

No. 47510

**Brazil
and
United Kingdom of Great Britain and Northern Ireland**

Agreement between the Government of the Federative Republic of Brazil and the Government of the United Kingdom of Great Britain and Northern Ireland to avoid the double taxation of profits derived from shipping and air transport. Brasilia, 27 July 2005

Entry into force: *22 July 2008 by notification, in accordance with article 6*

Authentic texts: *English and Portuguese*

Registration with the Secretariat of the United Nations: *Brazil, 4 May 2010*

**Brésil
et
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord**

Accord entre le Gouvernement de la République fédérative du Brésil et le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord en vue d'éviter la double imposition des bénéfices provenant de l'exploitation des transports maritimes et aériens. Brasilia, 27 juillet 2005

Entrée en vigueur : *22 juillet 2008 par notification, conformément à l'article 6*

Textes authentiques : *anglais et portugais*

Enregistrement auprès du Secrétariat des Nations Unies : *Brésil, 4 mai 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF
BRAZIL AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND TO AVOID THE DOUBLE TAXATION OF PROFITS
DERIVED FROM SHIPPING AND AIR TRANSPORT

The Government of the Federative Republic of Brazil

and

The Government of the United Kingdom of Great Britain and
Northern Ireland
(the “Contracting States”),

Considering the interest in encouraging maritime transport and
commercial aviation between the Federative Republic of Brazil (“Brazil”) and the
United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”);

Having regard to the need to avoid the double taxation of profits
derived from shipping and air transport;

Recognising that the exemption from taxation on income and profits
referred to in Article 2 below was introduced into the law of the United Kingdom
of Great Britain and Northern Ireland pursuant to an Order of 8 April 1968,
implementing the provisions of the United Kingdom-Brazil Agreement through
Exchange of Notes for the Avoidance of Double Taxation on Profits derived from
Shipping and Air Transport signed on 29 December 1967, in force with effect from
1 January 1967,

Have agreed as follows:

ARTICLE 1

The Government of the Federative Republic of Brazil shall exempt all
income derived from the business of shipping and air transport in international
traffic by United Kingdom undertakings engaged in such business from all taxes
which are covered by the federal income tax law as well as any similar federal
taxes or contributions on income or profits which are, or may become, chargeable
in Brazil. These include corporate income tax (IRPJ) and Social Contribution on
Corporate Net Profits (CSLL).

ARTICLE 2

The Government of the United Kingdom shall exempt all income derived from the business of shipping and air transport in international traffic by Brazilian undertakings engaged in such business from income tax and corporation tax as well as any other taxes or contributions on income or profits which are, or may become, chargeable in the United Kingdom.

ARTICLE 3

For the purposes of this Agreement:

- a) The expression “Brazilian undertakings” means the Government of Brazil and companies managed and controlled in Brazil, provided that they are established in accordance with Brazilian law and have their Head Offices in Brazil;
- b) The expression “United Kingdom undertakings” means the Government of the United Kingdom and companies managed and controlled in the United Kingdom, provided that they have their Head Offices in the United Kingdom;
- c) The expression “business of shipping and air transport” means the business of transporting persons, animals, goods and mail carried on by the owner or charterer of ships or aircraft;

ARTICLE 4

The exemptions provided for in Articles 1 and 2 above shall apply to the income or profits concerned from 1 January 1967.

ARTICLE 5

The provisions of this Agreement shall not affect the Memorandum of Understanding on the Implementation of Reciprocal Tax Exemptions in the sector of Air Transport signed on 9 June 2004.

ARTICLE 6

1. Each Contracting State shall notify the other of the completion of the constitutional formalities required by its laws for the entry into force of this Agreement. This Agreement shall enter into force on the date of the later of these notifications.

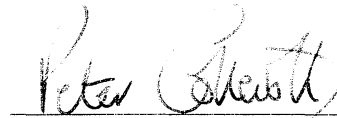
2. This Agreement shall remain in force indefinitely, but either Contracting State may terminate it by giving written notice of termination to the other Contracting State six months in advance. In that event the Agreement shall cease to have effect as regards all income arising after 31 December of the calendar year in which the notice is given.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done at Brasília this 27th day of July 2005, in duplicate, in the Portuguese and in the English languages, both texts being equally authoritative.



FOR THE GOVERNMENT OF THE
FEDERATIVE REPUBLIC
OF BRAZIL



FOR THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

[PORTUGUESE TEXT – TEXTE PORTUGAIS]

ACORDO ENTRE O GOVERNO DA REPÚBLICA FEDERATIVA DO BRASIL E O
GOVERNO DO REINO UNIDO DA GRÃ-BRETANHA E IRLANDA DO NORTE
PARA EVITAR A DUPLA TRIBUTAÇÃO DOS LUCROS DECORRENTES
DO TRANSPORTE MARÍTIMO E AÉREO

O Governo da República Federativa do Brasil

e

O Governo do Reino Unido da Grã-Bretanha e Irlanda do Norte
(os “Estados Contratantes”),

Considerando o interesse em estimular o transporte marítimo e a aviação comercial entre a República Federativa do Brasil (“o Brasil”) e o Reino Unido da Grã-Bretanha e Irlanda do Norte (“o Reino Unido”);

Tendo em vista a necessidade de evitar a dupla tributação dos lucros decorrentes do transporte marítimo e aéreo;

Reconhecendo que a isenção de tributação sobre receitas e lucros referida no Artigo 2 abaixo foi incorporada à legislação do Reino Unido da Grã-Bretanha e Irlanda do Norte de acordo com uma Ordem de 8 de abril de 1968, implementando as disposições do Acordo por Troca de Notas entre o Reino Unido e o Brasil para Evitar a Dupla Taxação de Lucros Decorrentes de Transporte Marítimo e Aéreo, assinado em 29 de dezembro de 1967, vigente e produzindo efeitos a partir de 1º de janeiro de 1967,

Acordaram o seguinte:

ARTIGO 1

O Governo da República Federativa do Brasil isentará toda a renda auferida em operações de transporte marítimo e aéreo, no tráfego internacional, por empresas do Reino Unido que exerçam tais atividades, de todos os impostos abrangidos pela legislação do imposto de renda federal assim como de quaisquer impostos federais semelhantes ou contribuições sobre a renda ou lucros que são, ou poderão vir a ser, exigidos no Brasil, aí incluídos o Imposto de Renda da Pessoa Jurídica (IRPJ) e a Contribuição Social sobre o Lucro Líquido (CSLL).