

**No. 55271\***

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**Cyprus  
and  
Barbados**

**Convention between the Republic of Cyprus and Barbados for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (with protocol). London, 3 May 2017**

**Entry into force:** *11 September 2017 by notification, in accordance with article 28*

**Authentic texts:** *English and Greek*

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**Chypre  
et  
Barbade**

**Convention entre la République de Chypre et la Barbade tendant à éviter la double imposition et à prévenir l'évasion fiscale en matière d'impôts sur le revenu (avec protocole). Londres, 3 mai 2017**

**Entrée en vigueur :** *11 septembre 2017 par notification, conformément à l'article 28*

**Textes authentiques :** *anglais et grec*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Chypre, 9 juillet 2018*

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CONVENTION  
BETWEEN  
THE REPUBLIC OF CYPRUS  
AND  
BARBADOS  
FOR THE AVOIDANCE OF DOUBLE TAXATION  
AND THE PREVENTION OF FISCAL EVASION  
WITH RESPECT TO TAXES ON INCOME

The Government of the Republic of Cyprus and the Government of Barbados desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, 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 imposed on behalf of a Contracting State or of its political subdivisions or local authorities, irrespective of the manner in which they are levied.

2. There shall be regarded as taxes on income all taxes imposed on total income, or on elements of income, including taxes on gains from the alienation of movable or immovable property.

3. The existing taxes to which this Convention shall apply are:

- (a) in the Republic of Cyprus:
  - (i) the income tax;
  - (ii) the corporate income tax;
  - (iii) the special contribution for the defense of the Republic; and
  - (iv) the capital gains tax  
(hereinafter referred to as "Cyprus tax")
- (b) in Barbados:
  - (i) the income tax; and
  - (ii) the corporation tax  
(hereinafter referred to as "Barbados tax").

4. The Convention shall apply also to any identical or substantially similar taxes which 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 substantial 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 the term:

- (a) "Cyprus" means the Republic of Cyprus and when used in a geographical sense; includes the national territory, the territorial sea thereof as well as any area outside the territorial sea, including the contiguous zone, the exclusive economic zone and the continental shelf, which has been or may hereafter be

designated, under the laws of Cyprus and in accordance with international law, as an area within which Cyprus may exercise sovereign rights or jurisdiction;

- (b) "Barbados" means the present territory of Barbados including the territorial sea and any maritime area situated outside the territorial sea of Barbados, which has been or might in the future be designated under the national law of Barbados in accordance with international law as an area within which Barbados may exercise its sovereign rights and jurisdiction to explore, exploit and preserve the seabed, subsoil and the natural resources;
- (c) "business" includes the performance of professional services and of other activities of an independent character;
- (d) "company" means any body corporate or any entity which is treated as a body corporate for tax purposes;
- (e) "competent authority" means:
  - (i) in Cyprus the Minister of Finance or the Minister's authorized representative;
  - (ii) in Barbados the Minister responsible for Finance or the Minister's authorized representative;
- (f) "a Contracting State" or "the other Contracting State" means Barbados or Cyprus, as the context requires;
- (g) "enterprise" applies to the carrying on of any business;
- (h) "enterprise of a Contracting State" or "enterprise of the other Contracting State" means 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;
- (i) "international traffic" means any transport by a ship or aircraft operated by an enterprise which has its place of effective management in a Contracting State, except when the ship or aircraft is operated solely between places in the other Contracting State;
- (j) "person" includes an individual, a company and any other body of persons;
- (k) "national", in relation to a Contracting State, means:
  - (i) any individual possessing the nationality or citizenship of that Contracting State; and
  - (ii) any legal person, partnership or association deriving its status as such from the laws in force in that 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 which 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.

#### Article 4

##### *Resident*

1. For the purposes of this Convention, the term "resident of a Contracting State" means any person who, under the laws of that State, is liable to tax therein by reason of his domicile, residence, place of management or any other criterion of a similar nature, and also includes that State and any political subdivision or local authority thereof. This term, however, does not include any person who is liable to tax in that State in respect only of income from sources in that State.

2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Contracting States, then his status shall be determined as follows:

- (a) he shall be deemed to be a resident only of the State in which he has a permanent home available to him; if he has a permanent home available to him in both States, he shall be deemed to be a resident only of the State with which his personal and economic relations are closer (center of vital interests);
- (b) if the State in which he has his centre of vital interests cannot be determined, or if he has not a permanent home available to him in either State, he shall be deemed to be a resident only of the State in which he has an habitual abode;
- (c) if he has an habitual abode in both States or in neither of them, he shall be deemed to be a resident only of the State of which he is a national;
- (d) if he is a national of both States or of neither of them, the competent authorities of the Contracting States shall settle the question by mutual agreement.

3. Where by reason of the provisions of paragraph 1 a person other than an individual is a resident of both Contracting States, then it shall be deemed to be a resident only of the State in which its place of effective management is situated.

#### Article 5

##### *Permanent Establishment*

1. For the purposes of this Convention, the term "permanent establishment" means a fixed place of business through which the business of an enterprise is wholly or partly carried on.

2. The term "permanent establishment" includes especially: