

No. 51245*

**Latvia
and
Turkmenistan**

Convention between the Government of the Republic of Latvia and the Government of Turkmenistan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and on capital. Riga, 11 September 2012

Entry into force: 4 December 2012 by notification, in accordance with article 28

Authentic texts: English, Latvian, Russian and Turkmen

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**Lettonie
et
Turkménistan**

Convention entre le Gouvernement de la République de Lettonie et le Gouvernement du Turkménistan tendant à éviter la double imposition et à prévenir l'évasion fiscale en matière d'impôts sur le revenu et sur la fortune. Riga, 11 septembre 2012

Entrée en vigueur : 4 décembre 2012 par notification, conformément à l'article 28

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[ENGLISH TEXT – TEXTE ANGLAIS]

CONVENTION

BETWEEN

**THE GOVERNMENT OF THE REPUBLIC OF LATVIA
AND THE GOVERNMENT OF TURKMENISTAN**

**FOR THE AVOIDANCE OF DOUBLE TAXATION
AND THE PREVENTION OF FISCAL EVASION
WITH RESPECT TO TAXES ON INCOME AND ON CAPITAL**

The Government of the Republic of Latvia and the Government of Turkmenistan,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and on capital and to promote economic cooperation between the two countries,

Have agreed as follows:

Article 1

PERSONS COVERED

This Convention shall apply to persons who are residents of one or both of the Contracting States.

Article 2

TAXES COVERED

1. This Convention shall apply to taxes on income and on capital imposed on behalf of a Contracting State or of its administrative territorial subdivisions or local authorities, irrespective of the manner in which they are levied.

2. There shall be regarded as taxes on income and on capital all taxes imposed on total income, on total capital, or on elements of income or of capital, including taxes on gains from the alienation of movable or immovable property, taxes on the total amounts of wages or salaries paid by enterprises, as well as taxes on capital appreciation.

3. The existing taxes to which the Convention shall apply are in particular:

a) in Turkmenistan:

- (i) the tax on profits (income) of juridical persons;
 - (ii) the tax on income of individuals; and
 - (iii) the tax on property;
- (hereinafter referred to as "Turkmen tax");

b) in Latvia:

- (i) the enterprise income tax;
- (ii) the personal income tax; and
- (iii) the immovable property tax;

(hereinafter referred to as "Latvian tax").

4. The Convention shall apply also to any identical or substantially similar taxes that are imposed after the date of signature of the Convention in addition to, or in place of, the existing taxes. The competent authorities of the Contracting States shall notify each other of any significant changes which have been made in their respective taxation laws.

Article 3

GENERAL DEFINITIONS

1. For the purposes of this Convention, unless the context otherwise requires:

- a) the terms "a Contracting State" and "the other Contracting State" mean Latvia or Turkmenistan, as the context requires;
- b) the term "Turkmenistan" means the territory of Turkmenistan comprised within its land borders together with the maritime zones (including both marine and sub-marine zones) over which Turkmenistan exercises sovereign or jurisdictional rights under international law;
- c) the term "Latvia" means the Republic of Latvia and, when used in the geographical sense, means the territory of the Republic of Latvia and any other area adjacent to the territorial waters of the Republic of Latvia within which under the laws of Latvia and in accordance with international law, the rights of Latvia may be exercised with respect to the sea bed and its sub-soil and their natural resources;
- d) the term "person" includes an individual, a company and any other body of persons;
- e) the term "company" means any body corporate or any entity which is treated as a body corporate for tax purposes;

- f) the terms "enterprise of a Contracting State" and "enterprise of the other Contracting State" mean respectively an enterprise carried on by a resident of a Contracting State and an enterprise carried on by a resident of the other Contracting State;
- g) the term "international traffic" means any transport by a ship or aircraft operated by an enterprise of a Contracting State, except when the ship or aircraft is operated solely between places in the other Contracting State;
- h) the term "competent authority" means:
 - (i) in Turkmenistan, the Ministry of Finance and the Main State Tax Service or their authorized representative;
 - (ii) in Latvia, the Ministry of Finance or its authorized representative;
- i) the term "national" means:
 - (i) any individual possessing the nationality of a Contracting State;
 - (ii) any legal person, partnership or association deriving its status as such from the laws in force in a Contracting State.

2. As regards the application of the Convention at any time by a Contracting State, any term not defined therein shall, unless the context otherwise requires, have the meaning that it has at that time under the law of that State for the purposes of the taxes to which the Convention applies, any meaning under the applicable tax laws of that State prevailing over a meaning given to the term under other laws of that State.