

PROTOCOL

At the signing of the Agreement between the Government of the People's Republic of China and the Government of the Republic of South Africa 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. With reference to Article 3:

it is understood that in the case of South Africa, partnerships are excluded from the definition of "person" in subparagraph1 (e).

2. With reference to Article 24

it is understood that nothing contained in this Article shall prevent South Africa from imposing on the profits attributable to a permanent establishment in South Africa of a company, which is a resident of China, a tax at a rate which does not exceed the rate of normal tax on companies which are residents of South Africa by more than 5 percentage points.:

IN WITNESS whereof the undersigned, duly authorized thereto, have signed this Agreement.

Done at Pretoria on the 25th day of April 2000, in duplicate in the Chinese and English languages, both texts being equally authentic.

For the Government of
the People's Republic of China

For the Government of
the Republic of South Africa