

Belgium



PLG Member Firm

Tondreau & Associés

Daniel Tondreau has been registered at the Brussels bar since 1975 and has worked from the start in his own law firm in Brussels. He has been a member of PLG since 1994.

The law firm is specialized in business law and more particularly in company law (mergers, acquisitions, conflicts between shareholders etc), banking law, employment law and arbitration and Daniel Tondreau is often appointed by the president of the Commercial Court as ad hoc administrator of companies to mediate in shareholders' conflicts.

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Country Facts

Legal Facts:

Constitution: Belgium became independent from the Netherlands in 1830 (Constitution of 7 February 1831; amended many times; revised 14 July 1993 to create a federal state). It was occupied by Germany during World Wars I and II. It has prospered in the past half century as a modern, technologically advanced European state and member of NATO and the EU. Tensions between the Dutch-speaking Flemings of the north and the French-speaking Walloons of the south have led in recent years to constitutional amendments granting these regions formal recognition and autonomy.

Legal system: Civil law system influenced by the French "Code Civil Napoleon" and the French "Décret d'Allarde".

Geographical Facts:

Area: total: 30,528 km², land: 30,278 km², water: 250 km²

Natural resources: construction materials, silica sand, carbonates

Demographic Facts:

Population: 10,379,067 (July 2006 est.)

Languages: Dutch (official) 60%, French (official) 40%, German (official) less than 1%, legally bilingual (Dutch and French).

Government: federal parliamentary democracy under a constitutional monarch.

Administrative divisions: 10 provinces and 3 regions. As a result of the 1993 constitutional revision that furthered devolution into a federal state, there are now three levels of government (federal, regional, and four linguistic communities) with a complex division of responsibilities.

Economical Facts:

GDP: US\$ 325 billion (2005 est.)

Unemployment rate: 8.4% (2005 est.)

Exports: US\$ 269.6 billion f.o.b. (2005 est.)

Exports partners: Germany 19.9%, France 17.2%, Netherlands 11.8%, UK 8.6%, US 6.5%, Italy 5.2% (2004)

Imports: US\$264.5 billion f.o.b. (2005 est.)

Imports partners: Germany 18.4%, Netherlands 17%, France 12.5%, UK 6.8%, Ireland 6.3%, US 5.5% (2004)

Taxation:

Federal, regional, provincial, communal governments impose in particular income tax on individuals and transactions. Companies, associations and organisations with legal personality are subject to Belgian tax on corporate profits if they are engaged in a commercial or profit-making activity and if their statutory head office, main establishment or effective management office is located in Belgium. In principle, foreign entities are subject to Belgian corporation tax if they exercise commercial activities in Belgium via a branch (a permanent establishment).

Since the 2004 tax year, the corporation tax rate has been 33.99 %. A reduced rate of 24.98 % can be applied to SMEs, under certain conditions. To avoid double taxation, Belgium has signed some bilateral agreements. These agreements determine which country is qualified to levy the tax. Each situation has to be evaluated on the basis of its relevant double taxation agreement.

Links of interest:

<http://www.belgique.be>, <http://mineco.fgov.be>, <http://www.juridat.be>, <http://www.just.fgov.be>