

# IMPORTANT NOTICE

**The Depository Trust Company**



**#:** 6852-10  
**Date:** June 08, 2010  
**To:** All Participants  
**Category:** Dividends  
**From:** International Services  
**Attention:** Operations, Reorg & Dividend Managers, Partners & Cashiers  
**Subject:** Tax Relief Country: Belgium – BELGACOM SA  
CUSIP: 077701100

DTC has received the following market announcement from BNY/MELLON. Questions regarding this notice may be directed to GlobeTax at 212-747-9100.

**Important Legal Information:** *The Depository Trust Company ("DTC") does not represent or warrant the accuracy, adequacy, timeliness, completeness or fitness for any particular purpose of the information contained in this communication, which is based in part on information obtained from third parties and not independently verified by DTC and which is provided as is. The information contained in this communication is not intended to be a substitute for obtaining tax advice from an appropriate professional advisor. In providing this communication, DTC shall not be liable for (1) any loss resulting directly or indirectly from mistakes, errors, omissions, interruptions, delays or defects in such communication, unless caused directly by gross negligence or willful misconduct on the part of DTC, and (2) any special, consequential, exemplary, incidental or punitive damages.*

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Non-Confidential

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**BELGACOM SA** has announced a cash dividend in respect to fiscal year 2010. As one of the Depositaries for the company's American Depositary Receipt ("ARD") program, BNY Mellon is distributing an Important Notice.

On ADR Pay Date, all holders will receive this dividend net of the full Belgian statutory withholding tax of 25% with the possibility to reclaim as outlined in the below Eligibility Matrix:

<b>DIVIDEND EVENT DETAILS</b>	
COUNTRY OF ISSUANCE	BELGIUM
ISSUE	BELGACOM SA
CUSIP#	077701100
DEPOSITARY	UNSPONSORED
ADR RECORD DATE	APRIL 22, 2010
ADR PAY DATE	MAY 10, 2010
ADR GROSS DIVIDEND RATE ON PAY DATE	\$0.446779
ORD GROSS DIVIDEND RATE ON PAY DATE	€ 1.68
RATIO	1 ORD : 5 ADR
STATUTORY WHT RATE	25%

<b>LONG-FORM ELIGIBILITY MATRIX</b>			
<b>RATE DESCRIPTION</b>	<b>RECLAIM RATE</b>	<b>ELIGIBLE RESIDENTS</b>	<b>DOCUMENTATION REQUIRED</b>
<b>UNFAVORABLE - 25%</b>	0%	NON-TREATY COUNTRIES	NONE
<b>FAVORABLE - 20 % LONG-FORM</b>	5%	EGYPT, THAILAND, TURKEY	<ol style="list-style-type: none"> <li>COVER LETTER</li> <li>FORM DIV 276</li> <li>CERTIFICATE OF RESIDENCY</li> <li>POWER OF ATTORNEY (2)</li> <li>CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>
<b>FAVORABLE – 15% LONG-FORM</b>	10%	<ul style="list-style-type: none"> <li>US INDIVIDUALS (IRAs &amp; SEPs INCLUDED)</li> <li>US CORPORATIONS</li> <li>US OTHER ENTITIES (S-CORP, PARTNERSHIP, TRUST OR ESTATE)</li> </ul>	<ol style="list-style-type: none"> <li>COVER LETTER</li> <li>FORM DIV 276</li> <li>IRS FORM 6166</li> <li>POWER OF ATTORNEY (2)</li> <li>CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>
<b>FAVORABLE – 15 % LONG-FORM</b>	10%	AUSTRALIA, AUSTRIA, BELARUS, BRAZIL, CANADA, CROATIA, CZECH REPUBLIC, DENMARK, FINLAND, FRANCE, GERMANY, GREECE, HONG KONG, INDIA, IRELAND, ISRAEL, ITALY, JAPAN, MEXICO, NETHERLANDS, POLAND, SOUTH AFRICA, SPAIN, SWEDEN, SWITZERLAND, UKRANE, VENEZUELA	<ol style="list-style-type: none"> <li>COVER LETTER</li> <li>FORM DIV 276</li> <li>CERTIFICATE OF RESIDENCY</li> <li>POWER OF ATTORNEY (2)</li> <li>CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>

## ELIGIBILITY MATRIX (CONTINUED)

RATE DESCRIPTION	RECLAIM RATE	ELIGIBLE RESIDENTS	DOCUMENTATION REQUIRED
<b>FAVORABLE - 10 % LONG-FORM</b>	<b>15%</b>	BULGARIA, HUNGARY, RUS- SIA, TAIWAN, UNITED KING- DOM	<ol style="list-style-type: none"> <li>1. COVER LETTER</li> <li>2. FORM DIV 276</li> <li>3. CERTIFICATE OF RESIDENCY</li> <li>4. POWER OF ATTORNEY (2)</li> <li>5. CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>
<b>FAVORABLE – 5% LONG-FORM</b>	<b>20%</b>	CHINA	<ol style="list-style-type: none"> <li>1. COVER LETTER</li> <li>2. FORM DIV 276</li> <li>3. CERTIFICATE OF RESIDENCY</li> <li>4. POWER OF ATTORNEY (2)</li> <li>5. CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>
<b>EXEMPT - 0% LONG-FORM</b>	<b>25%</b>	US PENSIONS AND US CHARI- TIES UNDER IRS SECTIONS 401(a), 501(a), 501(c), 501(d) under sec- tion 501(a)	<ol style="list-style-type: none"> <li>1. COVER LETTER</li> <li>2. ANNEX 26</li> <li>3. IRS FORM 6166</li> <li>4. POWER OF ATTORNEY (2)</li> <li>5. CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>
<b>EXEMPT-0% LONG-FORM</b>	<b>25%</b>	QUALIFYING NON-US PEN- SIONS: CANADA, IRELAND, JAPAN AND UNITED KINGDOM	<ol style="list-style-type: none"> <li>1. COVER LETTER</li> <li>2. ANNEX 26</li> <li>3. CERTIFICATE OF RESIDENCY</li> <li>4. POWER OF ATTORNEY (2)</li> <li>5. CERTIFICATION OF DIVIDEND PAYMENT</li> </ol>

## DISCLAIMER

All tax information contained in this Important Notice is based on a good faith compilation of information obtained and received from multiple sources. The information is subject to change. Actual deadlines frequently vary from the statutory deadlines because of local market conditions and advanced deadlines set by local agents. To mitigate risk it is strongly advised that DTC Participants file their claims as soon as possible as the depository and/or their agents will not be liable for claims filed less than six months before the specified deadline. In the event that local market rules, whether implemented by a local agent or a Tax Authority, conflict with the information provided in the important notice, either prior to or after publication, the local market rules will prevail.

## CHARGES & DEADLINES

FILING METHOD	BATCH	PAYMENT METHOD	DEPOSITARY SERVICE CHARGE	MINIMUM SERVICE CHARGE PER BENEFICIAL OWNER	FINAL SUBMISSION DEADLINE (ALL TIMES EST)
<b>LONG-FORM (U.S. RESIDENTS)</b>	POST PAYDATE, ONGOING	CHECK	\$0.005 per ADR	\$25	DECEMBER 1, 2013
<b>LONG-FORM (NON U.S. RESIDENTS)</b>	POST PAYDATE, ONGOING	CHECK	\$0.005 per ADR	\$25	VARIES PLEASE CALL FOR DETAILS

## DESCRIPTION OF VARIOUS DOCUMENTATION

DOCUMENT NAME	DESCRIPTION	ORIGINAL/ COPY	SIGNATURE REQUIREMENTS
<b>IRS FORM 6166</b>	ISSUED BY THE INTERNAL REVENUE SERVICE, STATING THE NAME OF THE BENEFICIAL OWNER. THE TAX YEAR MUST BE THE SAME AS THE YEAR OF THE DIVIDEND PAYMENT.	ORIGINAL	IRS REPRESENTATIVE
<b>COVER LETTER (EXHIBIT A)</b>	COVER LETTER REQUIRED OF ALL CLAIMS WHICH ADVISES THE DEPOSITARY OF THE SALIENT DETAILS OF THE CLAIM.	ORIGINAL	DTC PARTICIPANT
<b>DIV 276 FORM</b>	THIS IS THE BELGIAN TAX FORM USED FOR FILING PARTIAL REFUNDS.	ORIGINAL	DTC PARTICIPANT
<b>ANNEX 26 (EXHIBIT B)</b>	THIS IS A CERTIFICATE OF EXEMPTION AND IS ONLY REQUIRED FOR THOSE SEEKING EXEMPTION FROM BELGIUM WITHHOLDING TAX.	ORIGINAL	DTC PARTICIPANT
<b>POWER OF ATTORNEY (2)</b>	TWO POWER OF ATTORNEYS ARE REQUESTED IN ALL CASES WHERE A DTC PARTICIPANT IS SIGNING ON BEHALF OF THE BENEFICIAL OWNER ON THE DIV 276 FORM, OR THE ANNEX 26. POAs ARE REQUIRED, ONE FROM THE BENEFICIAL OWNER TO THE DTC PARTICIPANT AND ONE FROM THE DTC PARTICIPANT TO BNY MELLON / GLOBETAX.	COPY	BENEFICIAL OWNER AND DTC PARTICIPANT
<b>CERTIFICATION OF DIVIDEND PAYMENT (EXHIBIT C)</b>	PROVIDES A BREAKDOWN OF THE DIVIDEND PAYMENT. MUST BE SUBMITTED ON YOUR COMPANY'S LETTERHEAD.	ORIGINAL	DTC PARTICIPANT

## CONTACT DETAILS

PRIMARY CONTACT	HEDY KISHEL
DOMESTIC PHONE (U.S.)	1-800-915-3536
DOMESTIC FAX (U.S.)	1-800-985-3536
INTERNATIONAL PHONE	1-212-747-9100
INTERNATIONAL FAX	1-212-747-0029
EMAIL ADDRESS	HEDY_KISHEL@GLOBETAX.COM
COMPANY	BNY MELLON / GLOBETAX
STREET ADDRESS	90 BROAD STREET 16 <sup>TH</sup> FLOOR
CITY/STATE/ZIP	NEW YORK, NY 10004
ADDITIONAL CONTACTS	BRENDAN JORDAN BRETT LEWIS

## GENERAL QUESTIONS

QUESTION	ANSWER
HOW LONG DOES IT TAKE FOR LONG-FORM CLAIMS TO BE PAID?	GENERALLY WITHIN 1-2 YEARS.
DOES THE LONG FORM PROCESS HAVE A MINIMUM POSITION PER BENEFICIAL OWNER REQUIREMENT?	YES, LONG FORM CLAIMS MUST RECLAIM AT LEAST \$25.00
WHERE CAN A PARTICIPANT FIND DIV276 FORM FOR PARTIAL RECLAIMS?	CONTACT HEDY KISHEL AT BNY MELLON / GLOBETAX AT 1-800-915-3536.

**EXHIBIT A - COVER LETTER REQUIRED FOR BELGIAN TAX RECLAIM FILINGS  
THIS DOCUMENT MUST BE PREPARED ON THE DTC PARTICIPANT'S LETTERHEAD**

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**[DATE]**

BNY Mellon  
c/o Globe Tax Services, Inc.  
90 Broad Street-16<sup>th</sup> Floor  
New York, NY 10004-2205  
Attn: Hedy Kishel

Enclosed please find tax reclamation documents, which we are submitting on behalf of our clients who wish to avoid excess withholding tax on Belgian ADRs. We, [NAME OF DTC PARTICIPANT], also identified as DTC participant number [DTC PARTICIPANT NUMBER], hereby state that each beneficial owner cited below held the respective amount of shares on the record date of April 22, 2010 for the security **Belgacom SA**.

Below is the list of beneficial owners and their holdings, which total **[TOTAL # OF ADRs CITED BELOW]** ADRs. As required, the forms and a certification of residency document (Form 6166) if applicable, are enclosed for each beneficial owner. **The ratio is 5 ADR to 1 Ordinary share.** The information is as follows:

<b><u>Name</u></b> <b><u>of beneficial owner</u></b>	<b><u>Address</u></b>	<b><u>Type of Account</u></b>	<b><u>Taxpayer i.d. #</u></b>	<b><u># of ADRs held</u></b>
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- 1)
- 2)
- 3)etc.

We ask that BNY Mellon, as Depository, apply to the Belgian Tax Authorities for the reduced withholding tax rate on the above beneficial owners' behalf. Please contact the undersigned at **[SIGNATORY'S TELEPHONE NUMBER]** should you have any questions.

**Indemnification**

We certify that to the best of our knowledge that each of the beneficial owners identified above are eligible for the preferential rates as stated herein and we declare that we have performed all the necessary due diligence to satisfy ourselves as to the accuracy of the information submitted to us by these beneficial owners.

We will be fully liable for any and all withholding taxes, claims, penalties and / or interest to the Danish Tax Authorities ("charge-backs"), including without limitation, any foreign exchange fluctuations associated with such funds. Neither BNY Mellon nor the Issuer nor any of their agents or affiliates shall be liable for the failure to secure any refund. In consideration of the assistance of BNY Mellon and the Issuer in processing such claims, we expressly agree that neither BNY Mellon nor the Issuer nor any of their agents or affiliates shall have any liability for, and we shall indemnify, defend and hold each of BNY Mellon and the Issuer and their respective agents and affiliates harmless from and against, any and all loss, liability, damage, judgment, settlement, fine, penalty, demand, claim, cost or expense (including without limitation fees and expenses of defending itself or enforcing this agreement) arising out of or in connection herewith. We further agree that our obligations hereunder shall be free from all defenses.

Sincerely,

[Signature of authorized signatory for DTC Participant]  
**[NAME AND TITLE OF AUTHORIZED OFFICER FOR DTC PARTICIPANT]**

**PAYMENT ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EXHIBIT B – ANNEX 26  
REQUIRED FOR TAX EXEMPT BELGIAN TAX RECLAIM FILINGS**

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ANNEXE 26

PRECOMPTE MOBILIER

perçu par voie de retenue sur certains revenus de capitaux mobiliers

ATTESTATION

établie conformément à l'article 117, § 2, de l' A.R d'exécution C.I.R. 92 en ce qui concerne les revenus d'actions ou parts ou de capitaux investis alloués à certains épargnants non-résidents

***IMPORTANT : L' exomération n'est pas accordée lorsque l'épargnant non-résident, bien qu'il gère en son nom les actions ou parts ou les parts de capitaux investis, est tenu d'en verser le produit au bénéficiaire final en vertu d'une obligation contractuelle.***

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(nom, prénoms ou dénomination et adresse complètes du déposant titulaire à la Banque

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du (des) dépôt(s) numero(s) \_\_\_\_\_

certifie:

- 1° Qu'il n'a pas en Belgique
- a) son domicile, ou le siège de sa fortune;
  - b) son siège social, son principal établissement administratif, son siège de direction ou d'administration;
- 2° Qu'il est propriétaire ou usufruitier des actions ou parts déposés à découvert;
- 3° Qu'il ne se livre pas à une exploitation ou à des opérations de caractère lucratif et qu'il est exempté de tout imôt sur les revenus dans le pays dont il est résident.

s'engage a signaler immédiatement à la banque toute modification qui affecterait l'exactitude de la présente attestation.

Fiat à \_\_\_\_\_, le \_\_\_\_\_

Signature(s) <sup>(1)</sup>

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<sup>(1)</sup> La (les) signature(s) autorisée(s) doit (doivent) être suivie(s) de la qualité du (des) signataire(s)

**EXHIBIT C – CERTIFICATION OF DIVIDEND PAYMENT  
REQUIRED FOR BELGIAN TAX RECLAIM FILINGS  
THIS DOCUMENT MUST BE PREPARED ON THE DTC PARTICIPANT'S LETTERHEAD**

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**CERTIFICATION OF DIVIDEND PAYMENT**

We hereby confirm that:

<Beneficial Owner Name>

<B/O Address#1>

<B/O Address#2>

Was a recipient of a coupon, payable on **April 23, 2010** on a position of:

<Share Amount> shares of **Belgacom SA**

with the gross dividend rate of                      EUR                      **1.68**

the payment was distributed as follows:

gross dividend	EUR<Gross Dividend>
less: 25% withholding tax	EUR<25% of Gross>
Net dividend	EUR<75% of Gross>

Certified By

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
Name