

No. 31068

**VENEZUELA
and
NETHERLANDS**

**Agreement for the avoidance of double taxation with respect
to maritime and air transport. Signed at Caracas on
18 December 1990**

Authentic texts: Spanish and Dutch.

Registered by Venezuela on 1 July 1994.

**VENEZUELA
et
PAYS-BAS**

**Accord tendant à éviter la double imposition en matière de
transport maritime et aérien. Signé à Caracas le 18 dé-
cembre 1990**

Textes authentiques : espagnol et néerlandais.

Enregistré par le Venezuela le 1^{er} juillet 1994.

[TRANSLATION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF VENEZUELA AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO MARITIME AND AIR TRANSPORT

The Government of the Republic of Venezuela and the Government of the Kingdom of the Netherlands,

Desiring to conclude an agreement for the avoidance of double taxation in respect of the profits of enterprises engaged in the business of maritime and air transport,

Having examined and verified the reciprocity of treatment concerning the taxation of such enterprises,

Have agreed as follows:

Article 1

1. All profits, income and capital gains derived by an enterprise of one of the Contracting States from the business of maritime and air transport in international traffic shall be exempt in the other Contracting State from all the taxes of that other Contracting State which are or may become chargeable on profits, income and capital gains.

2. The provisions of this article shall also apply to profits, income and capital gains from participation in a pool, joint business or an international operating agency.

3. This Agreement shall not apply to municipal taxes. If, however, Venezuela agrees to exempt a third State from municipal taxes under an agreement with that State, such exemption shall automatically apply under the provisions of this Agreement as well.

Article 2

For the purposes of this Agreement:

(a) The terms “one of the Contracting States” and “the other Contracting State” mean the Republic of Venezuela or the Kingdom of the Netherlands as the context requires;

(b) The term “enterprise of one of the Contracting States” means a State enterprise of that Contracting State, an enterprise of an individual residing in that Contracting State and not residing at the same time in the other Contracting State or an enterprise of a company or firm established under the laws in force in that Contracting State whose place of effective management is located in that Contracting State;

¹ Came into force on 1 June 1993, the date of the last of the notifications by which the Contracting Parties informed each other of the completion of their constitutional procedures, in accordance with article 5.