PROTOCOL
AMENDING THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE KINGDOM OF BAHRAIN
AND
THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE
FOR THE AVOIDANCE OF DOUBLE TAXATION AND
THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

The Government of the Kingdom of Bahrain and the Government of the Republic of Singapore,

Desiring to amend the Agreement between the Government of the Kingdom of Bahrain and the Government of the Republic of Singapore for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Manama, Bahrain on the 18th of February 2004 (hereinafter referred to as "the Agreement"),

Have agreed as follows:

ARTICLE 1

The text of Article 25 of the Agreement is deleted and replaced by the following:

"1. *The competent authorities of the Contracting States shall exchange such information as is foreseeably relevant for carrying out the provisions of this Agreement or to the administration or enforcement of the domestic laws concerning taxes of every kind and description imposed on behalf of the Contracting States, or of their political subdivisions or local authorities, insofar as the taxation thereunder is not contrary to the Agreement. The exchange of information is not restricted by Articles 1 and 2.*

2. *Any information received under paragraph 1 by a Contracting State shall be treated as secret in the same manner as information obtained under the domestic laws of that State and shall be disclosed only to persons or authorities (including courts and administrative bodies) concerned with the assessment or collection of, the enforcement or prosecution in respect of, the determination of appeals in relation to the taxes referred to in paragraph 1, or the oversight of the above. Such persons or authorities shall use the information only*

for such purposes. They may disclose the information in public court proceedings or in judicial decisions.

3. *In no case shall the provisions of paragraphs 1 and 2 be construed so as to impose on a Contracting State the obligation:*

   a) *to carry out administrative measures at variance with the laws and administrative practice of that or of the other Contracting State;*

   b) *to supply information which is not obtainable under the laws or in the normal course of the administration of that or of the other Contracting State;*

   c) *to supply information which would disclose any trade, business, industrial, commercial or professional secret or trade process, or information, the disclosure of which would be contrary to public policy (ordre public).*

4. *If information is requested by a Contracting State in accordance with this Article, the other Contracting State shall use its information gathering measures to obtain the requested information, even though that other State may not need such information for its own tax purposes. The obligation contained in the preceding sentence is subject to the limitations of paragraph 3 but in no case shall such limitations be construed to permit a Contracting State to decline to supply information solely because it has no domestic interest in such information.*

5. *In no case shall the provisions of paragraph 3 be construed to permit a Contracting State to decline to supply information solely because the information is held by a bank, other financial institution, nominee or person acting in an agency or a fiduciary capacity or because it relates to ownership interests in a person."*

ARTICLE 2

Each of the Contracting States shall notify to the other the completion of the procedures required by its law for the bringing into force of this Protocol and this Protocol shall enter into force 30 days after the date of the later of these notifications.

ARTICLE 3

This Protocol, which shall form an integral part of the Agreement, shall remain in force as long as the Agreement remains in force and shall apply as long as the Agreement itself is applicable.

Governments, have signed this Protocol.

DONE in duplicate at Manama on this 14th day of October 2009, in the Arabic and English languages, both texts being equally authentic, but in the case of divergence of interpretation the English text shall prevail.

For the Government of the Kingdom of Bahrain

For the Government of the Republic of Singapore