

How to do business in Denmark

Legal considerations

EU legislation forms the basis of Danish law for trade and commerce. However, you should still seek professional legal advice.

Contact Lundgrens, for more information: www.lundgrens.dk.

Standards and technical regulations

The Danish Standards Agency has responsibility for standards. See: www.ds.dk/en/standards

EU standards mostly apply with regard to packaging. However, dependant on the business sector there may be local considerations. You should check by:

- seeking appropriate legal advice
- consultation with relevant national agencies
- consulting the local Department for International Trade (DIT) team at the British Embassy in Copenhagen. See the 'Resources' section at the end of this guide, or: www.gov.uk/government/world/organisations/uk-trade-investment-denmark#contact-us

[Source: Department for International Trade (DIT)/gov.uk]

Intellectual Property (IP)

Trademarks, designs, patents and copyright are the principal forms of Intellectual Property (IP) protection available to companies and individuals.

Having the right type of intellectual property protection helps you to stop people stealing or copying:

- the names of your products or brands
- your inventions
- the design or look of your products
- things you write, make or produce

Copyright, patents, designs and trademarks are all types of intellectual property protection. You get some types of protection automatically, others you have to apply for.

You own intellectual property if you:

- created it (and it meets the requirements for copyright, a patent or a design)
- bought intellectual property rights from the creator or a previous owner
- have a brand that could be a trade mark, e.g. a well-known product name

You usually will not own the intellectual property for something you created as part of your work while you were employed by someone else.

Intellectual property can:

- have more than one owner
- belong to people or businesses
- be sold or transferred

However, IP law – especially for patent protection – is not yet totally harmonised within the EU.

The Danish Patent and Trademark Office has responsibility for IP in Denmark. See: www.dkpto.org

Contact the Intellectual Property Office (IPO), the official UK government body responsible for intellectual property (IP) rights including patents, designs, trademarks and copyright, for further information or advice: www.gov.uk/government/organisations/intellectual-property-office

[Source: Department for International Trade (DIT)/gov.uk]

Tax and customs considerations

The UK and Denmark have signed a double taxation convention. The UK Government has a 39-page document “1980 UK-Denmark Double Taxation Convention as amended by the 1996 Protocol” downloadable at: www.gov.uk/government/publications/denmark-tax-treaties-in-force

The Danish Customs and Tax Administration SKAT provides more information on taxation in Denmark. See: www.skat.dk/data

Value Added Tax (VAT) VAT is charged at 25% on all products and services.

Check with HM Revenue and Customs (HMRC) regarding VAT refund of business expenses incurred in Denmark. See: www.gov.uk/government/publications/vat-notice

Company tax Companies are taxed at a flat rate of 23% on income from Danish sources when the:

- company is registered in Denmark
- management is based in Denmark

The corporate tax rate will have fallen to 22% by the end of 2016.

A special tonnage tax applies in Denmark in relation to the shipping industry. This tax is an alternative to the normal corporate income tax regime for shipping companies resident in Denmark. See the Danish Maritime Authority website for more details: www.dma.dk/themes/jointheDanishmerchantfleet

Income tax Resident individuals are taxed on their worldwide income. You are deemed to be resident when you have lived in Denmark for six months. There are special rules for foreign experts.

Customs The internal market of the European Union (EU) is a single market in which the free movement of goods, services, capital and persons is assured, and in which citizens are free to live, work, study and do business.

Since its creation in 1993, the single market has opened itself more to competition, created jobs, and reduced many trade barriers. The Single Market Act (see: www.ec.europa.eu/growth/single-market/smact) was put forward in two parts, in 2011 and 2012, containing proposals to further exploit the opportunities afforded by the single market, in order to boost employment and improve confidence in European business.

Therefore as a single market allowing the free movement of goods and services, no import duties are applicable.

Documentation Goods which are in free circulation within the EU can move between member states without being subject to any documentation requirements.

This does not apply to excise or controlled goods which still require documentation.

[Source: Department for International Trade (DIT) /gov.uk]

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Contact IMA
International Market Advisor
IMA House
41A Spring Gardens
Buxton
Derbyshire
SK17 6BJ
United Kingdom
Email: info@ima.uk.com
General enquiries switchboard: +44 (0) 1298 79562
Website: www.DoingBusinessGuide.co.uk