

PROTOCOL

At the signing today of the Agreement between the Government of the People's Republic of China and the Government of the Republic of Finland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income (hereinafter referred to as "the Agreement"), the undersigned have agreed upon the following provisions which shall form an integral part of the Agreement:

1. With respect to Articles 4 and 19, the term “a statutory body” means any legal entity of a public character created by a Contracting State in which no person other than the State itself or a local authority thereof has an interest.

2. With respect to Article 11, the term “any institution wholly owned by the Government” refers to:

a) in China:

(i) the China Development Bank;

(ii) the Agricultural Development Bank of China;

(iii) the Export-Import Bank of China;

(iv) the National Council for Social Security Fund;

(v) the China Export & Credit Insurance Corporation;

(vi) China Investment Corporation, and

(vii) any institution wholly owned by the Government of China as may be agreed from time to time between the competent authorities of the Contracting States;

b) in Finland:

(i) the Finnish Fund for Industrial Co-operation(FINNFUND);

(ii) Finnvera;

(iii) the Finnish Export Credit PLC; and

(iv) any institution wholly owned by the Government of Finland as may be agreed from time to time between the competent authorities of the Contracting States.

3. With respect to Article 12, the tax on royalties derived as a consideration for the use of, or the right to use, industrial, commercial, or scientific equipment shall, notwithstanding the

provisions of paragraph 2, not exceed 10 per cent on an amount corresponding to 70 per cent of the gross amount of the royalties.

4. With respect to paragraph 4, Article 13, the term "principally" means "more than 50 per cent".

IN WITNESS whereof the undersigned, duly authorized thereto, have signed this Protocol.

Done at _____ on the _____ day of _____, in duplicate in the Chinese, Finnish and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

For the Government of
the People's Republic of China

For the Government of
the Republic of Finland