



Msg. No. 684/4/100

**SOUTH ASIAN ASSOCIATION  
FOR REGIONAL COOPERATION  
SECRETARIAT**

**SAARC/ETF/97/Taxation/2010**

The Secretariat of the South Asian Association for Regional Cooperation (SAARC) presents its compliments to the Ministries of Foreign/External Affairs of the Member States/Governments of SAARC and has the honour to invite reference to the amendment in the SAARC Limited Multilateral Agreement on Avoidance of Double Taxation and Mutual Administrative Assistance in Tax Matters as approved by the Thirty-third Session of the Standing Committee (New Delhi, 31 March – 1 April 2007), while considering the Agenda Item IX (d) (ii). The decision of the Standing Committee is reproduced below for ready reference:

"The Committee noted with appreciation that the SAARC Limited Multilateral Agreement on Avoidance of Double Taxation and Mutual Administrative Assistance in Tax Matters has been ratified by all the Member States. In order to rectify a technical anomaly in Article 16 (1) of the Agreement, the Committee recommended that the phrase, *"which shall be done no later than 30 June 2006"* at the end of Article 16(1) be deleted. It advised the Secretariat to inform the Member States further course of action with regard to the deposit of instrument of acceptance."

2. The Ministry of Foreign Affairs, Kathmandu vide their note verbale No. SAARC/3.5/1728 dated 4 April 2010 has forwarded the Instrument of Acceptance of the Government of Nepal on the amendment of Article 16 (1) of the above Agreement to delete the phrase *"which shall be done no later than 30 June 2006"*. A copy of the Instrument of Acceptance dated 4 April 2010 received from Nepal is enclosed herewith.
3. The Secretariat has the honour to inform that now all Member States have accepted the amendment in the above Agreement as proposed by the Thirty-third Session of the Standing Committee.
4. The text of Article 14 (Amendments) is reproduced below for ready reference:

**"ARTICLE 14  
AMENDMENTS**

This Agreement may be amended by consensus. Any such amendment will become effective upon the deposit of instrument(s) of acceptance with the Secretary-General of SAARC by all Member States and issuance of notification thereof by the SAARC Secretariat. Such an amendment shall have effect in the Member States from the date of commencement of their respective fiscal year following the issuance of notification by the SAARC Secretariat."

5. In accordance with the above Article, the Secretary General of SAARC has issued a Notification dated 19 April 2010 to the effect that all Member States have conveyed their

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acceptance of the said amendment in the Agreement. A copy of the Notification is **enclosed**. This amendment will have effect in the Member States from the date of commencement of their respective fiscal year following the issuance of the enclosed Notification.

6. The esteemed Ministries may kindly convey the above and forward the **enclosed** documents to the concerned authorities.

7. The Secretariat of the South Asian Association for Regional Cooperation avails itself of this opportunity to renew to the Ministries of Foreign/External Affairs of the Member States/Governments of SAARC, the assurances of its highest consideration.

**Encl: As stated**

The Ministries of Foreign/External Affairs  
All Member States of SAARC.

**Attn: Director-General/Joint Secretary/Director/Under Secretary (SAARC)**



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**Hon'ble Sujata Koirala**

Deputy Prime Minister

and

Minister for Foreign Affairs

Government of Nepal

**INSTRUMENT OF ACCEPTANCE**

WHEAREAS, the **SAARC Limited Multilateral Agreement on Avoidance of Double Taxation and Mutual Administrative Assistance in Tax Matters** was ratified by the Government of Nepal on Nineteenth day of October of the year two thousand and six, and

WHEREAS, Article 16 (1), of the said Agreement was proposed for amendment by the SAARC Standing Committee at its Thirty- Third Session held on 31 March- 1<sup>st</sup> April 2007 in New Delhi, India, and

NOW THEREFORE, THESE PRESENTS ARE TO CERTIFY THAT, Government of Nepal having considered the above mentioned Amendment and pursuant to Article 14 of the Agreement, do hereby confirm and ratify the same and undertake faithfully to carry out all the stipulations contained therein,

IN WITNESS WHEREOF, I, Sujata Koirala, Deputy Prime Minister and Minister for Foreign Affairs of Government of Nepal, have signed the present Instrument of Acceptance and caused the seal of my office to be affixed hereunto.

DONE at Kathmandu on the Twenty- second day of Chaitra of the Bikram Sambat Year Two Thousand and Sixty- six, corresponding to the Fourth day of April of the Year Two Thousand and Ten of the Christian Era.



*Sujata Koirala*  
(Sujata Koirala)



SECRETARY GENERAL

SOUTH ASIAN ASSOCIATION  
FOR REGIONAL COOPERATION  
SECRETARIAT

No. SAARC/ETF/98/Taxation/2006

19 April 2010

### NOTIFICATION

The SAARC Limited Multilateral Agreement on Avoidance of Double Taxation and Mutual Administrative Assistance in Tax Matters signed during the Thirteenth SAARC Summit (Dhaka, 12-13 November 2005) entered into force on Wednesday, the 27th December 2006.

Subsequently, the Thirty-third Session of the Standing Committee (New Delhi, 31 March – 1 April 2007) approved an amendment in the Agreement that the phrase “**which shall be done no later than 30 June 2006**” be **deleted** from Article 16 (1). In pursuance of Article 14 (Amendment) of the Agreement, the Secretariat of the South Asian Association for Regional Cooperation (SAARC) hereby notifies that all SAARC Member States have completed necessary formalities concerning acceptance of the amendment, including ratification, wherever applicable.

As such, this Amendment shall have effect in the Member States from the date of commencement of their respective fiscal year following the issuance of this Notification



  
(Shēel Kant Sharma)  
Secretary General