(cc) with respect to an item of income referred to in paragraph 3 of Article 10 or in Article 11 or 12 that resident would be entitled under that convention to a rate of tax with respect to the particular class of income for which the benefits are being claimed under this Convention that is at least as low as the rate applicable under this Convention; or

(ii) a qualified person by reason of sub-paragraph (a), (b), (c), (d) or (e) of paragraph 2.

Article 21B

Notwithstanding any other provisions of this Convention, where

(a) a company that is a resident of a Contracting State derives its income primarily from other states

(i) from financial or shipping activities, or

(ii) from being the headquarters or co-ordination centre in relation to, or an entity providing administrative services or other support to, a group of companies which carry on business primarily in other states; and

(b) such income would bear a significantly lower tax under the laws of that Contracting State than income from financial or shipping activities carried out within that Contracting State or from being the headquarters or co-ordination centre in relation to, or an entity providing administrative services or other support to, a group of companies which carry on business in that Contracting State, as the case may be,

any provisions of this Convention conferring an exemption or a reduction of tax shall not apply to the income of such company and to the dividends paid by such company.

Article 21C

No relief shall be available under this Convention if it was the main purpose of any person concerned with the creation or assignment of any right or property in respect of which the income is paid or derived to take advantage of this Convention by means of that creation or assignment."

Article XV

Article 22 of the Convention shall be deleted and replaced by the following:

"Article 22

1. Subject to the provisions of the laws of Japan regarding the allowance as a credit against Japanese tax of tax payable in any country other than Japan, where a resident of Japan derives income from Sweden which may be taxed in Sweden in accordance with the provisions of this Convention, the amount of Swedish tax payable in respect of that income shall be allowed as a credit against the Japanese tax imposed on that resident. The amount of credit, however, shall not exceed the amount of the Japanese tax which is appropriate to that income.

2. (a) Subject to the provisions of sub-paragraph (b) of this paragraph and of paragraph 6 of Article 10, where a resident of Sweden derives income which may be taxed in Japan in accordance with the provisions of this Convention, Sweden shall allow - subject to the provisions of the laws of Sweden concerning credit for foreign tax (as they may be amended from time to time without changing the general principle hereof) - as a deduction from the tax on such income, an amount equal to the Japanese tax paid in respect of such income.