kongeriget Danmark; Aftalens Bestemmelser skal dog ikke gælde for Færøerne, ej heller kommer de til Anvendelse med Hensyn til Grønland.

(c) Udtrykket »fast Driftssted« betyde et Filiakontor, en Fabrik, en Lagerbygning eller andet fast Forretningssted, men skal ikke indbefatte den tilfældige og midlertidige Brug af Oplagsplads alene, ej heller et Agentur, medmindre Agenten har og udøver en Generalfuldmagt til at forhandle om og afslutte Kontrakter paa et Foretagendes Vegne eller har et Varelager, fra hvilket han regelmæssigt effektuerer Ordre paa dettes Vegne. Et Foretagende i en af de kontraherende Stater skal ikke anses at have fast Driftssted i den anden Stat, alene fordi det i denne anden Stat udøver Forretningsvirksomhed gennem en uafhængig provisionslønned Agent, Mægler eller Administrator, der optræder indenfor Rammerne for sin almindelige Virksomhed i nævnte Egenskab. Det Forhold, at et Foretagende i en af de kontraherende Stater i den anden Stat opretholder et fast Forretningssted udelukkende med Henblik paa Indkøb af Varer, skal ikke i sig selv medføre, at et saadant fast Forretningssted betragtes som et fast Driftssted for dette Foretagende. Det Forhold, at et i den ene kontraherende Stat indregistreret Selskab har et Datterselskab, der er indregistreret i den anden Stat, eller som udøver Handels- eller Forret-

contracting State subsequently to the date of signature of the present Convention.

Article II.

(1) As used in this Convention:

(a) The term "United States" means the United States of America, and when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(b) The term "Denmark" means the Kingdom of Denmark; the provisions of the Convention shall not, however, extend to the Faroe Islands; nor do they apply to Greenland.

(c) The term "permanent establishment" means a branch office, factory, warehouse or other fixed place of business, but does not include the casual and temporary use of merely storage facilities, nor does it include an agency unless the agent has and exercises a general authority to negotiate and conclude contracts on behalf of an enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. An enterprise of one of the contracting States shall not be deemed to have a permanent establishment in the other State merely because it carries on business dealings in such other State through a *bona fide* commission agent, broker or custodian acting in the ordinary course of his business as such. The fact that an enterprise of one of the contracting States maintains in the other State a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute such fixed place of business a permanent establishment of such enterprise. The fact that a corporation of one contracting State has a subsidiary corporation which is a corporation of the other State or which is engaged in trade or business in the other State shall not of