

**AGREEMENT
BETWEEN
THE MINISTRY OF TAXATION OF THE RUSSIAN FEDERATION
AND
THE NATIONAL TAX BOARD OF THE KINGDOM OF SWEDEN
FOR
THE CO-OPERATION AND EXCHANGE OF INFORMATION
IN TAX MATTERS**

The Ministry of Taxation of the Russian Federation and the National Tax Board of the Kingdom of Sweden agree to conclude an Agreement for the co-operation and exchange of information in tax matters, founded on Article 25 of the Convention of June 14, 1993, between the Kingdom of Sweden and the Russian Federation for the avoidance of double taxation with respect to taxes on income and capital, hereafter called the Convention, according to the following provisions.

Article 1. Taxes covered

The taxes to which this Agreement shall apply are those covered by Article 25 of the Convention.

Article 2. General definitions

For the purposes of this Agreement, the applied terms are defined as follows:

“tax legislation” means the totality of juridical regulations, which determine types of taxes and the order of their collection on the territory of the States and regulate the relationships as far as the creation, changes and termination of tax obligations are concerned;

“violation of tax legislation” means action or inaction expressed in non-execution or improper execution of the tax legislation.

“Competent Tax Authority” means:

in case of the Russian Federation - The Ministry of Taxation of the Russian Federation;

in case of the Kingdom of Sweden - The National Tax Board of the Kingdom of Sweden.

Article 3. Forms of co-operation

In the scope of this Agreement the Competent Tax Authorities use the following forms of co-operation:

- providing information automatically (Article 4);
- providing information spontaneously (Article 5);
- providing information on request (Article 6);
- simultaneous tax examinations and presence at tax examinations (Article 7);
- co-operation as far as measures aimed at prevention, exposure and suppression of violations of tax legislation are concerned;
- exchange of information about the national tax systems and their specific features, and
- other forms of co-operation relevant to the execution of this Agreement and agreed upon in written form.

Article 4. Exchange of information automatically

Exchange of information automatically assumes providing information as follows:

- a) salaries, wages, fees, pensions, annuities and other remuneration as defined in the Convention, paid by residents in one of the States to residents in the other State;
- b) dividends as defined in Article 10 of the Convention;
- c) interest as defined in Article 11 of the Convention;
- d) royalties as defined in Article 12 of the Convention, and
- e) other tax information within the scope of competence of the Competent Tax Authorities.

Until relevant legislation is enacted in both States, the above-mentioned information will be exchanged spontaneously.

Article 5. Exchange of information spontaneously

The Competent Tax Authority of each State shall supply, without any specific request, the Competent Tax Authority of the other State with information that concerns

taxpayers of the other State and which may be of use for proper execution of this Agreement.

Article 6. Exchange of information on request

The Competent Tax Authorities shall render each other assistance in accordance with their national legislation and within the scope of their competence.

A request for information shall contain:

- the name of the requesting Competent Tax Authority;
- the name of the requested Competent Tax Authority;
- the identity of the taxpayer in question including, if available, the tax identification number in both States, and
- a brief statement of the content of the request with a description of the examination period and types of taxes and any other information required for its fulfillment.

The requested Competent Tax Authority may require additional information necessary for the fulfillment of the request for information.

The requested Competent Tax Authority will provide details of laws and regulations, other materials and attested copies of documents if they are necessary for the fulfillment of the request for information.

The requested Competent Tax Authority shall notify the requesting Competent Tax Authority in case the request for information cannot be executed.

A request for information should be transmitted in writing by post, fax or computer communication with the enclosure of the documents necessary for its processing. When using fax or computer communication or in case of doubt of authenticity, the Competent Tax Authority may require written confirmation.

The request for information and the answer shall be formulated in English.

Article 7. Simultaneous tax examinations and presence at tax examinations

A simultaneous tax examination means an arrangement between the Competent Tax Authorities to examine simultaneously and independently, each on its own territory, the tax affairs of selected taxpayers in which they have a common or related interest, with a view to exchange any relevant information which they so obtain.

At the request of the Competent Tax Authority of one State, the Competent Tax Authority in the other State may allow authorized representatives of the requesting

Competent Tax Authority to be present at the appropriate part of a tax examination arranged by the requested Competent Tax Authority if it does not contradict the legislation of that State.

The Competent Tax Authorities shall consult each other for the purposes of determining cases and procedures for simultaneous tax examinations and presence at tax examinations on a case by case basis.

Article 8. Expenses

Each Competent Tax Authority shall be responsible for the expenses of its own officials, except in cases of special agreement confirmed in writing.

The Competent Tax Authorities shall finance all expenses for fulfillment of the provisions of this Agreement on their own territory. When execution of requests for information requires complementary expenses, the Competent Tax Authorities of the States will decide the responsibility for financing by mutual agreement when necessary.

Article 9. Confidentiality of information

The Competent Tax Authorities agree that the use of information exchanged is possible within the limits and on the terms provided for by Article 25 of the Convention.

Article 10. Interpretation and application of the Agreement

The Competent Tax Authorities shall endeavor to reach mutual agreement in resolving any difficulties or doubts arising in interpretation or application of this Agreement.

The Competent Tax Authorities deal directly with each other in matters concerning the implementation of this Agreement.

Article 11. Amendments

When necessary, the Competent Tax Authorities will review the application of this Agreement and amend it at any time by mutual consent.

Article 12. Entry into force and termination

This Agreement enters into force on the date of its signing by the Competent Tax Authorities. It may be cancelled by the wish of one of the Competent Tax Authorities. The cancellation will take place in six months after the day when a written notice of termination is delivered from one Competent Tax Authority to the other.

In no case this Agreement will remain in force any longer than the Convention period.

Done in Stockholm on 18 September 2000 in duplicate, in the English language.

FOR THE MINISTRY OF TAXATION
OF THE RUSSIAN FEDERATION

FOR THE NATIONAL TAX BOARD
OF THE KINGDOM OF SWEDEN

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Gennady I. Bukaev

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Mats Sjöstrand

