

N° 820.

**GRANDE-BRETAGNE
ET SUÈDE**

Accord concernant l'exemption réciproque de l'impôt sur le revenu, dans certains cas de bénéfices réalisés dans les affaires d'armement maritime, signé à Londres, le 19 décembre 1924.

**GREAT BRITAIN
AND SWEDEN**

Agreement for the Reciprocal Exemption from Income Tax in certain Cases of Profits accruing from the Business of Shipping, signed at London, December 19, 1924.

TEXTE SUÉDOIS. — SWEDISH TEXT.

No. 820. — AGREEMENT BETWEEN THE BRITISH AND SWEDISH GOVERNMENTS FOR THE RECIPROCAL EXEMPTION FROM INCOME-TAX IN CERTAIN CASES OF PROFITS ACCRUING FROM THE BUSINESS OF SHIPPING, SIGNED AT LONDON, DECEMBER 19, 1924.

No. 820. — ÖVERENSKOMMELSE MELLAN DE BRITTISKA OCH SVENSKA REGERINGARNA OM ÖMÅESIDIGT FRITAGANDE FRÅN INKOMSTSKATT I VISSA FALL AV INKOMSTER HÄRRÖRANDE FRÅN REDERIRÖRELSE, UNDERTECKNAD I LONDON, DEN 19 DECEMBER 1924.

Textes officiels anglais et suédois communiqués par le Ministère des Affaires étrangères de Sa Majesté Britannique et par le Ministre des Affaires étrangères de Suède. L'enregistrement de cet accord a eu lieu le 9 février 1925.

English and Swedish official texts communicated by His Britannic Majesty's Foreign Office and by the Swedish Minister for Foreign Affairs. The registration of this Agreement took place February 9, 1925.

HIS BRITANNIC MAJESTY'S GOVERNMENT and THE ROYAL SWEDISH GOVERNMENT, being desirous of concluding an Agreement for the reciprocal exemption from income-tax in certain cases of profits accruing from the business of shipping, have agreed as follows :

HANS MAJESTÄT KONUNGENS AV SVERIGE REGERING och HANS BRITTISKA MAJESTÄTS REGERING, som önska avsluta en överenskommelse om ömsesidigt fritagande från inkomstskatt i vissa fall av inkomster härrörande från rederirörelse, hava överenskommit om följande :

Article I.

In consideration of the declaration contained in Article 2 hereof, His Britannic Majesty's Government undertake to take the necessary steps under Section 18 of the Act of Parliament of the United Kingdom known as the Finance Act, 1923, for exempting from income-tax (including super-tax) chargeable in Great Britain and Northern Ireland for the year of assessment 1923-24, commencing on the 6th day of April, 1923, and every subsequent year of assessment, any profits which accrue from the business of shipping carried on by an individual resident in Sweden or by a company managing and controlling such business in Sweden.

Artikel I.

I betraktande av den förklaring, som finnes upptagen i artikel 2 här nedan, förbinder sig Hans Brittiska Majestäts regering att vidtaga nödiga åtgärder, jämlikt paragraf 18 av den parlamentsakt i Det Förenade Konungariket, som är känd som 1923 års finansakt, för att från inkomstskatt (inbegripet mer-inkomstskatt) som skall gäldas i Storbritannien och Norra Irland för beskattningsåret 1923-24, med början den 6 april 1923, och för varje följande beskattningsår, fritaga all inkomst, som härrör från rederirörelse, vilken drives av en i Sverige bosatt enskild person eller av ett bolag, som från Sverige leder och kontrollerar sådan rörelse.

Article 2.

The Government of His Majesty the King of Sweden hereby declare that, under the laws of Sweden relating to income and property tax ("inkomst- och förmögenhetsskatt") and to tax on immovable property and on income ("bevillning av fast egendom samt av inkomst"), tax is not chargeable on profits which accrue from the business of shipping carried on by an individual resident in Great Britain or Northern Ireland or by a company managing and controlling such business in Great Britain or Northern Ireland.

Article 3.

The expression "the business of shipping" means the business carried on by an owner of ships, and for the purposes of this definition the expression "owner" includes any charterer.

Article 4.

The arrangements made in accordance with Article 1 shall cease to have effect if and so soon as the laws of Sweden cease to give the relief indicated in the declaration contained in Article 2.

In witness whereof, the undersigned, duly authorised to that effect, have signed this Agreement and have affixed thereto their seals.

Done in duplicate, at London, the 19th of December, 1924.

(L. S.) AUSTEN CHAMBERLAIN.

(L. S.) PALMSTIERNA.

Artikel 2.

Hans Majestät Konungens av Sverige regering förklarar härmed att, jämlikt bestämmelserna i Kungl. Förordningen om inkomst- och förmögenhetsskatt och i Kungl. Förordningen angående bevillning av fast egendom samt av inkomst, skatt icke kan påläggas inkomst härrörande från rederirörelse, vilken drives av en i Storbritannien eller Norra Irland bosatt enskild person eller av ett bolag, som från Storbritannien eller Norra Irland leder och kontrollerar sådan rörelse.

Artikel 3.

Uttrycket "rederirörelse" betyder den rörelse, som bedrivs av ägare till fartyg, och i detta sammanhang innefattar uttrycket "ägare" varje bortfraktare.

Artikel 4.

De i överensstämmelse med artikel 1 vidtagna anordningar skola upphöra att äga tillämpning, om och så snart svensk lag icke längre medger de i förklaringen i artikel 2 angivna lättnader.

Till yttermera visso hava undertecknade, därtill vederbörligen bemyndigade, underskrivit denna överenskommelse och försettt den med sina sigill.

Som skedde i två exemplar i London den 19 december 1924.

THE SWEDISH MINISTER AT LONDON TO HIS BRITANNIC MAJESTY'S SECRETARY OF STATE FOR FOREIGN AFFAIRS¹.

LONDON, 19th December, 1924.

SIR,

I have been authorised by my Government to bring the following to your notice in connection with my signing of the Agreement between His Britannic Majesty's Government and my Government regarding mutual exemption from taxation on profits accruing from the business of shipping.

(1) The competence to render an authoritative interpretation of the taxation laws and statutes in force in Sweden does not lie with the Government but with the taxation authorities and with the latter exclusively in connection with a taxation case having been submitted to them for their decision.

(2) With regard to the liability for foreigners not resident in Sweden to pay taxes on profits accruing from business, the Swedish taxation laws contain regulations to the effect that only business carried on *in* Sweden can be subject to taxation. In accordance with this principle no foreigner — not resident in Sweden — has, as far as is ascertained, been taxed on profits arising from business of shipping. Should, however, such a case in the future come before a Swedish taxation authority and should this authority decide the non-resident foreigner involved in the matter to be liable to this kind of taxation, I am directed to declare herewith that in the opinion of the Swedish Government the above-mentioned Agreement, in view of its Article 4, would thereby at once cease to have effect.

I have the honour to be, with the highest consideration, Sir, your most obedient humble servant,

PALMSTIERNA.

Certifiée pour copie conforme :
Stockholm, au Ministère Royal des Affaires étrangères,
le 3 février 1925.

Le Secrétaire général,
Erik SJÖBORG.

² TRADUCTION. — TRANSLATION.

No. 820. — ACCORD ENTRE LES GOUVERNEMENTS BRITANNIQUE ET SUÉDOIS CONCERNANT L'EXEMPTION RÉCIPROQUE DE L'IMPÔT SUR LE REVENU, DANS CERTAINS CAS DE BÉNÉFICES RÉALISÉS DANS LES AFFAIRES D'ARMEMENT MARITIME, SIGNÉ A LONDRES, LE 19 DÉCEMBRE 1924.

LE GOUVERNEMENT DE SA MAJESTÉ BRITANNIQUE et LE GOUVERNEMENT ROYAL SUÉDOIS, désireux de conclure un Accord en vue d'exempter réciproquement de l'impôt sur le revenu, en certains cas, les bénéfices réalisés dans les affaires d'armement maritime, sont convenus des dispositions suivantes :

¹ Communiquée par le Ministre des Affaires étrangères de Suède.

² Traduit par le Secrétariat de la Société des Nations.

¹ Communicated by the Swedish Minister for Foreign Affairs.

² Translated by the Secretariat of the League of Nations.