

(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 company is a resident of both Contracting States, then its status shall be determined as follows:

- (a) it shall be deemed to be a resident of the State of which it is a national;
- (b) if it is a national of neither of the States, it shall be deemed to be a resident 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:

- (a) a place of management;
- (b) a branch;
- (c) an office;
- (d) a factory;
- (e) a workshop;
- (f) a mine, an oil or gas well, a quarry or any other place of extraction of natural resources;
- (g) a building site or construction or installation project;
- (h) a fixed place of business used for the purpose of storage, display or delivery of goods or merchandise belonging to the enterprise;
- (i) a stock of goods or merchandise belonging to the enterprise maintained for the purpose of storage, display or delivery;
- (j) a fixed place of business used for the purpose of purchasing goods or merchandise, or for collecting information which is the actual object of the business of the enterprise;
- (k) a fixed place of business used for the purpose of advertising;
- (l) the furnishing of services including consulting services by an enterprise through employees or other personnel hired by the enterprise for such purpose, but only where activities of that nature continue (for the same or a connected project) within the country for a period or periods aggregating more than six months.