

PROTOCOL

At the signing of this Agreement between the Government of the People's Republic of China and the Government of the Socialist Republic of Vietnam for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income (hereinafter referred to as "the Agreement"), both sides have agreed upon the following provisions which form an integral part of the Agreement:

1. In connection with Article 8 of the Agreement, nothing in this Agreement shall affect the application of the provisions of the Agreement on Civil Air Transport and the Agreement on Maritime Transport signed between the two Governments on March 8, 1992 in Beijing.
2. It is understood that, as long as, according to the Vietnamese tax law, Vietnam does not levy a tax on dividend, the existing profits remittance tax applicable in Vietnam shall be deemed to be the tax on "dividends" referred to in paragraph 3 of Article 10 of the Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Protocol.

DONE in duplicate at Beijing this 17th day of May of the year one thousand nine hundred and ninety-five in the Chinese, Vietnamese and English languages, three texts being equally authentic. In case of divergence of interpretations, the English text shall prevail.

**For the Government
of the People's Republic of China**

**For the Government
of the Socialist Republic of Vietnam**