

PROTOCOL

At the moment of the signature of the Agreement between the Government of the People's Republic of China and The Government of the Federative Republic of Brazil for The Avoidance of Double Taxation and The Prevention of Fiscal Evasion with Respect to Taxes on Income (hereinafter referred to as the "Agreement") the undersigned have agreed upon the following provisions which constitute an integral part of the Agreement.

1. With reference to Article 8

Nothing in the Agreement shall affect the application of Article 11 of the Agreement on Maritime Transport signed between the Government of the People's Republic of China and the Government of the Federative Republic of Brazil on May 23, 1979.

2. With reference to Article 10, paragraphs 2 and 5

It is understood that dividends mentioned in paragraphs 2 and 5 of Article 10, as drafted in this Agreement, in accordance with Brazilian domestic law, fully cover any business profits as well as business profits made by a permanent establishment.

3. With reference to Article 12, paragraph 3

It is understood that the provisions of paragraph 3 of Article 12 shall apply to payments of any kind received as a consideration for the rendering of technical assistance and technical services.

4. With reference to Article 24, paragraph 2

It is understood that the provisions of paragraph 5 of Article 10 are not in conflict with the provisions of paragraph 2 of Article 24.

DONE at Beijing this 5th day of August 1991, in duplicate, in the Chinese, Portuguese and English languages, all three texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

**For the Government
of the People's Republic of China**

**For the Government
of the Federative Republic of Brazil**