Article XIII

Paragraph 2 of Article 21 of the Convention shall be deleted and replaced by the following:

"2. The provisions of paragraph 1 shall not apply to income, other than income from immovable property as defined in paragraph 2 of Article 6, 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 and the right or property in respect of which the income is paid is effectively connected with such permanent establishment. In such case, the provisions of Article 7 shall apply."

Article XIV

The following new Articles shall be inserted immediately after Article 21 of the Convention:

"Article 21A

1. Except as otherwise provided in this Article, a resident of a Contracting State that derives income described in paragraph 3 of Article 10 or in Article 11 or 12 from the other Contracting State shall be entitled to the benefits granted for a taxable year by the provisions of that paragraph or those Articles only if such resident is a qualified person as defined in paragraph 2 and satisfies any other specified conditions in that paragraph or those Articles for the obtaining of such benefits.

2. A resident of a Contracting State is a qualified person for a taxable year only if such resident is either:

(a) an individual;

(b) the Government of that Contracting State, any statutory body, political subdivision or local authority of that Contracting State, or the Bank of Japan or the Central Bank of Sweden (Sveriges Riksbank);

(c) a company, if its principal class of shares is listed or registered on a recognized stock exchange specified in clause (i) or (ii) of sub-paragraph (c) of paragraph 7 and is regularly traded on one or more recognized stock exchanges;

(d) a pension fund, provided that, as of the end of the prior taxable year, more than 50 per cent of the beneficiaries, members or participants of that pension fund are individuals who are residents of either Contracting State;

(e) an organisation established under the laws of that Contracting State and operated exclusively for a religious, charitable, educational, scientific, artistic, cultural or public purpose, only if all or part of its income may be exempt from tax under the domestic law of that Contracting State; or

(f) a person other than an individual, if residents of either Contracting State that are qualified persons by reason of sub-paragraph (a), (b), (c), (d) or (e) of this paragraph hold, directly or indirectly, at least 50 per cent of the voting power or other beneficial interests of that person.

3. Notwithstanding that a company that is a resident of a Contracting State may not be a qualified person, that company shall be entitled to the benefits granted by the provisions of paragraph 3 of Article 10 or of Article 11 or 12 with respect to an item of income described in that paragraph or those Articles derived from the other Contracting State if that company satisfies any other specified conditions in that paragraph or those Articles for the obtaining of such benefits and at least 75 per cent of the voting power of that company is held, directly or indirectly, by seven or fewer persons who are equivalent beneficiaries.

4. Where the provisions of sub-paragraph (f) of paragraph 2 and paragraph 3 apply: