

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE SULTANATE OF
OMAN
AND
THE GOVERNMENT OF THE UNITED
REPUBLIC OF TANZANIA
FOR THE ELIMINATION OF DOUBLE
TAXATION WITH RESPECT TO TAXES ON
INCOME AND THE PREVENTION OF TAX
EVASION AND AVOIDANCE**

The Government of the Sultanate of Oman and the Government of the United Republic of Tanzania,

Desiring to further develop their economic relationship and to enhance their cooperation in tax matters,

Intending to conclude an Agreement for the elimination of double taxation with respect to taxes on income without creating opportunities for non-taxation or reduced taxation through tax evasion or avoidance (including through treaty-shopping arrangements aimed at obtaining reliefs provided in this Agreement for the indirect benefit of residents of third States), Have agreed as follows:

Article 1

Persons Covered

1. This Agreement shall apply to persons who are residents of one or both of the Contracting States.
2. For the purposes of this Agreement, income derived by or through an entity or arrangement that is treated as wholly or partly fiscally transparent under the tax law of either Contracting State shall be considered to be income of a resident of a Contracting State but only to the extent that the income is treated, for purposes of taxation by that State, as the income of a resident of that Contracting State.
3. This Agreement shall not affect the taxation, by a Contracting State, of its residents except with respect to the benefits granted under paragraph 3 of Article 7, paragraph 2 of Article 9 and Articles 19, 20, 22, 23, 24 and 25 of this Agreement.

Article 2

Taxes Covered

1. This Agreement shall apply to taxes on income imposed on behalf of a Contracting State, irrespective of the manner in which they are levied.
2. There shall be regarded as taxes on income all taxes imposed on total income or on elements of income, including taxes on gains from the

- alienation of movable or immovable property, taxes on the total amounts of wages or salaries paid by enterprises.
3. The existing taxes to which the Agreement shall apply are in particular:
 - (a) in the case of the Sultanate of Oman: the income tax (hereinafter referred to as "Omani tax").
 - (b) in the case of Tanzania: the tax on income charged under the Income Tax Act CAP 332, (hereinafter referred to as "Tanzanian Tax").
 4. This Agreement shall also apply to any identical or substantially similar taxes, which are imposed after the date of signature of this Agreement in addition to, or in place of, the existing taxes. The competent authorities of the Contracting States shall notify each other of any significant changes, which have been made in the respective taxation laws within a reasonable period of time after such changes.

Article 3

General Definitions

1. For the purposes of this Agreement, unless the context otherwise requires:
 - (a) the term "Sultanate of Oman" means the territory of the Sultanate of Oman and the islands belonging thereto, including the territorial waters and any area outside the territorial waters over which the Sultanate of Oman may, in accordance with international law and the laws of the Sultanate of Oman, exercise sovereign rights with respect to the exploration and exploitation of the natural resources of the seabed and the sub-soil and the superjacent waters.
 - (b) the term "Tanzania" means the United Republic of Tanzania, and when used in a geographical sense, includes the territorial sea thereof as well as any area outside the territorial sea, including the continental shelf, which has been or may hereafter be designated, under the laws of Tanzania and in accordance with international

law, as an area within which Tanzania may exercise sovereign rights or jurisdiction.

- (c) the terms “a Contracting State” and “the other Contracting State” mean the Sultanate of Oman or Tanzania as the context requires.
- (d) the term “person” includes an individual, a company and any other body of persons.
- (e) the term “company” means any body corporate or any entity which is treated as a body corporate for tax purposes.
- (f) the terms “enterprise of a Contracting State” and “enterprise of the other Contracting State” mean respectively an enterprise carried on by a resident of a Contracting State and an enterprise carried on by a resident of the other Contracting State.
- (g) the term “international traffic” means any transport by a ship or aircraft, except when the ship or aircraft is operated solely between places in a Contracting State and the enterprise that operates the ship or aircraft is not an enterprise of that Contracting State.
- (h) the term “national” means;
 - i) any individual possessing the nationality of a Contracting State.; and
 - ii) any legal person, partnership or association deriving its status as such from the laws in force in a Contracting State.
- (i) the term “competent authority” means;
 - i) in the case of the Sultanate of Oman: the Chairman of the Tax Authority or his authorized representative.
 - ii) in the case of Tanzania: the Minister for Finance or his authorized representative.
- (j) the term “tax” means Omani tax or Tanzanian tax as the context requires, but shall not include any amount which is payable in respect of any default or omission in relation to the taxes to which

this Agreement applies or which represents a penalty imposed relating to those taxes.

- (k) The term “year of income” means;
 - i) in the case of the Sultanate of Oman: the tax year as defined in the Income Tax Law.
 - ii) in the case of Tanzania: the year of income as defined in the Income Tax Act.
- (l) The term “statutory body” means a body constituted by an Act of Parliament in the United Republic of Tanzania or under Royal Decree in the Sultanate of Oman whose principal objective is to engage in non-commercial activities.

- 2. As regards the application of the Agreement at any time by a Contracting State, any term not defined therein shall, unless the context otherwise requires or the competent authorities agree to a different meaning pursuant to the provisions of Article 25, have the meaning that it has at that time under the law of that Contracting State for the purposes of the taxes to which the Agreement applies. Any meaning under the applicable tax laws of that State prevailing over a meaning given to the term under other laws of that Contracting State.

Article 4 **Resident**

- 1. For the purposes of this Agreement, the term “resident of a Contracting State” means any person who, under the laws of that Contracting State, is liable to tax therein by reason of his domicile, residence, place of management, place of incorporation, place of registration or any other criterion of a similar nature, and also includes that Contracting State or a political subdivision or a local authority or a statutory body thereof.
- 2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Contracting States, then his status shall be determined as follows:
 - (a) he shall be deemed to be a resident only of the Contracting State in which he has a permanent home available to him; if he has a

permanent home available to him in both Contracting States, he shall be deemed to be a resident of the Contracting State with which his personal and economic relations are closer (centre of vital interests);

- (b) if the Contracting State in which he has his centre of vital interests cannot be determined, or if he has not a permanent home available to him in either Contracting State, he shall be deemed to be a resident only of the Contracting State in which he has an habitual abode;
- (c) if he has an habitual abode in both Contracting States or in neither of them, he shall be deemed to be a resident only of the Contracting State of which he is a national;
- (d) if the status of the resident cannot be determined by reason of subparagraphs (a) to (c) in that sequence, 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 person, other than an individual, is a resident of both Contracting States, the competent authorities of the Contracting States shall endeavour to determine by mutual agreement the Contracting State of which such person shall be deemed to be a resident for the purposes of this Agreement, having regard to its place of effective management, the place where it is incorporated or otherwise constituted and any other relevant factors. In the absence of such agreement, such person shall not be entitled to any relief or exemption from tax provided by this Agreement except to the extent and in such manner as may be agreed upon by the competent authorities of the Contracting States.

Article 5

Permanent Establishment

1. For the purposes of this Agreement, 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.; and
- (f) a mine, an oil or gas well, a quarry or any other place of exploration, extraction or exploitation of natural resources.

3. The term “permanent establishment” also includes:

- (a) a building site, a construction, assembly or installation project, a drilling rig or ship used for the exploration or development of natural resources, including supervisory activities in connection therewith, but only where such site, project or activities last more than six (6) months.
- (b) the furnishing of services, including consultancy services, by an enterprise through employees or other personnel engaged by the enterprise for such purpose, but only if activities of that nature continue within a Contracting State for a period or periods aggregating more than one hundred and eighty-three (183) days in any twelve (12) month period.
- (c) the use of a structure or installation of substantial equipment or machinery in a Contracting State for a period or periods aggregating more than ninety-one (91) days in any twelve (12) month period.

The duration of activities under subparagraphs (a), (b) and (c) shall be determined by aggregating the periods during which activities are carried on in a Contracting State by closely related enterprises, provided that the activities of such a closely related enterprise in that Contracting State are connected with the activities carried on in that Contracting State by its closely related enterprises. The period during which two or more closely related enterprise are carrying on concurrent activities shall be counted only once for the purpose of determining the duration of activities.

4. Notwithstanding the preceding provisions of this Article, the term “permanent establishment” shall be deemed not to include:

- (a) the use of facilities solely for the purpose of storage or display of goods or merchandise belonging to the enterprise.
- (b) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage or display.

- (c) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise.
- (d) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise or of collecting information, for the enterprise.
- (e) the maintenance of fixed place of business solely for the purpose of carrying on, for the enterprise, any other activity.
- (f) the maintenance of a fixed place of business solely for any combination of activities mentioned in sub-paragraphs (a) to (e),

provided that the overall activity of the fixed place of business resulting from this combination is of a preparatory or auxiliary character.

4.1. Paragraph 4 of this Article shall not apply to a fixed place of business that is used or maintained by an enterprise if the same enterprise or a closely related enterprise carries on business activities at the same place or at another place in the same Contracting State and:

- (a) that place or other place constitutes a permanent establishment for the enterprise or the closely related enterprise under the provisions of this Article, or
- (b) the overall activity resulting from the combination of the activities carried on by the two enterprises at the same place, or by the same enterprise or closely related enterprises at different places, is not of a preparatory or auxiliary character,

provided that the business activities carried on by the two enterprises at the same place, or by the same enterprise or closely related enterprises at the two places, constitute complementary functions that are part of a cohesive business operation.

- 5. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, but subject to the provisions of paragraph 7 of this Article, where a person is acting in a Contracting State on behalf of an enterprise, that enterprise shall be deemed to have a permanent establishment in that Contracting State in respect of any activities which that person undertakes for the enterprise, if such a person:

- (a) habitually concludes contracts, or habitually plays the principal role leading to the conclusion of contracts, and these contracts are:

- (i) in the name of the enterprise, or
 - (ii) for the transfer of the ownership of, or for the granting of the right to use property owned by that enterprise or that the enterprise has the right to use, or
 - (iii) for the provision of services by that enterprise,

unless the activities of such person are limited to those mentioned in paragraph 4 of this Article which, if exercised through a fixed place of business (other than a fixed place of business to which paragraph 4.1 of this Article would apply), would not make this fixed place of business a permanent establishment under the provisions of that paragraph; or

- (b) has no such authority, but habitually maintains in the first mentioned Contracting State a stock of goods or merchandise from which that person delivers goods or merchandise on behalf of the enterprise, or

- (c) habitually secures orders in the first-mentioned Contracting State exclusively or almost exclusively for the enterprise itself or for the enterprise and other enterprises which are controlled by it or have a controlling interest in it or which are under a common control.

- 6. Notwithstanding the preceding provisions of this Article, but subject to the provisions of paragraph 7 of this Article, an insurance enterprise of a Contracting State shall, except in regard to re-insurance, be deemed to have a permanent establishment in the other Contracting State if it collects premiums in the territory of that other Contracting State or insures against risks situated therein through a person

- 7. Paragraphs 5 and 6 of this Article shall not apply where the person acting in a Contracting State on behalf of an enterprise of the other Contracting State carries on business in the first-mentioned Contracting State as an independent agent and acts for the enterprise in the ordinary course of that business. Where, however, a person acts exclusively or almost

exclusively on behalf of one or more enterprises to which it is closely related, that person shall not be considered to be an independent agent within the meaning of this paragraph with respect to any such enterprise.

8. The fact that a company which is a resident of a Contracting State controls or is controlled by a company which is a resident of the other Contracting State, or which carries on business in that other Contracting State (whether through a permanent establishment or otherwise), shall not of itself constitute either company a permanent establishment of the other.
9. For the purposes of this Article, a person or enterprise is closely related to an enterprise if, based on all the relevant facts and circumstances, one has control of the other or both are under the control of the same persons or enterprises. In any case, a person or enterprise shall be considered to be closely related to an enterprise if one possesses directly or indirectly more than fifty per cent (50%) of the beneficial interest in the other (or, in the case of a company, more than fifty per cent (50%) of the aggregate vote and value of the company's shares or of the beneficial equity interest in the company) or if another person or enterprise possesses directly or indirectly more than fifty per cent (50%) of the beneficial interest (or, in the case of a company, more than fifty per cent (50%) of the aggregate vote and value of the company's shares or of the beneficial equity interest in the company) in the person and the enterprise or in the two enterprises.

Article 6

Income from Immovable Property

1. Income derived by a resident of a Contracting State from immovable property (including income from agriculture or forestry) situated in the other Contracting State may be taxed in that other Contracting State.
2. The term "immovable property" shall have the meaning, which it has under the law of the Contracting State in which the property in question is situated. The term shall in any case include property accessory to immovable property, livestock and equipment used in agriculture (including the breeding and cultivation of fish) and forestry, rights to which the provisions of general law respecting landed property apply,

usufruct of immovable property and rights to variable or fixed payments as consideration for the working of, or the right to work, mineral deposits, sources and other natural resources shall also be considered as “immovable property”. Ships, boats and aircraft shall not be regarded as immovable property.

3. The provisions of paragraph 1 of this Article shall apply to income derived from the direct use, letting, or use in any other form of immovable property.
4. The provisions of paragraphs 1 and 3 of this Article shall also apply to the income from immovable property of an enterprise and to income from immovable property used for the performance of independent personal services.

Article 7

Business Profits

1. The profits of an enterprise of a Contracting State shall be taxable only in that Contracting State unless the enterprise carries on business in the other Contracting State through a permanent establishment situated therein. If the enterprise carries on business as aforesaid, the profits of the enterprise may be taxed in the other Contracting State but only so much of them as is attributable to;
 - (a) that permanent establishment,
 - (b) sales in that other Contracting State of goods or merchandise of the same or similar kind as those sold through that permanent establishment, or
 - (c) other business activities carried on in that other Contracting State of the same or similar kind as those effected through that permanent establishment.
2. Subject to the provisions of paragraph 3 of this Article, where an enterprise of a Contracting State carries on business in the other Contracting State through a permanent establishment situated therein, there shall in each Contracting State be attributed to that permanent establishment the profits which it might be expected to make if it were a distinct and separate enterprise engaged in the same or similar activities under the same or similar conditions and dealing wholly independently with the enterprise of which it is a permanent establishment.

3. In the determination of the profits of a permanent establishment, there shall be allowed as deductions expenses which are incurred for the purposes of the business of the permanent establishment, including executive and general administrative expenses so incurred, whether in the Contracting State in which the permanent establishment is situated or elsewhere, provided that such deductions are in accordance with the provisions of, and subject to the limitations of, the tax laws of that Contracting State.
4. Insofar as it has been customary in a Contracting State to determine the profits to be attributed to a permanent establishment on the basis of an apportionment of the total profits of the enterprise to its various parts, nothing in paragraph 2 of this Article shall preclude that Contracting State from determining the profits to be taxed by such an apportionment as may be customary; the method of apportionment adopted shall, however, be such that the result shall be in accordance with the principles embodied in this Article.
5. For the purposes of the preceding paragraphs, the profits to be attributed to the permanent establishment shall be determined by the same method year by year unless there is good and sufficient reason to the contrary.
6. Where profits include items of income which are dealt with separately in other Articles of this Agreement, then the provisions of those Articles shall not be affected by the provisions of this Article.

Article 8

International Shipping and Air Transport

1. Profits of an enterprise of a Contracting State from the operation of aircraft in international traffic shall be taxable only in that Contracting State.
2. Profits derived by an enterprise of a Contracting State from the operation of ships in international traffic may be taxed in both the Contracting States according to their domestic laws.
3. For the purposes of this Article, profits from the operation of ships or aircraft in international traffic include:

- (a) profits from the rental on a bareboat basis of ships or aircraft; and
 - (b) profits from the use, maintenance or rental of containers (including trailers and related equipment for the transport of containers) used for the transport of goods or merchandise, where such use, maintenance or rental, as the case may be, is incidental to the operation of ships or aircraft in international traffic.
4. The provisions of paragraphs 1, 2 and 3 of this Article shall also apply to profits from the participation in a pool, a joint business, or an international operating agency.
5. The term “operation of ships” means business of transportation by sea of passengers, mail, livestock or goods carried on by the owners, lessees or charterers of ships, including any other activity directly connected with such transportation.
6. With respect to profits derived by an enterprise of a Contracting State from the operation of aircraft in international traffic, the provisions of the Agreement between the Government of the United Republic of Tanzania and the Government of the Sultanate of Oman for the Avoidance of Double Taxation of Income arising from the International Air Transport signed on the 9th day of November 1991 shall cease to have effect.

Article 9

Associated Enterprises

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

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

2. Where a Contracting State includes, in accordance with the provisions of paragraph 1 of this Article, in the profits of an enterprise of that Contracting State - and taxes accordingly - profits on which an enterprise of the other Contracting State has been charged to tax in that other Contracting State, and the profits so included are profits which would have accrued to the enterprise of the first-mentioned Contracting State if the conditions made between the two enterprises had been those which would have been made between independent enterprises, then that other Contracting State shall make an appropriate adjustment to the amount of the tax charged therein on those agreed profits. 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.

Article 10

Dividends

1. Dividends paid by a company which is a resident of a Contracting State to a resident of the other Contracting State may be taxed in that other Contracting State.
2. However, dividends paid by a company which is a resident of a Contracting State may also be taxed in that Contracting State and according to the laws of that Contracting State, but if the beneficial owner of the dividends is a resident of the other Contracting State, the tax so charged shall not exceed ten per cent (10%) of the gross amount of the dividends.

The provisions of this paragraph shall not affect the taxation of the company in respect of the profits out of which the dividends are paid.

3. The term “dividends” as used in this Article means income from shares, “jouissance” shares or “jouissance” rights, mining shares, founders’ shares or other rights, not being debt-claims, participating in profits, as well as income from other corporate rights which is subjected to the same taxation treatment as income from shares by the laws of the Contracting State of which the company making the distribution is a resident.
4. The provisions of paragraphs 1 and 2 of this Article shall not apply if the beneficial owner of the dividends, being a resident of a Contracting State, carries on business in the other Contracting State of which the company paying the dividends is a resident, through a permanent establishment situated therein, or performs in that other Contracting State independent personal services from a fixed base situated therein, and the holding in respect of which the dividends are paid is effectively connected with such permanent establishment or fixed base. In such case the provisions of Article 7 or Article 14 of this Agreement, as the case may be, shall apply.
5. Where a company which is a resident of a Contracting State derives profits or income from the other Contracting State, that other Contracting State may not impose any tax on the dividends paid by the company, except insofar as such dividends are paid to a resident of that other Contracting State or insofar as the holding in respect of which the dividends are paid is effectively connected with a permanent establishment or a fixed base situated in that other Contracting State, nor subject the company’s undistributed profits to a tax on the company’s undistributed profits, even if the dividends paid or the undistributed profits consist wholly or partly of profits or income arising in such other Contracting State.
6. Notwithstanding any other provision of this Agreement, where a company, which is a resident of a Contracting State has a permanent establishment in the other Contracting State, the profits taxable under paragraph 1 of Article 7 of this Agreement, may be subject to an additional tax in that other Contracting State, in accordance with its laws.
7. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the shares or other rights in respect of which the

dividend is paid to take advantage of this Article by means of that creation or assignment.

Article 11

Interest

1. Interest arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other Contracting State.
2. However, interest arising in a Contracting State may also be taxed in that Contracting State and according to the laws of that Contracting State, but if the beneficial owner of the interest is a resident of the other Contracting State, the tax so charged shall not exceed ten per cent (10%) of the gross amount of the interest.
3. The term “interest” as used in this Article means income from debt-claims of every kind, whether or not secured by mortgage and whether or not carrying a right to participate in the debtor’s profits, and in particular, income from government securities and income from bonds or debentures, including premiums and prizes attaching to such securities, bonds or debentures. Penalty charges for late-payment shall not be regarded as interest for the purposes of this Article.
4. The provisions of paragraphs 1 and 2 of this Article shall not apply if the beneficial owner of the interest, being a resident of a Contracting State, carries on business in the other Contracting State, in which the interest arises through a permanent establishment situated therein, or performs in that other Contracting State independent personal services from a fixed base situated therein, and the debt-claim in respect of which the interest is paid is effectively connected with:
 - (a) such permanent establishment or fixed base, or with
 - (b) business activities referred to in sub-paragraph (c) of paragraph 1 of Article 7 of this Agreement.

In such case, the provisions of Article 7 or Article 14 of this Agreement, as the case may be, shall apply.
5. Interest shall be deemed to arise in a Contracting State when the payer is a resident of that Contracting State. Where, however, the person

paying the interest, whether he is a resident of a Contracting State or not, has in a Contracting State a permanent establishment or a fixed base in connection with which the indebtedness on which the interest is paid was incurred, and such interest is borne by such permanent establishment or fixed base, then such interest shall be deemed to arise in the Contracting State in which the permanent establishment or fixed base is situated.

6. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of the interest, having regard to the debt-claim for which it is paid, exceeds the amount which have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount of interest. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Agreement.
7. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the debt-claim in respect of which the interest is paid to take advantage of this Article by means of that creation or assignment.

Article 12

Royalties

1. Royalties arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other Contracting State.
2. However, royalties arising in a Contracting State may also be taxed in that Contracting State and according to the laws of that Contracting State, but if the beneficial owner of the royalties is a resident of the other Contracting State, the tax so charged shall not exceed ten per cent (10%) of the gross amount of the royalties.
3. The term “royalties” as used in this Article means payments of any kind received as a consideration for the use of, or the right to use, any copyright of literary, artistic or scientific work including computer software, cinematograph films, or films or tapes or discs used for radio

or television broadcasting, any patent, trade mark, design or model, plan, secret formula or process, or for the use of, or the right to use, industrial, commercial or scientific equipment, or for information concerning industrial, commercial or scientific experience.

4. The provisions of paragraphs 1 and 2 of this Article shall not apply if the beneficial owner of the royalties, being a resident of a Contracting State, carries on business in the other Contracting State in which the royalties arise, through a permanent establishment situated therein, or performs in that other Contracting State independent personal services from a fixed base situated therein, and the right or property in respect of which the royalties are paid is effectively connected with:
 - (a) such permanent establishment or fixed base, or with
 - (b) business activities referred to in sub-paragraph (c) of paragraph 1 of Article 7 of this Agreement.

In such case, the provisions of Article 7 or Article 15 of this Agreement, as the case may be, shall apply.

5. Royalties shall be deemed to arise in a Contracting State when the payer is a resident of that Contracting State. Where, however, the person paying the royalties, whether he is a resident of a Contracting State or not, has in a Contracting State a permanent establishment or a fixed base in connection with which the liability to pay the royalties was incurred, and such royalties are borne by such permanent establishment or fixed base, then such royalties shall be deemed to arise in the Contracting State in which the permanent establishment or fixed base is situated.
6. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of royalties, having regard to the use, right or information for which they are paid, exceeds the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Agreement.

7. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the rights in respect of which the royalties are paid to take advantage of this Article by means of that creation or assignment.

Article 12A

Fees for Technical Services

1. Fees for technical services arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other Contracting State.
2. However, notwithstanding the provisions of Article 14, and subject to the provisions of Articles 8, 16 and 17 of this Agreement, fees for technical services arising in a Contracting State may also be taxed in the Contracting State in which they arise, and according to the laws of that Contracting State, but if the beneficial owner of the fees is a resident of the other Contracting State, the tax so charged shall not exceed ten (10) percent of the gross amount of the fees.
3. The term “fees for technical services” as used in this Article means any payment in consideration for any services of a technical, managerial or consultancy nature, unless the payment is made:
 - (a) to an employee of the person making the payment;
 - (b) for teaching in an educational institution or for teaching by an educational institution; or
 - (c) by an individual for services for the personal use of an individual.
4. The provisions of paragraphs 1 and 2 of this Article shall not apply if the beneficial owner of the fees for technical services, being a resident of a Contracting State, carries on business in the other Contracting State in which the fees for technical services arise through a permanent establishment situated in that other State, or performs in the other Contracting State independent personal services from a fixed base

situated in that other State, and the fees for technical services are effectively connected with:

- (a) such permanent establishment or fixed base, or with
- (b) business activities referred to in sub-paragraph (c) of paragraph 1 of Article 7.

In such case, the provisions of Article 7 or Article 15 of this Agreement, as the case may be, shall apply.

5.

(a) For the purpose of this Article, subject to sub-paragraph (b), fees for technical services shall be deemed to arise in a Contracting State when the payer is a resident of that Contracting State. Where, however, the person paying the fees for technical services, whether he is a resident of that Contracting State or not, has in that Contracting State a permanent establishment or a fixed base in connection with which the liability to pay the fees was incurred, and such fees are borne by such permanent establishment or fixed base.

(b) For the purpose of this Article, fees for technical services shall be deemed not to arise in one of the Contracting States, if the payer is a resident of that State and carries on business in the other Contracting State through a permanent establishment in that other State or performs independent personal services through a fixed base situated in that other State and such fees are borne by that permanent establishment or a fixed base.

6. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of the fees for technical services paid exceeds, for whatever reason, the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Agreement.

7. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the rights in respect of which the fees for technical

services are paid to take advantage of this Article by means of that creation or assignment.

Article 12B

Income from Automated Digital Services

1. Income from automated digital services arising in a Contracting State, underlying payments for which are made to a resident of the other Contracting State, may be taxed in that other Contracting State.
2. However, subject to the provisions of Article 8, and notwithstanding the provisions of Article 14 of this Agreement, income from automated digital services arising in a Contracting State may also be taxed in the Contracting State in which it arises and according to the laws of that Contracting State, but if the beneficial owner of the income is a resident of the other Contracting State, the tax so charged shall not exceed two (2) percent of the gross amount of the payments underlying the income from automated digital services.
3. The provisions of paragraph 2 of this Article shall not apply if the beneficial owner of the income from automated digital services, being a resident of a Contracting State, requests the other Contracting State where such income arises, to subject its qualified profits from automated digital services for the fiscal year concerned to taxation at the tax rate provided for in the domestic laws of that Contracting State. If the beneficial owner so requests, subject to the provisions of Article 8 and notwithstanding the provisions of Article 14 of this Agreement, the taxation by that Contracting State shall be carried out accordingly. For the purposes of this paragraph, the qualified profits shall be (30%) thirty percent of the amount resulting from applying the profitability ratio of that beneficial owner's automated digital services business segment to the gross annual revenue from automated digital services derived from the Contracting State where such income arises. Where segmental accounts are not maintained by the beneficial owner, the overall profitability ratio of the beneficial owner will be applied to determine qualified profits. However, where the beneficial owner belongs to a multinational enterprise group, the profitability ratio to be applied shall be that of the business segment of the group relating to the income covered by this Article, or of the group as a whole in case segmental

accounts are not maintained by the group, provided such profitability ratio of the multinational enterprise group is higher than the aforesaid profitability ratio of the beneficial owner. Where the segmental profitability ratio or, as the case may be, the overall profitability ratio of the multinational enterprise group to which the beneficial owner belongs is not available to the Contracting State in which the income from automated digital services arises, provisions of this paragraph shall not apply; in such a case, the provisions of paragraph 2 shall apply.

4. For the purposes of paragraph 3 of this Article, “multinational enterprise group” means any “group” that includes two or more enterprises, the tax residence for which is in different jurisdictions. Further, for the purposes of paragraph 3, the term “group” means a collection of enterprises related through ownership or control such that it is either required to prepare Consolidated Financial Statements for financial reporting purposes under applicable accounting principles or would be so required if equity interests in any of the enterprises were traded on a public stock exchange.
5. The term “automated digital services” as used in this Article means any service provided on the internet or another electronic network, in either case requiring minimal human involvement from the service provider.
6. The term “automated digital services” includes especially:
 - a) Online advertising services;
 - b) Supply of user data;
 - c) Online search engines;
 - d) Online intermediation platform services;
 - e) Social media platforms;
 - f) Digital content services;
 - g) Online gaming;
 - h) Cloud computing services; and
 - i) Standardized online teaching services.
7. The provisions of this Article shall not apply if the payments underlying the income from automated digital services qualify as “royalties” or “fees for technical services” under Article 12 or Article 12A as the case may be.
8. The provisions of paragraphs 1, 2 and 3 of this Article shall not apply if the beneficial owner of the income from automated digital services, being a

resident of a Contracting State, carries on business in the other Contracting State in which the income from automated digital services arises through a permanent establishment situated in that other Contracting State, or performs in the other Contracting State independent personal services from a fixed base situated in that other Contracting State, and the income from automated digital services is effectively connected with:

- (a) such permanent establishment or fixed base, or
- (b) business activities referred to in sub-paragraph (c) of paragraph 1 of Article 7.

In such cases the provisions of Article 7 or Article 14 of this Agreement, as the case may be, shall apply.

9. For the purposes of this Article and subject to paragraph 10, income from automated digital services shall be deemed to arise in a Contracting State if the underlying payments for the income from automated digital services are made by a resident of that State or if the person making the underlying payments for the automated digital services, whether that person is a resident of a Contracting State or not, has in a Contracting State a permanent establishment or a fixed base in connection with which the obligation to make the payments was incurred, and such payments are borne by the permanent establishment or fixed base.

10. For the purposes of this Article, income from automated digital services shall be deemed not to arise in a Contracting State if the underlying payments for the income from automated digital services are made by a resident of that Contracting State which carries on business in the other Contracting State through a permanent establishment situated in that other Contracting State or performs independent personal services through a fixed base situated in that other Contracting State and such underlying payments towards automated digital services are borne by that permanent establishment or fixed base.

11. Where, by reason of a special relationship between the payer and the beneficial owner of the income from automated digital services or between both of them and some other person, the amount of the payments underlying such income, having regard to the services for which they are paid, exceeds the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments underlying such income from automated digital services shall remain

taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Agreement.

Article 13

Capital Gains

1. Gains derived by a resident of a Contracting State from the alienation of immovable property referred to in Article 6 of this Agreement and situated in the other Contracting State may be taxed in that other Contracting State.
2. Gains from the alienation of movable property forming part of the business property of a permanent establishment which an enterprise of a Contracting State has in the other Contracting State or of movable property pertaining to a fixed base available to a resident of a Contracting State in the other Contracting State for the purpose of performing independent personal services, including such gains from the alienation of such a permanent establishment (alone or with the whole enterprise) or of such fixed base, may be taxed in that other Contracting State.
3. Gains derived by a resident of a Contracting State from the alienation of ships operated in international traffic or movable property pertaining to the operation of such ships shall be taxable only in that Contracting State.
4. Gains derived by a resident of a Contracting State from the alienation of shares or comparable interests, such as interests in a partnership or trust, may be taxed in the other Contracting State.
5. Gains derived by a resident of a Contracting State from the alienation of a right granted under the law of the other Contracting State which allows the use of resources that are naturally present in that other Contracting State and that are under the jurisdiction of that other Contracting State, may be taxed in that other Contracting State.
6. Gains from the alienation of any property other than that referred to in paragraphs 1 to 5 of this Article, shall be taxable only in the Contracting State of which the alienator is a resident.

Article 14

Independent Personal Services

1. Income derived by a resident of a Contracting State from the performance of professional services or other activities of an independent character shall be taxable only in that Contracting State except in the following circumstances when such income may also be taxed in the other Contracting State:
 - (a) if he has a fixed base regularly available to him in the other Contracting State for the purpose of performing his activities; in that case, only so much of the income as is attributed to that fixed base may be taxed in that other Contracting State; or
 - (b) if his stay in the other Contracting State is for a period or periods amounting to or exceeding in the aggregate one hundred and eighty-three (183) days in any year of income; in that case, only so much of the income as is derived from his activities performed in that other Contracting State may be taxed in that other Contracting State.
2. The term “professional services” includes especially independent scientific, literary, artistic, educational or teaching activities as well as the independent activities of physicians, lawyers, engineers, architects, dentists and accountants.

Article 15

Income from Employment

1. Subject to the provisions of Articles 16, 18 and 20A of this Agreement, salaries, wages and other similar remuneration derived by a resident of a Contracting State in respect of an employment shall be taxable only in that Contracting State unless the employment is exercised in the other Contracting State. If the employment is so exercised, such remuneration as is derived therefrom may be taxed in that other Contracting State.
2. Notwithstanding the provisions of paragraph 1 of this Article, remuneration derived by a resident of a Contracting State in respect of

an employment exercised in the other Contracting State shall be taxable only in the first-mentioned Contracting State if:

- a) the recipient is present in the other Contracting State for a period or periods not exceeding in the aggregate one hundred and eighty-three (183) days in any twelve (12) month period commencing or ending in the year of income concerned, and
 - b) the remuneration is paid by, or on behalf of, an employer who is not a resident of the other Contracting State, and
 - c) the remuneration is not borne by a permanent establishment or a fixed base which the employer has in the other Contracting State.
3. Notwithstanding the preceding provisions of this Article, remuneration derived by a resident of a Contracting State in respect of an employment, as a member of the regular complement of a ship or aircraft, that is exercised aboard a ship or aircraft operated in international traffic, other than aboard a ship or aircraft operated solely within the other Contracting State, shall be taxable only in the first-mentioned Contracting State.

Article 16

Directors' Fees and Remuneration of Top - Level Managerial Officials

1. Directors' fees and other similar payments derived by a resident of a Contracting State in his capacity as a member of the board of directors or similar body of a company which is a resident of the other Contracting State may be taxed in that other Contracting State.
2. Salaries, wages and other similar remuneration derived by a resident of a Contracting State in his capacity as an official in a top-level managerial position of a company which is a resident of the other Contracting State may be taxed in that other Contracting State.

Article 17
Entertainers and Sportspersons

1. Notwithstanding the provisions of Articles 15 and 16 of this Agreement, income derived by a resident of a Contracting State as an entertainer, such as a theatre, motion picture, radio or television artiste, or a musician, or as a sportsperson, from that resident's personal activities as such exercised in the other Contracting State, may be taxed in that other Contracting State.
2. Where income in respect of personal activities exercised by an entertainer or a sportsperson in the individual capacity as such accrues not to the entertainer or sportsperson personally but to another person, that income may notwithstanding the provisions of Articles 7, 14 and 15 of this Agreement, be taxed in the Contracting State in which the activities of the entertainer or sportsperson are exercised.
3. The provisions of paragraphs 1 and 2 of this Article shall not apply to income from activities performed in a Contracting State by entertainers or sportspersons if the activities are substantially supported by public funds of one or both of the Contracting States or of political subdivisions or local authorities thereof. In such a case, the income shall be taxable only in the Contracting State of which the entertainer or sportsperson is a resident.

Article 18
Pensions and Social Security Payments

1. Subject to the provisions of paragraph 2 of Article 19 of this Agreement, pensions and other similar remuneration paid to a resident of a Contracting State in consideration of past employment may be taxed in that Contracting State.
2. However, such pensions and other similar remuneration may also be taxed in the other Contracting State if the payment is made by a resident of that other Contracting State or if the person paying the pensions or similar remuneration, whether he is a resident of a Contracting State or not, has in that other Contracting State a permanent establishment or a fixed base in connection with which the obligation to pay the pensions or similar

remuneration was incurred, and such pensions or similar remuneration are borne by such permanent establishment or fixed base.

3. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, pensions paid and other payments made under a public scheme which is part of the social security system of a Contracting State or a political subdivision or a local authority thereof shall be taxable only in that Contracting State.

Article 19

Government Service

1.
 - (a) Salaries, wages and other similar remuneration, paid by a Contracting State, a political subdivision, a local authority or a statutory body thereof to any individual in respect of services rendered to that Contracting State or subdivision or authority or body shall be taxable only in that Contracting State.
 - (b) However, such salaries, wages and other similar remuneration shall be taxable only in the other Contracting State if the services are rendered in that Contracting State and the individual is a resident of that State, who:
 - i) is a national of that State, or
 - ii) did not become a resident of that State solely for the purpose of rendering the services.
2.
 - (a) Notwithstanding the provisions of paragraph 1 of this Article, pensions and other similar remunerations paid by, or out of funds created by, a Contracting State, a political subdivision, a local authority or statutory body thereof to any individual in respect of services rendered to that Contracting State or subdivision or authority or body shall be taxable only in that Contracting State.
 - (b) However, such pensions and other similar remunerations shall be taxable only in the other Contracting State if the individual is a resident of, and a national of, that other Contracting State.

3. The provisions of Articles 15, 16, 17 and 18 of this Agreement shall apply to salaries, wages and other similar remuneration, and to pensions in respect of services rendered in connection with a business carried on by a Contracting State or a political subdivision, a local authority or a statutory body thereof.

Article 20

Students and Apprentices

1. A student or business apprentice who is or was a resident of a Contracting State immediately before visiting the other Contracting State and who is present in that other Contracting State solely for the purpose of his education or training, shall be exempt from tax in that other Contracting State on payments made to him by persons residing outside that other Contracting State for the purposes of his maintenance, education or training.
2. The exemption under this Article shall apply only for such period of time as may be reasonable or customarily required to complete the education or training undertaken, but in no event shall any individual have the exemption under this Article for more than five (5) consecutive years from the date of his first arrival in that other Contracting State.

Article 20A

Professors and Teachers

1. A professor or teacher who is or was a resident of a Contracting State immediately before visiting the other Contracting State for the purpose of teaching or engaging in research, or both, at a university, college, school or other approved institution in that other Contracting State shall be exempt from tax in that other Contracting State on any remuneration for such teaching or research for period not exceeding one hundred and eighty-three (183) days from the date of his arrival in that other Contracting State.
2. This Article shall not apply to income from research if such research is undertaken primarily for the private benefit of a specific person or persons.

3. For the purposes of this Article and Article 20A, an individual shall be deemed to be a resident of a Contracting State if he is resident in that Contracting State in the year of income, in which he visits the other Contracting State or in the immediately preceding year of income.
4. For the purposes of paragraph 1 of this Article, “approved institution” means an institution which has been approved in this regard by the competent authority of the concerned Contracting State.

Article 21

Other Income

1. Items of income of a resident of a Contracting State, wherever arising, not dealt with in the foregoing Articles of this Agreement shall be taxable only in that Contracting State.
2. The provisions of paragraph 1 of this Article shall not apply to income, other than income from immovable property as defined in paragraph 2 of Article 6 of this Agreement, if the recipient of such income, being a resident of a Contracting State, carries on business in the other Contracting State through a permanent establishment situated therein, or performs in that other Contracting State independent personal services from a fixed base situated therein, and the right or property in respect of which the income is paid is effectively connected with such permanent establishment or fixed base. In such case, the provisions of Article 7 or Article 15 of this Agreement, as the case may be, shall apply.

Notwithstanding the provisions of paragraphs 1 and 2 of this Article, items of income of a resident of a Contracting State not dealt with in the foregoing Articles of this Agreement and arising in the other Contracting State may also be taxed in that other Contracting State.

Article 22

Members of Diplomatic Missions and Consular Posts

Nothing in this Agreement shall affect the fiscal privileges of members of diplomatic missions or consular posts under the general rules of international law or under the provisions of special agreements.

Article 23
Methods for the Elimination of Double Taxation

1. In the Sultanate of Oman, double taxation shall be avoided as follows:

Where a resident of the Sultanate of Oman derives income which, in accordance with the provisions of the Agreement, may be taxed in Tanzania, the Sultanate of Oman shall allow as a deduction from the tax on the income of that resident an amount equal to the income tax paid in Tanzania, whether directly or by deduction. Such deduction shall not, however, exceed that part of the income tax (as computed before the deduction is given) which is attributable to the income which may be taxed in Tanzania.

2. In Tanzania, double taxation shall be avoided as follows:

- a) Where a resident of Tanzania derives income which, in accordance with the provisions of this Agreement, may be taxed in the Sultanate of Oman, Tanzania shall allow as a deduction from the tax on the income of that resident, an amount equal to the tax paid in the Sultanate of Oman. Such deduction shall not, however, exceed that portion of the tax (as computed before the deduction is given), which is attributable to the income which may be taxed in the Sultanate of Oman.
- b) Where in accordance with any provision of the Agreement, income derived by a resident of Tanzania is exempt from tax in Tanzania, Tanzania may nevertheless, in calculating the amount of tax on the remaining income of such resident, take into account the exempted income.

3. The tax payable in a Contracting State mentioned in paragraphs 1 and 2 of this Article shall be deemed to include the tax which would have been payable but for the tax incentives granted under the laws of that Contracting State and which are designed to promote economic development.

Article 24

Non-Discrimination

1. Nationals of a Contracting State shall not be subjected in the other Contracting State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which nationals of that other Contracting State in the same circumstances, in particular with respect to residence, are or may be subjected. This provision shall, notwithstanding the provisions of Article 1 of this Agreement, also apply to persons who are not residents of one or both of the Contracting States.
2. The taxation on a permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be less favourably levied in that other Contracting State than the taxation levied on enterprises of that other Contracting State carrying on the same activities.
This provision shall not be construed as obliging a Contracting State to grant to residents of the other Contracting State any personal allowances, reliefs and reductions for taxation purposes on account of civil status or family responsibilities which it grants to its own residents.
3. Except where the provisions of paragraph 1 of Article 9, paragraph 8 of Article 11, paragraph 6 of Article 12 or paragraph 6 of Article 13 of this Agreement apply, interest, royalties, technical fees and other disbursements paid by an enterprise of a Contracting State to a resident of the other Contracting State shall, for the purpose of determining the taxable profits of such enterprise, be deductible under the same conditions as if they had been paid to a resident of the first-mentioned Contracting State.
4. Enterprises of a Contracting State, the capital of which is wholly or partly owned or controlled, directly or indirectly, by one or more residents of the other Contracting State, shall not be subjected in the first-mentioned Contracting State to any taxation or any requirement connected therewith which is other or more burdensome than the

taxation and connected requirements to which other similar enterprises of the first-mentioned Contracting State are or may be subjected.

5. The provisions of this Article shall apply only to taxes which are covered by this Agreement.

Article 25

Mutual Agreement Procedure

1. Where a person considers that the actions of one or both of the Contracting States result or will result for him in taxation not in accordance with the provisions of this Agreement, he may, irrespective of the remedies provided by the domestic law of those Contracting States, present his case to the competent authority of the Contracting State of which is a resident or, if his case comes under paragraph 1 of Article 24 of this Agreement, to that of the Contracting State of which he is a national. The case must be presented within three (3) years from the first notification of the action resulting in taxation not in accordance with the provisions of this Agreement.
2. The competent authority shall endeavour, if the objection appears to it to be justified and if it is not itself able to arrive at a satisfactory solution, to resolve the case by mutual agreement with the competent authority of the other Contracting State, with a view to the avoidance of taxation which is not in accordance with the Agreement. Any agreement reached shall be implemented notwithstanding any time-limits in the domestic law of the Contracting States.
3. The competent authorities of the Contracting States shall endeavour to resolve by mutual agreement any difficulties or doubts arising as to the interpretation or application of the Agreement. They may also consult together for the elimination of double taxation in cases not provided for in this Agreement.
4. The competent authorities of the Contracting States may communicate with each other directly, including through a joint commission consisting of themselves or their representatives, for the purpose of reaching an agreement in the sense of the preceding paragraphs.

Article 26

Exchange of Information

1. The competent authorities of the Contracting States shall exchange such information as is necessary for carrying out the provisions of this Agreement or of the domestic laws of the Contracting States concerning taxes covered by this Agreement insofar as the taxation thereunder is not contrary to the Agreement as well as to prevent fiscal evasion. The exchange of information is not restricted by Article 1 of this Agreement. Any information received by a Contracting State shall be treated as secret in the same manner as information obtained under the domestic laws of that Contracting State and shall be disclosed only to persons or authorities (including courts and administrative bodies) concerned with the assessment or collection of, the enforcement or prosecution in respect of, or the determination of appeals in relation to, the taxes covered by this Agreement. Such persons or authorities shall use the information only for such purposes. They may disclose the information in public court proceedings or in judicial decisions.
2. In no case shall the provisions of paragraph 1 of this Article be construed so as to impose on a Contracting State the obligation:
 - a) to carry out administrative measures at variance with the laws and the administrative practice of that or of the other Contracting State;
 - b) to supply information which is not obtainable under the laws or in the normal course of the administration of that or of the other Contracting State;
 - c) to supply information which would disclose any trade, business, industrial, commercial or professional secret or trade process or information, the disclosure of which would be contrary to public policy (*ordre public*).

Article 27
Assistance in the Collection of Taxes

1. The Contracting States undertake to lend assistance to each other in the collection of taxes covered by this Agreement, together with interest, administrative penalties and fines of a non-penal nature, hereinafter referred to in their entirety as "tax claim".
2. Request for assistance by a Contracting State in the collection of a tax claim shall include a certification by the competent authority of that Contracting State that, under the laws of that Contracting State, the said tax claim has been finally determined. For the purposes of this Article, a tax claim is finally determined when a Contracting State has the right under its domestic taxation laws to collect the tax claim and the taxpayer has no further right under the laws to restrain its collection.
3. Requests referred to in paragraph 2 of this Article shall be accompanied, where appropriate, by an official copy of notices of assessment or demand, or any final administrative or judicial decision.
4. With regard to tax claim which is open to appeal, the competent authority of a Contracting State may, in order to safeguard its rights, request the competent authority of the other Contracting State to take protective measures.
5. The request made by a Contracting State under paragraph 2 or 4 of this Article that has been accepted by the other Contracting State shall be fulfilled by that other Contracting State as though such request related to its own tax, and according to the procedure required by its laws for collecting this tax.
6. Proceedings with respect to the existence, validity or the amount of a tax claim of a Contracting State shall only be brought before the courts or administrative bodies of that Contracting State according to its laws. Nothing in this Article shall be construed as creating or providing any right to such proceedings before any court or administrative body of the other Contracting State.
7. Where at any time after a request has been made by a Contracting State under paragraph 2 or 4 and before the other Contracting State has

collected and remitted the tax claim to the requesting Contracting State, the relevant tax claim ceases to be:

- (a) in the case of a request under paragraph 2 of this Article, a tax claim of the requesting State that is enforceable under the laws of that Contracting State and is owed by a person who, at that time, cannot, under the laws of that state, prevent its collection, or
- (b) in the case of a request under paragraph 4 of this Article, a tax claim of the requesting State in respect of which that Contracting State may, under its laws, take protective measures with a view to ensure its collection,

the competent authority of the requesting Contracting State shall promptly notify the competent authority of the other Contracting State of that fact and, at the option of the other Contracting State, the requesting Contracting State shall either suspend or withdraw its request.

- 8. Amounts collected by the competent authority of a Contracting State pursuant to this Article shall be forwarded to the competent authority of the other Contracting State. Except where the competent authorities of the Contracting States otherwise agree, the ordinary expenses incurred in providing assistance under this Article shall be borne by the requested Contracting State.
- 9. Nothing in this Article shall be construed so as to impose on a Contracting State the obligation:
 - (a) to carry out administrative measures at variance with the laws and administrative practice of that or of the other Contracting State;
 - (b) to carry out measures which would be contrary to public policy (ordre public);
 - (c) to provide assistance if the other Contracting State has not pursued all reasonable measures of collection, available under its laws or administrative practice;

- (d) to provide assistance in those cases where the administrative burden for that Contracting State is clearly disproportionate to the benefit to be derived by the other Contracting State.

Article 28

Amendment of the Agreement

1. The Contracting States may, at any time, agree to the amendment of this Agreement by mutual consent in writing through diplomatic channel.
2. The amendment to the Agreement shall be ratified according to the procedures required by the laws of each Contracting State.
3. The Contracting States shall notify each other in writing of the completion of these procedures through diplomatic channel.
4. The amendment shall enter into force on the date of receipt of the later of these notifications, or such other date as may be agreed by the Contracting States.

Article 29

Entitlement to Benefits

Notwithstanding the other provisions of this Agreement, a benefit under this Agreement shall not be granted in respect of an item of income or capital if it is reasonable to conclude, having regard to all relevant facts and circumstances, that obtaining that benefit was one of the principal purposes of any arrangement or transaction that resulted directly or indirectly in that benefit, unless it is established that granting that benefit in these circumstances would be in accordance with the object and purpose of the relevant provisions of this Agreement.

Article 30
Entry into Force

1. Each of the Contracting States shall notify in writing through diplomatic channels the other Contracting State of the completion of the procedures required by its law for the bringing into force of this Agreement. This Agreement shall enter into force on the date of receipt of the later of these notifications.
2. The provisions of this Agreement shall have effect as follows:
 - i) in respect of taxes withheld at source: for amounts paid or credited on or after the day on which this Agreement enters into force, and
 - ii) in respect of other taxes: for any year of income commencing after the day on which this Agreement enters into force.

Article 31

Termination

This Agreement shall remain in force until terminated by one of the Contracting States. Either Contracting State may terminate this Agreement through diplomatic channels, by giving a written notice of termination at least six (6) months before the end of any year after the period of five (5) years from the date on which the Agreement enters into force. In such event, the Agreement shall cease to have effect as follows:

- i) in respect of taxes withheld at source: for any amount paid or credited on or after the first day of January in the year immediately following that in which the notice of such termination is given, and
- ii) in respect of other taxes: for any year commencing on or after the first day of January in that year immediately following that in which the notice of such termination is given.

In WITNESS WHEREOF, the undersigned, duly authorised to that effect by their respective Governments thereto, have signed this Agreement.

Done at Muscat, on the Sunday day of 15/12/2024, corresponding to 13/6/1446 AH in two identical originals each in the Arabic and English languages, both texts being equally authentic.

**For the Government of the
Sultanate of Oman**

**For the Government of the
United Republic of Tanzania**