5. With reference to Article 8 of the Agreement, it is understood that:

(a) interest on funds temporarily deposited in banks in connection with the operation of ships or aircraft in international traffic shall be regarded as profits from the operation of ships or aircraft referred to in Article 8 and not as interest referred to in Article 11 of the Agreement; and

(b) profits from the operation of ships or aircraft in international traffic shall include profits from:

(i) the rental of ships or aircraft on a full basis in international traffic;

(ii) the rental of ships or aircraft on a bare-boat basis, where such rental is incidental to the operation of ships or aircraft in international traffic;

(iii) the use, maintenance or rental of containers (including trailers and related equipment used for transport of containers), where such use, maintenance or rental, as the case may be, is incidental to the operation of ships or aircraft in international traffic; and

(iv) the sale of tickets for international traffic on behalf of other enterprises, where such sale is incidental to the operation of ships or aircraft in international traffic.

6. With reference to Articles 10, 11, 12, 13 and 21 of the Agreement:

It is understood that no relief shall be available under the provisions of these Articles if the main purpose or one of the main purposes of any person concerned with the creation or assignment of any shares, debt-claims or other rights or properties in respect of which income arises was to take advantage of these Articles by means of that creation or assignment.

7. With reference to Article 11 of the Agreement:

Notwithstanding the provisions of paragraph 2 of that Article, interest arising in the Sultanate of Oman and beneficially owned by a pension fund established under the laws of Japan shall be taxable only in Japan.

8. With reference to paragraph 2 of Article 13 of the Agreement:

It is understood that the term "recognised stock exchange" means:

(a) any stock exchange established by a Financial Instruments Exchange or an approved-type financial instruments firms association under the Financial Instruments and Exchange Law (Law No. 25 of 1948) of Japan;

(b) the Muscat Securities Market of the Sultanate of Oman; and

(c) any other stock exchange which the competent authorities of the Contracting States agree to recognise for the purposes of that paragraph.

9. With reference to Article 16 of the Agreement:

It is understood that the term "a member of the board of directors of a company" includes a member of the managerial board or any other similar body of a company which is a resident of the Sultanate of Oman as provided for in the relevant Omani laws.

10. Nothing in the Agreement shall prevent Japan from imposing tax at source, in accordance with its laws, on any income and gains derived by a person pursuant to a silent partnership (Tokumei Kumiai) contract or other similar contract.

11. With reference to paragraph 5 of Article 25 of the Agreement:

A Contracting State may decline to supply information relating to confidential communications between attorneys, solicitors or other admitted legal representatives in their role as such and their clients to the extent that the communications are protected from disclosure under the domestic law of that Contracting State.