

ARGENTINE TAX LAWS STIPULATE THAT 10 PCT OF OUTWARD FREIGHT IS PRESUMED A PROFIT FROM ARGENTINA AND TAXED 35PCT, THIS RESULTS IN A 3.5PCT TAX ON THE GROSS FREIGHT. VESSEL'S AGENTS AND/OR ARGENTINE FREIGHT PAYERS ARE RESPONSIBLE FOR COLLECTING AND DEPOSITING THIS TAX AT THE LOCAL TAX OFFICE.

IN ORDER TO AVOID DOUBLE TAXATION THERE ARE IN FORCE RECIPROCAL AGREEMENTS AVOIDING DUPLICATE PAYMENT OF THIS TAX BETWEEN ARGENTINA AND:

AUSTRIA, BELGIUM, BOLIVIA, BRAZIL, CANADA, CHILE, CHINA, COLOMBIA, CROATIA*, CUBA, DENMARK, ECUADOR, FINLAND, FRANCE, GERMANY, GREECE, HERZEGOVINA*, IRAN, ISRAEL, ITALY, JAPAN, MACEDONIA*, NETHERLANDS, NORWAY, PERU, POLAND, PORTUGAL, SLOVENIA*, SPAIN, SWEDEN, SWITZERLAND, UNITED KINGDOM, U.S.A., URUGUAY, VENEZUELA, YUGOSLAVIA (SERBIA*) AND ALL THE REPUBLICS OF THE EX-U.S.S.R. (* : EX-YUGOSLAVIA).

THE AGREEMENT COVERS 'THE FINAL FREIGHT BENEFICIARY', RESIDING IN THE ABOVE LISTED COUNTRIES, IRRESPECTIVE OF THE VESSELS FLAG WHEREFORE BRAZILIAN OR DUTCH COMPANY CAN OPERATE WITH LIBERIAN, PANAMANIAN OR OTHER FLAG VESSELS AND STILL QUALIFY FOR EXEMPTION.

EVERY FOREIGN OWNER OR OPERATOR CLAIMING EXEMPTION IS REQUIRED TO PROVIDE CERTIFIED DOCUMENTATION FROM ITS COUNTRY OF RESIDENCE, WHEREFORE A TAX AFFIDAVIT MUST BE PRODUCED AND SENT TO US FOR FILING WITH ARGENTINE TAX AUTHORITY (AND ALSO FOR PRESENTING TO THE FREIGHT PAYING PARTY TO AVOID THAT THEY DEDUCT THE 3.5 PCT). IF THE REQUIRED DOCUMENTATION IS NOT OBTAINED THE TAX MUST BE PAID.

IN SHORT, THE FREIGHT BENEFICIARY HAS TO PROVE THAT HE IS A TAX PAYER IN HIS COUNTRY OF RESIDENCE, FOR THIS HE HAS TO:

- 1) FILL IN AND SIGN THE FORM BELOW AND CERTIFY YR SIGNATURE BY NOTARY PUBLIC.
- 2) GET IT SIGNED AND STAMPED BY THE LOCAL TAX AUTHORITY AND CERTIFY THE SIGNATURE BY NOTARY PUBLIC.
(IN CASE A NOTARY PUBLIC IS UNAVAILABLE TO CERTIFY THE TAX AUTHORITIES SIGNATURE , AN ALTERNATIVE IS THE FOLLOWING:
 - A) IF THE TAX AUTHORITY SIGNATURE IS REGISTERED IN THE ARGENTINE CONSULATE THEN THE ARGENTINE CONSULATE WILL CERTIFY IT.
 - B) IF A) IS NOT APPLICABLE , THEN YOU HAVE TO FIND SOMEBODY WHOSE SIGNATURE IS REGISTERED IN THE ARGENTINE CONSULATE (I.E. FOREIGN AFFAIRS MINISTRY OR LOCAL MUNICIPAL AUTHORITY) AND THAT CAN CERTIFY THAT THE SIGNING TAX AUTHORITIES SIGNATURE IS VALID. .)
- 3) GET IT CERTIFIED BY A NOTARY PUBLIC.
- 4) GET THE NOTARY'S SIGNATURE CERTIFIED BY THE ARGENTINE CONSUL (*).

(*) IF THE AFFIDAVIT IS PRODUCED IN ONE OF THE FOLLOWING COUNTRIES THE CERTIFICATION BY THE ARGENTINE CONSULATE CAN BE AVOIDED BY HAVING THE NOTARY PUBLIC SIGNATURE CERTIFICATION MADE OUT IN ACCORDANCE WITH THE APOSTILLE PROCEDURE (THE HAGUE CONVENTION) :

AUSTRIA, BELGIUM, BOSNIA, CROATIA, FINLAND, FRANCE, GERMANY, GREECE, HERZEGOVINA, ISRAEL, ITALY, JAPAN, MACEDONIA, NETHERLANDS, NORWAY, PORTUGAL, SLOVENIA, SPAIN, SWITZERLAND, U.S.A., UNITED KINGDOM, YUGOSLAVIA (SERBIA) AND THE REPUBLICS OF THE EX-U.S.S.R.

(PAPER WITH COMPANY'S LETTER HEAD)

ANNEX TO GENERAL RESOLUTION NO.3497

BILATERAL AGREEMENT TO AVOID DOUBLE TAXATION
IN FORCE BETWEEN ARGENTINA AND (COUNTRY) .

ANNUAL DECLARATION

- A) BENEFICIARY : (COMPANY NAME) >
B) FULL ADDRESS : (FISCAL DOMICILE)
C) ORIGIN OF RENT: OCEAN FREIGHTS.

AS (OWNER OR OPERATOR) OF THE FOLLOWING VESSEL ASSIGNED TO
THE MARITIME TRAFFIC WITH THE ARGENTINE REPUBLIC:

VESSEL	NATIONALITY	PORT OF REGISTRY	REGISTRY NBR
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(NAME)	???????	???????????	?????????

THIS DECLARATION IS MADE IN ORDER TO BE PRESENTED TO THE DIRECCION
GENERAL IMPOSITIVA OF THE ARGENTINE REPUBLIC IN COMPLIANCE WITH THE
REQUIREMENTS OF RESOLUTION NO.2066 OF AUGUST 1ST 1978 AND
RESOLUTION NO.3497 OF MAY 8TH 1992 THROUGH THEIR GENERAL AGENTS
MESSRS. AGENCIA MARÍTIMA INTERNACIONAL S.A., 25 DE MAYO 555, PISO
20, 1002 - BUENOS AIRES - ARGENTINA.

- D) STATEMENT BY ITS LEGAL REPRESENTANT MR. (NAME)

THE UNDERSIGNED DECLARES THAT THE COMPANY IS A RESIDENT OF
(COUNTRY), THAT IT HAS NO PERMANENT ESTABLISHMENT IN ARGENTINA AND
THAT IT MEETS ALL REQUIREMENTS AS PROVIDED BY THE CONVENTION IN
FORCE.

- E) DATE:

SIGNATURE:
(CERTIFICATION BY NOTARY PUBLIC)

- F) CERTIFICATION OF THE TAX AUTHORITY:

THE TAX AUTHORITY OF THE CITY OF (CITY) CONFIRMS THAT THE ABOVE
BENEFICIARY OF INCOME IS A RESIDENT OF (COUNTRY) IN ACCORDANCE WITH
THE AGREEMENT TO AVOID DOUBLE TAXATION BETWEEN ARGENTINA AND
(COUNTRY), AND THAT THE STATEMENTS MADE BY THE CLAIMANT ARE, TO THE
BEST OF THE TAX AUTHORITY'S KNOWLEDGE, TRUE AND CORRECT.

DATE :

SIGNATURE:

STAMP OF THE FISCAL OFFICE:

(CERTIFICATION BY NOTARY PUBLIC)

(CERTIFICATION BY ARGENTINE CONSULATE)

IT IS POSSIBLE TO INCLUDE ALL OF YOUR FLEET UNDER ONE DOCUMENT (OWN AND/OR CHARTERED TONNAGE) AND IN SUCH WAY COVER ALL FUTURE POSSIBLE CALLS TO ARGENTINE PORTS. THE TAX AFFIDAVIT IS VALID FOR 15 MONTHS, AFTER SAID PERIOD OF TIME A NEW ONE MUST BE ISSUED IN CASE OF A PORT CALL AFTER THE EXPIRING DATE.

FYG, IN THE EVENT THAT ONE OF THE VESSELS INCLUDED IN A VALID TAX AFFIDAVIT ALREADY SENT A LOCAL AGENT COMES TO ARGENTINA, AND IS ATTENDED BY ANOTHER AGENT, A LEGALIZED COPY CAN BE HANDED OVER TO THE NEW AGENT, SAVING YOU THE HASSLE OF SENDING A NEW ONE .

AUTHENTICATIONS AND APOSTILLES

AUTHENTICATIONS ARE OFTEN CALLED 'LEGALIZATIONS', SOMETIME 'INCUMBENCIES' OR 'CERTIFICATIONS', AND APOSTILLE IS A FORM OF AUTHENTICATION APPROPRIATE TO COUNTRIES WHICH HAVE SIGNED THE 1961 HAGUE CONVENTION ABOLISHING THE REQUIREMENT OF LEGALIZATION FOR FOREIGN PUBLIC DOCUMENTS. THEY ARE OFTEN NEEDED IN ADOPTIONS, EXTRADITIONS AND CERTAIN BUSINESS TRANSACTIONS.

THE MOST COMMON DEFECT THAT FORCES TO TURN AWAY REQUESTS FOR THESE DOCUMENTS IS THE LACK OF A DATE ON A NOTARIZATION; PLEASE MAKE CERTAIN THAT ALL NOTARIZATIONS ARE DATED BY THE NOTARY.

AUTHENTICATIONS ARE MOST OFTEN PART OF A CHAIN OF PROOF THAT INVOLVES A NUMBER OF COVER DOCUMENTS. TO SIMPLIFY THIS, THE HAGUE CONVENTION ESTABLISHED A SYSTEM THAT ALLOWS THE STATE SECRETARIES OF STATE TO BE THE LAST OFFICIALS IN THE CHAIN. THE APOSTILLE FOR HAGUE CONVENTION COUNTRIES IS SIMPLY A SPECIAL FORM OF AUTHENTICATION.