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Instrument of ratification of the Convention between Spain and Spain
Sweden for the avoidance of double taxation with respect to taxes
income and capital and annexed Protocol, signed at Madrid on June 16, 1976 .
(" Official Gazette " of January 22, 1977 .)

JUAN CARLOS I, KING OF SPAIN

Whereas on June 16, 1976 , the Plenipotentiary of Spain signed in Madrid,
together with the Plenipotentiary of Sweden , appointed in due form to
Indeed, the Convention for the avoidance of double taxation with respect to taxes
income and capital and annexed Protocol,
Viewed and examined the thirty articles that integrate the Convention and Protocol
annexed ,
Heard the Foreign Affairs Committee of the Spanish Parliament , in compliance
the provisions of article fourteen of its Constitutive Act ,
Come to pass and ratify when it is available , as under the present
approve and ratify , and promised to obey , observe and enforce it and observe
timely in its entirety , for which purpose , for further validation and firmness , Mando
issue the instrument of ratification signed by me duly sealed and
countersigned by the undersigned Minister of Foreign Affairs.

Given in Madrid on December 7th of 1970 and JUAN seis.

CARLOS. - The Foreign Minister Marcelino Oreja Aguirre.

TEXT OF THE CONVENTION

The Government of Spain and the Government of Sweden , desiring to conclude an Agreement
to avoid double taxation with respect to taxes on income and capital, have
agreed as follows :

article 1

PERSONAL SCOPE

This Convention applies to persons resident in one or two states

Contracting .

article 2

TAXES ARE SUBJECT TO THIS AGREEMENT

1. The present Convention shall apply to taxes on income and capital required by each of the Contracting States or their political subdivisions or local authorities, irrespective of the levy system .

Two . Taxes on income and on capital all taxes are considered the totality of the income , the entire capital or any part thereof , including taxes on gains from the alienation of movable or immovable property , the taxes on the total amount of salaries paid by enterprises , as well as capital gains taxes . Taxes are not considered contributions of Social Security.

. 3 tax to which this Convention shall apply are:

a) In the case of Sweden:

i) The General Income Tax , which includes both affecting sailors as the holders of coupons ;

ii) The income tax undistributed corporate and affecting distribution about reducing the shareholding or the liquidation of a

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society;

iii) The Income Tax Professionals show;

iv) Tax on Income Community ; and

v) The General Tax Wealth ;

(which is hereinafter referred to as " Swedish tax") .

b) In the case of Spain :

i) The General Tax on Income of Individuals ;

ii) The General Income Tax Corporations and other entities

legal ;

iii) The following taxes account: Territorial Tax on Wealth

Rural and Livestock , the Urban Land Tax on Wealth Tax

Yields on Personal Work, Tax Revenue Capital

Tax and Commercial and Industrial Activities and Benefits ;

iv) The surface fees and tax on the income of companies , regulated

by Act of June 27, 1974 (applicable to companies engaged in

research and exploitation of hydrocarbons) ;

v) The Local Taxes on Income and on Capital ;

(Those hereinafter referred to as " Spanish tax") .

April . This Convention shall also apply to taxes identical or

Analogously to be added to the current after signing this Agreement or in place .

Every year, the competent authorities of the Contracting States

communicate any significant changes which have been made in their respective

taxation laws.

article 3

GENERAL DEFINITIONS

1. In this Convention, unless the text otherwise requires an interpretation

different:

a) The term "Sweden" means the Kingdom of Sweden , including therein any area

that is outside the territorial sea of Sweden and which , under the laws Swedish and in accordance with international law , may exercise your rights in Sweden with respect to the seabed and subsoil and their natural resources;

b) The term " Spain " means the Spanish State , and in a geographical sense, the Peninsular Spain , the Balearic and Canary Islands, the Spanish cities Africa , including any area outside the territorial sea of Spain , according with international law , has been brought or could seriously hereinafter under Spanish laws concerning the Continental Shelf, as an area where they can exercised the rights of Spain with regard to the seabed and subsoil and their natural resources;

c) the terms " a Contracting State " and " other Contracting State" mean Sweden or Spain , 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 be regarded as a legal entity for tax purposes;

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

g) The term "international traffic " means any transport by a ship or aircraft operated by an enterprise which has its place of effective management in Contracting State, except when the trip points are confined between the other Contracting State;

h) the term "competent authority" means:

i) In Sweden , the Minister of Finance or its authorized representatives ;

ii) In Spain , the Minister of Finance, the Secretary General or Technical other authority to whom the Minister delegates;

i) the term " nationals" means all individuals possessing the nationality of a Contracting State and all legal persons , partnerships commercial and associations deriving their status as such from the laws in force in a Contracting State .

Two . For the purposes of this Convention by a Contracting State , any term not otherwise defined shall , unless the context otherwise requires different interpretation , the meaning which it has under the law of that State Contracting concerning taxes covered by this Convention.

article 4

ADDRESS FISCAL

1. The purposes of this Convention, the term "resident of a State Employer " means any person who , under the laws of that State , is liable to tax therein by reason of his domicile , residence , headquartered in management or any other criterion of a similar nature, but the term does not include any person who is liable to tax in that Contracting State only so respect to income from him or capital situated in that State.

Two . When , under the provisions of paragraph 1 an individual is a resident of both Contracting States, residency shall be determined according to following rules :

a) He shall be deemed a resident of the Contracting State in which it a permanent home available to him ; if he has a permanent home available to him

available in both Contracting States shall be deemed a resident of the State Contracting with which his closest personal and economic relations (center of vital interests);

b) If the Contracting State can not be determined in which he has center of vital interests , or if not a permanent home available to him available in any of the Contracting States shall be deemed a resident of Contracting State where an habitual abode ;

c) If an habitual abode in both Contracting States or made in neither be a resident of the Contracting State of which he is national ;

d) If a national of both Contracting States or of neither of them, the competent authorities of the Contracting States shall settle the question of agreement .

March . Notwithstanding the provisions of paragraph 2, where, under the provisions 4

paragraph 1 an individual is a resident of Sweden because of the so-called " Three-year rule " contained in the Swedish tax legislation and is also a resident of Spain , the competent authorities of the Contracting States shall determine its residence by mutual agreement.

April . Where by reason of the provisions of paragraph 1 a person other than a individual is a resident of both Contracting States , he shall be deemed the Contracting State in which its place of effective management is situated .

article 5

PERMANENT ESTABLISHMENT

1. For the purposes of this Convention, the term "permanent establishment"

means a fixed place of business in which an enterprise is wholly or partly activity.

. 2 The term "permanent establishment " includes especially :

a) a place of management ;

b) A branch;

c) An office ;

d) A factory ;

e) A workshop ;

f) a mine , oil well, quarry or any other place of extraction of natural resources;

g) Works of construction or assembly project which exists for more than twelve months.

. 3 The term "permanent establishment" is deemed not to include:

a) the use of facilities solely for the purpose of storage, display or goods or merchandise belonging to the enterprise . If these facilities goods are sold directly to customers or representatives, shall be deemed to facilities constitute a permanent establishment ;

b) the maintenance of a stock of goods or merchandise for the enterprise purpose of storage , display or delivery . If goods are sold on the location of this deposit directly from it , then it will be considered this deposit constitutes a permanent establishment ;

c) the maintenance of a stock of goods or merchandise belonging to the company with the sole purpose of processing by another enterprise;

d) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise or of collecting information for the enterprise;

e) the maintenance of a fixed place of business solely for the purpose of making

advertising, supplying information, for scientific research or for similar activities which have a preparatory or auxiliary character for the enterprise.

April . A person acting in a Contracting State on behalf of an enterprise of other Contracting State, except that it be included in an independent agent paragraph 5, is considered to constitute a permanent establishment in the State First-mentioned Contracting if has and habitually exercises in that State Contracting authority to conclude contracts on behalf of the company, unless their activities are limited to the purchase of goods or merchandise for the same .

5 . Shall not be deemed an enterprise of a Contracting State property

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Standing in the other Contracting State merely because it carries on activities in that other State through a broker, general commission agent or any other mediator of an independent status, provided that such persons are acting in the ordinary course of their business .

6. The fact that a company resident of a Contracting State controls or is controlled by a resident of the other Contracting State, or which carries business in that other Contracting State (whether through a settlement permanent or otherwise) , shall not of itself constitute either company permanent establishment of the other.

article 6

RENTS FROM REAL PROPERTY

1. Rentals from real estate, including those arising from agricultural and forestry may be taxed in the State Contracting in which such property is situated.

Two . The term "immovable property" shall be defined in accordance with State Law

Employer in which the property in question is situated . The term shall in any case, the accessory to immovable property, livestock and equipment used in agriculture and forestry, rights to which are applied the provisions of general law respecting landed property apply, usufruct of immovable property and rights to variable or fixed payments as consideration for the working or the right to work, mineral deposits , sources and other natural resources; the ships , boats and aircraft shall not be regarded as immovable property .

Three . The provisions of paragraph 1 shall apply to income derived from the use direct , lease or any other form of immovable property .

4 . The provisions of paragraphs 1 and 3 shall also apply to income from immovable property of an enterprise and to income from immovable property used for the performance of professional services .

article 7

BUSINESS PROFITS

1. Profits of an enterprise of a Contracting State may only be taxed in that State unless the enterprise carries on business in the other Contracting State through a permanent establishment situated therein. In this latter case, the profits of the enterprise may be taxed in the other State , but only to the extent that they are attributable to the permanent establishment .

Two . Where an enterprise of a Contracting State carries on business in the other State Contracting through a permanent establishment situated therein, in each State Contracting will be attributed to that permanent establishment the profits which it would obtain if it were a distinct and separate enterprise engaged in the same or similar activities under the same or similar conditions and dealing wholly independently with company which is a permanent establishment .

Three . For determining the profits of a permanent establishment, shall be permitted deduction of expenditure incurred for the purposes of the permanent establishment , including executive and general expenses incurred for the administration same purposes , either in the Contracting State in which the property is located permanent or elsewhere .

April . No benefit to a permanent establishment shall be attributed merely that permanent establishment of goods or merchandise for the enterprise .

May . For purposes of the preceding paragraphs , the profits to be

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attributed to the permanent establishment shall be determined by the same method year per year, unless there are sufficient reasons to the contrary .

6. Where profits include items of income dealt with separately in other Articles of this Convention , the provisions of those Articles shall not be affected by this Article.

article 8

NAVIGATION MARITIME AND AVIATION

1. Profits of an enterprise of a Contracting State from the operation of ships or aircraft in international traffic , may be subject only taxed in that State.

Two . The provisions of paragraph 1 shall also apply to profits derived through participation in a "pool " in a joint business or agency international management.

Three . As regards the benefits to the consortium navigation Aerial Swedish, Danish and Norwegian , known as Scandinavian Airlines System (SAS) , is apply the provisions of this article, but only to that part of the benefits

corresponding to the share held in that consortium Aerotransport AB (ABA) ,
Swedish partner of Scandinavian Airlines System (SAS) .

article 9

ASSOCIATES

. 1 While :

a) an enterprise of a Contracting State participates directly or indirectly in
the management, control or capital of an enterprise of the other Contracting State, or
b) the same persons participate directly or indirectly in the management,
control or capital of an enterprise of a Contracting State and an enterprise of the other
Contracting State , and in either case , the two enterprises in their relations
commercial or financial conditions are linked by or imposed , which differ
than you would be made between independent enterprises, the benefits of
companies have obtained in the absence of these conditions and , in fact not
have occurred because of the same , may be included in the profits of this
enterprise and taxed accordingly.

Two . Where profits of an enterprise of a Contracting State which have been
taxed in that State are also included in the benefits of
enterprise of the other Contracting State and taxed accordingly, and the
profits so included are profits which would have added to that company
other State if the conditions made between the enterprises had been those
which would have been made between independent enterprises , the State referred to in
First to perform a proper amount of tax charged on those adjustment
benefits in the first-mentioned State. For determining this adjustment
due consideration is given to the other provisions of this Agreement relating
the nature of income , and to this end , the competent authorities of the United

Contracting shall consult each other if they deem it necessary.

article 10

DIVIDENDS

1. Dividends paid by a company resident in a Contracting State to a resident of the other Contracting State may be taxed in that other State if such resident is the beneficial owner of the dividends.

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. 2 However , such dividends may be taxed in the State

Employer in which the company paying the dividends , in accordance with the laws of that State , but the tax so charged shall not exceed :

a) From 10 to 100 of the gross amount of the dividends if the beneficial owner is a company (other than a partnership) which holds directly at least 50 100 the capital of the company paying the dividends , provided that this possession consists of shares that have been acquired at least one year before the date on which the dividends accrued and paid;

b) In all other cases , 15 per 100 of the gross amount of the dividends.

The competent authorities of the Contracting States shall by mutual according the mode of application of this limitation.

This paragraph does not affect the taxation of the company for the benefits under the which the dividends are paid.

Three . The term "dividends " means income from shares, shares or bonds, mining shares , founders' shares or other rights possible participate in the benefits , other than credit, as well as income from other corporate rights assimilated to income from shares by the laws Attorney Contracting State of which the company making the distribution .

4 . The provisions of paragraphs 1 and 2 shall not apply if the recipient of being a resident of a Contracting State , carries on business in the other Contracting State which the dividends a trade or business through an establishment permanent resident thereof or performs in that other State professional services through a base fixed on the same and which the dividends participation is linked effectively connected with such permanent establishment or fixed base. In this case they are applied the provisions of Article 7 or Article 14, as appropriate .

May . When a company resident of a Contracting State derives profits or income from the other Contracting State, that other State may not subject any taxation of dividends that the company paid to persons other than resident in that other State , or subject the undistributed income of corporation tax on undistributed profits , even if the dividends paid or the undistributed profits consist wholly or partly of profits or income arising in such other Contracting State.

However, this provision shall not prevent Spain grave to a Swedish company having a permanent establishment in Spain , according to the provisions Articles 4 and 23 of Decree 3357/1967 of 23 December, but the tax rate not exceed 15 100.

article 11

INTEREST

1. Interest arising in a Contracting State and paid to a resident of other Contracting State may be taxed in that other State if such resident is the recipient of the interest.

. 2 However , such interest may be taxed in the State Contracting in which they arise according to the laws of that State , but the

tax so charged shall not exceed 15 per 100 of the gross amount of the interest.

The competent authorities of the Contracting States shall by mutual agreement ,
the mode of application of this limitation.

March . Notwithstanding the provisions of paragraph 2, interest of the Public Debt
issued by a Contracting State may be taxed in the State

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debtor.

4 . The term "interest" means income from any appropriations

class , whether or not secured by mortgage and whether or not entitled to participate in the benefits
obtained by the debtor , and in particular, income from government debt and
bonds or debentures, including premiums and prizes are allocated to bonds or
obligations. Penalty charges for late payment shall not be regarded as interest
for the purposes of this article.

May . The provisions of paragraphs 1 and 2 shall not apply if the recipient of
interest , being a resident of a Contracting State , carries on business in the other Contracting State
which the interest arises a trade or business through an establishment
permanently situated therein , or performs in that other State professional services through
fixed base in the same and credit the interest is linked
effectively connected with such permanent establishment or fixed base. In this case they are applied
the provisions of Article 7 or Article 14 , as appropriate.

6. Interest shall be deemed to arise in a Contracting State when the
payer is that State itself, an administrative subdivision , a local authority
or a resident of that Contracting State. However, the person paying the
interest, whether or not a resident of a Contracting State, has in a Contracting State
a permanent establishment in connection with which the debt was incurred, which gives

rise to the interest and support listing the payment thereof , interest
the property is deemed to arise in the State in which it is
permanent .

7. Where, owing to a special relationship between the payer and the recipient
interest , or between both of them and any other person, the amount of interest
paid , given the credit for which it is paid , exceeds the amount which would have
been agreed upon by the payer and the recipient in the absence of such relationship, the
provisions of this Article shall apply only to the last-mentioned amount . in this
Any surplus shall remain taxable according to the laws of each
Contracting State, due to the other provisions of this Agreement.

article 12

DUES

1. Royalties arising in a Contracting State and paid to a resident of
other Contracting State may be taxed in that other State if such
resident is the beneficial owner of the royalties.

. 2 However , such royalties may be taxed in the State
contracting in which it arises and according to the laws of that State, but the
tax so charged shall not exceed 10 per 100 of the gross amount of the royalties.
The competent authorities of the Contracting States shall by mutual agreement ,
the mode of application of this limitation.

Three . The term "royalties" means payments of any kind received by the
use or right to use, copyrights of literary, artistic or works
scientific work (including cinematograph films , films or tapes for
or television broadcasting) , any patent , trade mark , trade name,
design or model, plan, secret formula or process , as well as the use or

right to use industrial, commercial or scientific equipment or for information concerning industrial, commercial or scientific experience , including payments for technical assistance.

4 . The provisions of paragraphs 1 and 2 shall not apply if the recipient of royalties , being a resident of a Contracting State , carries on business in the other Contracting State

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which the royalties arise , through a trade or business establishment permanent , or performs in that other State professional services from a fixed base situated therein and the right or property in respect of which the royalties are paid is effectively connected with such permanent establishment or fixed base. In this case the provisions of Article 7 or Article 14 apply , as appropriate.

May . Royalties shall be deemed to arise in a Contracting State when the payer is that State itself, an administrative subdivision , a local authority or a resident thereof. However, when the person paying the royalties, whether no resident of a Contracting State , has in a Contracting State a permanent establishment standing to which it is linked by the provision that the royalties are paid and this establishment support payment thereof , the fees are deemed to arise the State in which the permanent establishment is situated.

6. Where, owing to a special relationship between the payer and the recipient royalties or between both of them and any other person, the amount of fees paid, having regard to the use , right or information for which they are paid, exceeds the amount which would have been agreed upon by the payer and the recipient in the absence of such relationship, the provisions of this Article shall apply only to the last amount . In this case, the excess will be taxed according to the laws of each Contracting State , taking into account the other provisions of

this Agreement.

article 13

CAPITAL GAINS

1. Gains from the alienation of immovable property referred

defined in paragraph 2 of Article 6 , may be taxed in the State

Employer that is situated.

February . Gains from the alienation of movable property forming or

have been part of the business property of a permanent establishment which an enterprise of

a Contracting State has in the other Contracting State or of movable property

belong or have belonged to a fixed base available to a resident of a State

Contracting has in the other Contracting State for the provision of services

professionals, including such gains from the alienation of

permanent establishment (alone or with the whole enterprise) or of such fixed base ,

may be taxed in that other State .

March . Notwithstanding the provisions of paragraph 2 , gains derived by a

enterprise of a Contracting State from the alienation of ships or aircraft used

in international traffic and movable property pertaining to the operation of such ships and

aircraft , shall be taxable only in that Contracting State . with

respect to gains derived by the air transport consortium of Swedish , Danish and

Norwegian, known as Scandinavian Airlines System (SAS) , apply the

provisions of this paragraph , but only to the proportion of earnings that

corresponds to the participation held in that consortium has Aerotransport AB (ABA) ,

Swedish partner of Scandinavian Airlines System (SAS) .

April . Gains from the alienation of any property other than the

referred to in paragraphs 1, 2 and 3, can only be taxed in the

Contracting State of which he is a resident .

In applying this paragraph with respect to any right or to be held referred to in paragraph 3 of Article 12 , the disposal of such right or not be considered as a sale unless, at the time of execution of the contract , has clearly established the price is fixed and expressed in monetary units ; not be considered a sale the sale of this right or if the

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transfer has taken place under the condition that the buyer must sell again the right or to the seller.

5 . The provisions of the first subparagraph of paragraph 4 shall not affect the right of a Contracting State to tax in accordance with its own legislation, any gain derived from the alienation of shares of a company whose main asset is real property, provided that the seller is a resident the other Contracting State , that

a) Be a national of the first-mentioned Contracting State , without being national of another Contracting State;

b) Has been a resident of the first-mentioned Contracting State in any time during the five years immediately preceding alienation, and

c) At the time of the sale , alone or with someone closely related , had a decisive influence on society.

article 14

INDEPENDENT PERSONAL

1. Income derived by a resident of a Contracting State in respect professional services or other independent activities of nature

Similarly, be taxable only in that State. In any case, these

income may be taxed in the other Contracting State if :

a) The person concerned has habitually in the other Contracting State a fixed basis for the exercise of such activities ; however, in this case , there can be taxed in the other Contracting State income to the extent that is attributable to said base; or

b) Your stay in the other Contracting State for a period is prolonged or periods exceeding one hundred and eighty days in the fiscal year total duration that other State ; or

c) Compensation received during the fiscal year residents of the other Contracting State by reason of his services therein, exceed :

i) In the case of services provided in Spain hundred thousand pesetas (100,000 pesetas) .

ii) In the case of services provided in Sweden six thousand five hundred crowns (6500 Kr) .

Two . The term "professional services " includes especially activities independent scientific , literary, artistic , educational or teaching character and independent activities of physicians, lawyers, engineers , architects, dentists and accounting .

Three . The provisions of paragraphs b) and c) of paragraph 1 shall not apply to income received by a broker, general commission agent or any other agent enjoys independent status .

article 15

DEPENDENT PROFESSIONS

1. Notwithstanding the provisions of Articles 16, 18, 19, 20 and 21, salaries ,

wages and other similar remuneration derived by a resident of a Contracting State
respect of an employment shall be taxable only in that State unless
the employment is exercised in the other Contracting State. If the employment is so exercised

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Finally , such remuneration as is derived therefrom may be taxed
in this state.

February . Notwithstanding the provisions of paragraph 1, remuneration derived by a
resident of a Contracting State in respect of an employment exercised in the other State
Employer, be taxable only in the first mentioned State if:

a) the recipient is present in the other State for a period or periods
not exceeding in the aggregate one hundred and eighty three days in the course of the fiscal year of that
other

State ; and

b) the remuneration is paid by, or on behalf of an employer who is not
resident of the other State; and

c) the remuneration is not borne a property
permanent or a fixed seat that the person for whom the employer has in the other
State .

March . Notwithstanding the provisions of paragraphs 1 and 2 , remuneration derived
respect of an employment exercised aboard a ship or aircraft in international traffic
may be taxed in the Contracting State in which the headquarters is located
effective management of the company. Where a resident of Sweden derives remuneration
respect of an employment exercised aboard an aircraft operated in traffic
by the consortium of international air navigation Swedish , Danish and Norwegian , known
as Scandinavian Airlines System (SAS) , such remuneration shall be subject only
taxed in Sweden .

article 16

PARTICIPATION OF DIRECTORS

Units of directors and similar payments derived by a resident of a Contracting State get as a member of a Board of Directors of resident of the other Contracting State may be taxed in this other Contracting State.

article 17

Artistes and Athletes

1. Notwithstanding the provisions of Articles 14 and 15 , income derived by entertainers, such as theater artists , film, broadcasting and TV and musicians , and by athletes , from their personal activities in this concept , may be taxed in the Contracting State in which to act.

Two . Where income on the personal activities of these entertainers or athletes that do not accumulate or professional athlete himself but to another person, that income may , notwithstanding the provisions of Articles 7 , 14 and 15 , be taxed in the Contracting State in which exercising the activities of the entertainer or sportsman .

article 18

Pensions and Annuities

1. Notwithstanding the provisions of paragraph 2 of Article 19, pensions and other similar remuneration in consideration of past employment as well as annuities paid to a resident of a Contracting State shall be put to taxed in that State.

Two . The term "annuity " means a predetermined amount to be paid periodically at stated times during the life of a person or for a

or determinable period on payment of an amount of time

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proper equivalent in money or sign on your behalf.

March . Notwithstanding paragraph 1 , payments made under the scheme

Social Security of a Contracting State , and payments derived from a

pension in respect of life insurance made in a Contracting State may be

taxed in that State.

The provisions of this paragraph apply only to natural persons who

are nationals of the Contracting State in which the payments.

article 19

PUBLIC COMPENSATION

1. A) Remuneration, other than a pension , paid by a State

Contracting an administrative subdivision or a local authority , a person

physics, in consideration of services rendered to that State or subdivision or authority

local can only be taxed in that State.

b) However, such remuneration shall be taxable only in the

other Contracting State if the services are rendered in that State and the recipient is a

resident of that Contracting State who :

i) Be a national of that State;

ii) has not acquired the quality of resident of that State alone

order to provide those services .

Two . A) Any pension paid by a Contracting State , a subdivision

administrative or local entities , directly or out of funds created by

those , to an individual in respect of services rendered to that State ,

subdivision or local authority , can only be taxed in that State.

b) However , such pension shall be taxable only in the other Contracting State if the pensioner is a citizen and resident of that State .

Three . The provisions of Articles 15, 16 and 18 shall apply to remuneration and pensions in respect of services rendered in the performance of a trade or business carried on by a Contracting State or a administrative subdivision or local authority .

article 20

STUDENTS

1. A student or business apprentice who is or was in the period immediately before visiting a Contracting State a resident of the other Contracting State and check out the first-mentioned Contracting State solely for the purpose of continuing their education or training shall be exempt from tax in the first-mentioned Contracting State in respect of the sums received for his maintenance, education or practice , provided that such payments come from the outside that State .

Two . A student at a college, school or other educational institution of a Contracting State who is temporarily present in the other Contracting State and is employed there for a period or periods not exceeding in the aggregate one hundred days in course of the calendar year shall be exempt from tax in that other State with respect to the remuneration received by the employment in that State , if the purpose of use is to help in their studies.

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article 21

TEACHERS AND RESEARCHERS

An individual who is or was , in the period immediately before visiting a Contracting State , a resident of the other Contracting State and who , at the invitation of

college, higher education institution , school or other cultural institution
first-mentioned Contracting State , visits that Contracting State solely for the purpose of teaching or
carry out research at such institution for a period not exceeding one year,
shall be exempt from tax in that first-mentioned Contracting State in respect of the
remuneration accruing as a result of such activities.

article 22

OTHER INCOME

1. Income of a resident of a Contracting State irrespective
origin , unregulated in the foregoing Articles of this Convention , can only
be taxed in that State.

Two . The provisions of paragraph 1 shall not apply if the recipient of the income ,
resident of a Contracting State, carries on business in the other Contracting State
through a permanent establishment situated therein , or performs professional services
in that other State from a fixed base situated therein and the right or property in respect
to which income is paid is effectively connected with that
permanent establishment or fixed base. In this case the provisions of applicable
Article 7 or Article 14 , as appropriate.

article 23

HERITAGE

1. Capital represented by immovable property, as defined in
paragraph 2 of Article 6, may be taxed in the Contracting State in which
those sites are .

February . Capital represented by movable property forming part of the assets of
a permanent establishment of an enterprise, or by movable property
pertaining to a fixed base used for the provision of professional services, you can

be taxed in the Contracting State in which the establishment permanent or fixed headquarters is situated.

March . Ships and aircraft operated in international traffic by an enterprise of a Contracting State or movable property pertaining to the operation of such ships and aircraft , will only be taxed in that Contracting State.

April . All other elements of capital of a resident of a State Contracting will only be taxed in that State.

article 24

METHOD FOR THE AVOIDANCE OF DOUBLE TAXATION

1. Where a resident of a Contracting State derives income or owns capital that, in accordance with the provisions of this Convention, may undergo taxed in the other Contracting State , the first State will:

- a) As a deduction from the tax on the income of that person , an amount equal to the income tax paid in that other Contracting State;
- b) As a deduction from the tax on the capital of that person, an amount equal the capital tax paid in that other Contracting State.

However, the amount deducted in either case can not exceed Part

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tax on income or capital , respectively , calculated before deduction relating to income or capital may be taxed in the other Contracting State .

Two . Where a resident of a Contracting State derives income which, in accordance Article 19 will only be taxed in the other Contracting State, First State shall, as a deduction from income tax , that part of corresponding to tax income earned by the other Contracting State .

March . Notwithstanding the provisions of paragraph 1 , dividends paid by a company resident in Spain to a company resident in Sweden shall be exempt from taxation in Sweden in the amount by which dividends would have been exempt under the Swedish law if both companies had been Swedish . This exemption applies only whether the benefits for which the dividend is paid in Spain have been subjected to Normal income tax applicable on the date of signature of this Agreement, or a income tax comparable to it, or if the main part of the benefits of company paying the dividend proceeds directly or indirectly, activities business other than the management and other similar goods, and such activities in Spain has made the company paying the dividends , or society in which it at least holds 25 100 of capital with voting rights .

April . In applying paragraph 1 , where it has been granted for a period of time limited exemption or reduction Spanish tax on dividends , interest or royalties received by a resident of Sweden, the Swedish credit against the tax it shall provide an amount equal to the tax that would have been required if not in Spain would have granted such exemption or reduction.

May . Where a resident of a Contracting State a gain of referred to in paragraph 5 of Article 13 , or who receives a payment referred to in paragraph 3 of Article 18 , which may be taxed in the other State Employer, indicate that other State , as a deduction from income tax of that person, an amount equal to the tax paid in the first State of the profit or payment , respectively. However, the amount deducted shall not exceed that part of income tax , computed before it was corresponding deduction made profit or payment, respectively, may be taxed in the other Contracting State .

6. Where in the profits of a company resident in Spain are included dividends from a company resident in Sweden , the first society has the right to same deduction that would have applied if the two companies had been residents in Spain .

article 25

NO DISCRIMINATION

1. Nationals of a Contracting State , whether or not residents of a state Employer, shall not be subjected in the other Contracting State to any taxation or requirement connected therewith which is other or more burdensome than the taxation to that there are or may be subjected nationals of that State who found in the same conditions.

February . Stateless residents of a Contracting State shall not be in any Contracting State to any taxation or any requirement connected therewith which is require or are more burdensome than those to which they are or may be subjected nationals of the State concerned who are in the same conditions.

Three . A permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be taxed in that other State

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Contracting less favorably than companies that other State carrying on the same activities.

This provision does not require a Contracting State to grant to residents other Contracting State any personal allowances, reliefs and reductions for tax grants to its own residents on account of civil status or family , or to confer any exemption from tax in a Contracting State loads respect of dividends or other payments made to a resident of the other

Contracting State.

April . Except where applicable , paragraph 1 , Article 11 , Article 9 paragraph 7 and , paragraph 6, interest, royalties and other disbursements that Article 12 enterprise of a Contracting State paid to a resident of the other Contracting State may be deducted for purposes of determining the taxable profits of such company , as if they had been paid to a resident of the first State.

Similarly, any debts that an enterprise of a Contracting State be a resident of the other Contracting State may be deducted in the case of determine taxed capital of the company, as if they had contracted to a resident of the first State .

May . Enterprises of a Contracting State , the capital of which is wholly or partly owned or controlled, directly or indirectly, by one or more residents of the other State Employer, shall not be subjected in the Contracting State first named any taxation or requirement connected therewith which is required or that are more onerous than those they are or may be subjected similar enterprises of the first Contracting State.

. 6 In this Article the term "taxation " includes all taxes, whatever their class.

article 26

Mutual Agreement Procedure

1. Where a resident of a Contracting State considers that the actions taken by one or both of the Contracting States result or will result for him in taxation not in accordance with this Convention , regardless of remedies provided by the domestic law of the States , present his case to the competent authority of the Contracting State of which he is a resident. The case should

submit within three years from the first notification of the action

causing tax regarded disagree with the Convention.

Two . 's Competent authority , if the objection appears to be justified and if it is not itself

It is able to arrive at a satisfactory solution, to resolve the possible

case by mutual agreement with the competent authority of the other State

Employer, in order to avoid taxation not in accordance with this Convention .

Any agreement that is reached shall be implemented notwithstanding the time limits

existing national laws of the Contracting States.

March . Competent authorities of the Contracting States shall endeavor to

resolve by mutual agreement any difficulties or doubts arising as to the interpretation

or application of this Convention. They may also consult together for the

avoidance of double taxation in cases not provided for in this Convention.

4 . The competent authorities of the Contracting States may communicate

directly with each other to achieve the agreements referred to in paragraphs

above . When you consider that these agreements can be facilitated by

personal contacts, exchange of views may take place within

a committee composed of representatives of the competent authorities of both

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Contracting States.

article 27

EXCHANGE OF INFORMATION

1. The competent authorities of the Contracting States shall exchange such

information necessary for the implementation of this Convention. such authorities

also exchange information necessary for enforcement

internal of the Contracting States concerning taxes covered by this

Convention insofar as the taxation thereunder is in accordance to it. However, in the last mentioned case, the competent authorities are not required to exchange information that can not be obtained from documents held by the tax authorities , but require a special investigation . the information exchanged shall be secret and shall not be disclosed to any person or authority including a court that is not responsible for the clearance or collection of the taxes covered by this Convention.

Two . The provisions of paragraph 1 can not be taken in any way as impose on a Contracting State the obligation:

- a) To adopt administrative measures at variance with the laws and administrative , or of the other Contracting State;
- b) to supply information which is not obtainable on the basis of their or normal administrative law or of the other Contracting State practice;
- c) to supply information which would disclose any trade , trade secrets, professional , or commercial or industrial processes , or information the be contrary to public policy.

article 28

DIPLOMATIC AND CONSULAR OFFICIALS

The provisions of this Convention shall affect the fiscal privileges enjoy diplomatic or consular officials under the principles general international law or under special agreements.

article 29

ENTRY INTO FORCE

1. The present Convention shall be ratified and the corresponding instruments of ratification shall be exchanged as soon as possible in Stockholm .

February . This Convention shall enter into force upon the exchange of instruments of ratification and its provisions shall apply :

a) In the case of Sweden , coupons regarding tax on dividends due on or after the calendar year immediately preceding that in which this Agreement enters into force with respect to taxes on other income derived in or after the calendar year immediately preceding that in which this Convention enters into force and in respect of tax levied on assets or after the calendar year immediately preceding that in which this Convention enters into force.

b) In the case of Spain , for income attributable to the calendar year immediately preceding that in which this Convention enters into force and years successive .

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article 30

COMPLAINT

This Agreement shall remain in force indefinitely, but any of the Contracting State may after a period of five years counting denounce the date of its entry into force by written notice of termination delivered to the other Contracting State through diplomatic channels, provided that such notification course until the 30th of June in any calendar year.

In this case , this Convention shall cease to apply in respect of income obtained on or after the first day of January of the year immediately following that in which the termination is given , and as for the Swedish tax on equity relative to assets encumbered on or after the second calendar year follow that in which the termination is given .

In witness whereof , the undersigned , being authorized thereto in the form due , have signed this Agreement .

Done at Madrid on June 16, 1976 , in duplicate, Spanish, Swedish and English languages, all texts being equally authentic. However, if doubt, the English text shall prevail .

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PROTOCOL

At the time of signing the Agreement between the Government of Spain and the Government of Sweden for the avoidance of double taxation with respect to taxes on income and on Capital , the undersigned have agreed upon the following provisions which form part integral part of this Convention.

1. AD / Article 2, paragraph 3 , b) , ii)

During the period between January 1 and April 8, 1975 , the Convention also applies to " the special levy of 4 per 100 established by the Article 104 of Law 41 /1964 of 11 June . "

Two . AD / Article 4, paragraph 3

The provisions of paragraph 3 of Article 4 apply only to nationals Swedes who move from Sweden and are limited to the first three years from the day of his departure.

The provisions in the Swedish tax laws referred to in paragraph 3 of Article 4 are contained in paragraph 53 of communal Tax Act income .

Three . AD / Article 5, paragraph 2 , g)

Where an enterprise of a Contracting State has in the other Contracting State construction or several simultaneous assembly and duration of any

these contracts exceed a period of twelve months, the competent authorities

They shall endeavor to determine by mutual agreement if all contracts constitute a permanent establishment in the other Contracting State.

The same principle applies if an enterprise of a Contracting State has in the other Contracting State construction or several consecutive assembly and added length of such contracts exceeds twelve months.

April . AD / Article 24 , paragraph 4

The competent authorities of the Contracting States shall decide by amicable settlement to the Spanish tax law provisions which apply this paragraph.

May . AD / Article 25 , paragraph 3,

The provisions of the first subparagraph of paragraph 3 shall not bind to Sweden , where subjected to impose a permanent establishment of a Spanish society, grant this deduction for dividends paid by the company , the same

So what gives Swedish companies in accordance with Royal Decree No.

94/1967 , on deduction for tax purposes of certain dividends . At the time of the signature of this Agreement, the Act provides that this deduction can not exceed five percent per annum of the paid-up capital , provided that this capital has been disbursed after June 30, 1966 and no deduction is granted for more ten calendar years and in no case may exceed the fifteenth year of recording starting from the year in which the amount of shares was paid .

The competent authorities shall consult to decide whether the provisions the first paragraph shall continue to apply in the event that the aforementioned Swedish legislation be amended on the maximum amount of deduction or other extreme agreed analogs .

6. AD / Article 27, paragraph 1

The competent authorities of the Contracting States shall by mutual agreement the mode of application of this paragraph.

In witness whereof , the undersigned , being authorized thereto in the form due , have signed this Agreement .

Done at Madrid on June 16, 1976 , in duplicate, in Swedish , Spanish and English languages, all texts being equally authentic . However, if of doubt , the English text shall prevail

This Convention entered into force on December 21, 1976 , the date of exchange of the instruments of ratification , in accordance with the provisions of Article 29, Paragraph 2 .

What is done for general public knowledge. -Madrid , January 8, 1977 . - The Technical Secretary General of the Ministry of Foreign Affairs, Fernando Arias -Salgado and Montalvo .

Agreement " imputation unpaid tax " of 14 September

1979

1. According to Section 4 of the Protocol signed at the time of signing the Convention between Spain and Sweden for the Avoidance of Double Taxation with respect Taxes on Income and on Capital , the competent authorities shall decide on mutual agreement implementing the provisions of paragraph 4 of Article 24 of Convention , the Spanish tax legislation.

Two . The following resolution has been adopted in relation to this matter .

Three . Spanish The provisions of tax law to which paragraph 4 applies

Article 24 of the Convention in respect of dividends , interest and royalties , are:

Subparagraph c) 1) and 2) of Article 25 and Article 26 of Law 61/1978 of 27 December 1978 .

Agreement on " exchange of information"

September 14, 1979

1. According to Section 6 of the Protocol signed at the time of signing the Convention between Spain and Sweden for the Avoidance of Double Taxation with respect Taxes on Income and on Capital to the competent authorities decide on mutual agreement settle the mode of application of paragraph 1 of Article 27 of that Convention.

February . Agreement The following has been taken with regard to the exchange of information of Article 27 of the Double Taxation Treaty between Spain and Sweden.

March . Competent authorities of a Contracting State shall, without special request to the competent authority of the other Contracting State any Information contained in Article 27 of the Convention obtained in the normal course of administrative activity and be regarded as substantially relevant to the provisions of the Convention or of the domestic laws of another state relating to which taxes covered by the Convention .

4 . The competent authority of a Contracting State shall also provide to the competent authority of the other Contracting State any other information contained Article 27 of the Convention , to the extent that it can be obtained in the course normal administrative activity , in response to a specific request from the competent authority of the other State .