

**PROTOCOL  
TO  
THE AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA  
AND  
THE GOVERNMENT OF TURKMENISTAN  
FOR  
THE AVOIDANCE OF DOUBLE TAXATION  
AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON  
INCOME**

At the moment of signing the Agreement between the Government of the People's Republic of China and the Government of Turkmenistan 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 shall form an integral part of the Agreement.

1. This Agreement shall also apply to the water areas in which a Contracting State exercises its tax jurisdiction.

2. With respect to Article 5 (PERMANENT ESTABLISHMENT) and Article 7 (BUSINESS PROFITS)

Notwithstanding paragraph 2 f) of Article 5, the activities of the mine, gas well, quarry or any other place of exploration, extraction and development of natural resources shall be subject to taxes covered by this Agreement only if there is taxable income in line with the provisions of Article 7.

3. With respect to Article 7 (BUSINESS PROFITS)

Payment remitted to any persons by the headquarters of the enterprise of a Contracting State or its branches for services, which is shared, in accordance with paragraph 3, as executive and general administrative expenses (except interest referred to in paragraph 7 of Article 11 and royalties referred to in paragraph 5 of Article 12) of a permanent establishment situated in the other Contracting State, shall not be considered as income sourced in that other Contracting State.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Protocol.

DONE at ....., on the .....day of ....., in two original copies in the Chinese, Turkmen, Russian and English languages, all texts being equally authentic. In case of divergence of interpretation between the texts, the English text shall prevail.

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

**For the Government of  
Turkmenistan**