

ARTICLE 8

Income or profits from International Traffic

1. Income or profits derived by a resident of a Contracting State from the operation of ships or aircraft in international traffic shall be taxable only in that State.
2. For the purpose of this Article, the term "income or profits" includes income or profits from the charter or rental of ships or aircraft and from the rental or maintenance of containers and related equipment derived by a resident of a Contracting State, provided that such charter, rental or maintenance is incidental to the operation by that resident of ships or aircraft in international traffic.
3. The provisions of paragraphs 1 and 2 shall also apply to income or profits referred to in those paragraphs derived by a resident of a Contracting State from its participation in a pool, a joint business or an international operating agency.
4. Nothing in this Agreement shall prevent a Contracting State from taxing the income or profits derived by a resident of the other Contracting State from the transportation of passengers or goods between places in the first-mentioned State.

ARTICLE 9

Adjustments to Income

1. Where
 - (a) a resident of a Contracting State participates directly or indirectly in the management, control or capital of a resident of the other Contracting State, or
 - (b) the same persons participate directly or indirectly in the management, control or capital of a resident of a Contracting State and a resident of the other Contracting State,

and in either case conditions are made or imposed between the two persons in their commercial or financial relations which differ from those which would be made between independent persons, then any income which would, but for those conditions, have accrued to one of the persons, but, by reason of those conditions, have not so accrued, may be included in the income of that person and taxed accordingly.

2. Where a Contracting State includes in the income of a resident of that State - and taxes accordingly - income on which a resident of the other Contracting State has been charged to tax in that other State and the income so included is income which would have accrued to the first-mentioned person if the conditions made between the two persons had been those which would have been made between independent persons, then that other State shall make an appropriate adjustment to the amount of tax charged therein on that income. In determining such adjustment, due regard shall be had to the other provisions of this Agreement and the competent authorities of the Contracting States shall if necessary consult each other.