

**No. 21213**

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**BRAZIL  
and  
ITALY**

**Agreement for the avoidance of double taxation of income  
derived from maritime and air transport. Signed at Rio  
de Janeiro on 4 October 1957**

*Authentic texts: Portuguese and Italian.  
Registered by Brazil on 27 August 1982.*

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**BRÉSIL  
et  
ITALIE**

**Accord tendant à éviter la double imposition des revenus  
provenant de la navigation maritime et aérienne. Signé  
à Rio de Janeiro le 4 octobre 1957**

*Textes authentiques : portugais et italien.  
Enregistré par le Brésil le 27 août 1982.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN BRAZIL AND ITALY FOR THE AVOIDANCE OF DOUBLE TAXATION OF INCOME DERIVED FROM MARITIME AND AIR TRANSPORT

The President of the Republic of the United States of Brazil and the President of the Italian Republic, desiring to avoid double taxation in respect of maritime and air transport, have decided to conclude an agreement and have to that end appointed the following Plenipotentiaries:

The President of the Republic of the United States of Brazil: Ambassador José Carlos de Macedo Soares, Minister of State for Foreign Affairs;

The President of the Italian Republic: Marquis Blasco Lanza d'Ajeta, Ambassador Extraordinary and Plenipotentiary,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

*Article I.* For the purpose of this Agreement:

(a) The term "maritime and air transport" means transport by sea or air of persons, animals, goods or mail, by the owner, operator or agent or by the charterer of an aircraft or ship;

(b) The term "Brazilian enterprises" includes the Brazilian Government, individuals habitually resident in Brazil and not habitually resident in Italy, and corporations or partnerships constituted under Brazilian law and having their place of effective management in the territory of the Republic of the United States of Brazil;

(c) The term "Italian enterprises" includes the Italian Government, individuals habitually resident in Italy and not habitually resident in Brazil, and corporations or partnerships constituted under Italian law and having their place of effective management in the territory of the Italian Republic.

*Article II.* (a) The Brazilian Government shall exempt all income derived from maritime and air transport between Brazil, Italy and other countries by Italian enterprises rendering such services from income tax and any other charges that may be levied on income in Brazil.

(b) The Italian Government shall exempt all income derived from maritime or air transport between Italy, Brazil and other countries by Brazilian enterprises rendering such services from any tax on income and any other charges that may be levied on income in Italy.

(c) The tax exemption provided for in paragraphs (a) and (b) shall apply to Brazilian and Italian maritime and air transport enterprises, provided that the ships and aircrafts are sailing or flying under the Brazilian or Italian flag or possess Brazilian or Italian nationality, respectively.

<sup>1</sup> Came into force on 4 April 1963 by the exchange of the instruments of ratification, which took place at Rome, in accordance with article III.

*Article III.* This Agreement, once the constitutional formalities of the Contracting Parties have been completed, shall enter into force on the date of the exchange of instruments of ratification, which shall take place at Rome.

The provisions of this Agreement shall apply to all income earned with effect from 1 January 1951.

*Article IV.* This Agreement, which shall remain in force indefinitely, may be denounced by either of the two Contracting Parties by 30 June of any year; in such event, it shall cease to have effect as from 1 January of the following year.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have concluded this Agreement and have affixed thereto their seals.

DONE at Rio de Janeiro, in duplicate in the Portuguese and Italian languages, both texts being authentic, on 4 October 1957.

JOSÉ CARLOS DE MACEDO SOARES  
BLASCO LANZA D'AJETA

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