(c) the terms "a Contracting State" and "the other Contracting State" mean Japan or Estonia, as the context requires;

(d) the term "person" includes an individual, a company and any other body of persons;

(e) the term "company" means any body corporate or any entity that is treated as a body corporate for tax purposes;

(f) the term "enterprise" applies to the carrying on of any business;

(g) the term "business" includes the performance of professional services and of other activities of an independent character;

(h) the terms "enterprise of a Contracting State" and "enterprise of the other Contracting State" mean respectively an enterprise carried on by a resident of a Contracting State and an enterprise carried on by a resident of the other Contracting State;

(i) the term "international traffic" means any transport by a ship or aircraft operated by an enterprise of a Contracting State, except when the ship or aircraft is operated solely between places in the other Contracting State;

(j) the term "competent authority" means:

(i) in Japan, the Minister of Finance or his authorised representative; and

(ii) in Estonia, the Minister of Finance or his authorised representative;

(k) the term "national", in relation to a Contracting State, means:

(i) any individual possessing the nationality of that Contracting State; and

(ii) any legal person, partnership or association deriving its status as such from the laws in force in that Contracting State; and

(l) the term "pension fund" means any entity or arrangement that is:

(i) established under the laws of a Contracting State; and

(ii) operated principally to administer or provide pensions, retirement benefits or other similar remuneration or to earn income for the benefit of other pension funds,

provided that it is:

(iii) in the case of Japan, exempt from tax in Japan with respect to income derived from the activities described in clause (ii);

(iv) in the case of Estonia, established under the Investment Fund Act and covered by the Funded Pensions Act or any substantially similar Act introduced after the date of signature of the Convention.

2. As regards the application of this Convention at any time by a Contracting State, any term not defined therein shall, unless the context otherwise requires, have the meaning that it has at that time under the law of that Contracting State for the purposes of the taxes to which the Convention applies, any meaning under the applicable tax laws of that Contracting State prevailing over a meaning given to the term under other laws of that Contracting State.

ARTICLE 4
RESIDENT

1. For the purposes of this Convention, the term "resident of a Contracting State" means any person who, under the laws of that Contracting State, is liable to tax therein by reason of his domicile, residence, place of head or main office, place of management, place of incorporation or any other criterion of a similar nature, and also includes that Contracting State and any political subdivision or local authority thereof, as well as a pension fund of that Contracting State. This term, however, does not include any person who is liable to tax in that Contracting State in respect only of income from sources in that Contracting State.

2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Contracting States, then his status shall be determined as follows: