No. 9980

UNITED STATES OF AMERICA
and
TRINIDAD AND TOBAGO

Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and the encouragement of international trade and investment. Signed at Port of Spain on 22 December 1966

Authentic text: English.

Continuation in effect of the above-mentioned Convention during 1968

The Agreement and certified statement were registered by the United States of America on 1 November 1969.

ÉTATS-UNIS D'AMÉRIQUE
et
TRINITÉ-ET-TOBAGO

Convention tendant à éviter la double imposition et à prévenir l'évasion fiscale en matière d'impôts sur le revenu et à favoriser les échanges commerciaux et investissements internationaux. Signée à Port of Spain le 22 décembre 1966

Texte authentique : anglais.

Maintien en vigueur de la Convention susmentionnée au cours de l'année 1968

L'Accord et la déclaration certifiée ont été enregistrés par les États-Unis d'Amérique le 1er novembre 1969.

CONVENTION [1] BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF TRINIDAD AND TOBAGO FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME AND THE ENCOURAGEMENT OF INTERNATIONAL TRADE AND INVESTMENT

The Government of the United States of America and the Government of Trinidad and Tobago,

Desiring to conclude a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and the encouragement of international trade and investment,

Have agreed as follows:

Article 1

TAXES COVERED

(1) The taxes which are the subject of the present Convention are:

(*a*) In the case of the United States, the Federal income tax, including surtax, imposed by the Internal Revenue Code.

(*b*) In the case of Trinidad and Tobago, the corporation tax and the income tax.

(2) The present Convention shall also apply to taxes substantially similar to those covered by paragraph (1) of this Article which are subsequently imposed in addition to, or in place of, existing taxes.

Article 2

DEFINITIONS

(1) In the present Convention, unless the context otherwise requires:

(*a*) The term "United States" means the United States of America and, when used in a geographical sense, means the States thereof and the District of Columbia.

[1] Came into force on 19 December 1967 by the exchange of the instruments of ratification, which took place at Port of Spain, in accordance with article 5.

(*b*) The term " Trinidad and Tobago " means the country of Trinidad and Tobago and, when used in a geographical sense, means the Island of Trinidad, the Island of Tobago and their dependencies.

(*c*) The terms " one of the Contracting States " and " the other Contracting State " mean the United States or Trinidad and Tobago, as the context requires.

(*d*) The term " person " comprises an individual, a corporation and any other body of individuals or persons.

(*e*) The term " United States corporation " or " corporation of the United States " means a corporation, or an entity treated as a corporation for United States tax purposes, which is created or organized under the laws of the United States or any State thereof or the District of Columbia.

(*f*) The term " Trinidad and Tobago corporation " or " corporation of Trinidad and Tobago " means any corporation or any entity treated as a corporation for Trinidad and Tobago tax purposes, the business of which is managed and controlled in Trinidad and Tobago.

(*g*) The term " resident of one of the Contracting States " means an individual who is a resident of that Contracting State for purposes of the tax of that Contracting State and includes an individual acting as a partner or fiduciary to the extent that the income derived by such individual in that capacity is taxed as the income of a resident.

(*h*) The terms " resident or corporation of one of the Contracting States " and " resident or corporation of the other Contracting State " mean a resident or corporation of the United States or a resident or corporation of Trinidad and Tobago, as the context requires.

(2) As regards the application of the present Convention by a Contracting State, any term not expressly defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of the present Convention.

Article 3

DIVIDENDS

(1) The tax imposed by one of the Contracting States on dividends derived from sources within that Contracting State by a resident or corporation of the other Contracting State shall not exceed —

(*a*) 25 per cent of the gross amount distributed; or

(*b*) when the recipient is a corporation 5 per cent of the gross amount distributed if —

(i) during the part of the paying corporation's taxable year which precedes the date of payment of the dividend and during the whole of its prior