

## ARTICLE XIII.

Payments which a student or business apprentice who is or was formerly a resident of one of the territories and who is present in the other territory solely for the purpose of his education or training receives for the purpose of his maintenance, education or training, shall not be taxed in that other territory provided that such payments are made to him from sources outside that other territory.

## ARTICLE XIV.

1. Subject to the provisions of the law of Ireland regarding the allowance as a credit against Irish tax of tax payable in a territory outside Ireland, Canadian tax payable under the law of Canada and in accordance with this Agreement, whether directly or by deduction, in respect of income from sources within Canada shall be allowed as a credit against any Irish tax payable in respect of that income. Where such income is an ordinary dividend paid by a company which is a resident of Canada such credit shall take into account (in addition to any Canadian income tax deducted from or imposed on such dividend) the Canadian income tax imposed on such company in respect of its profits, and where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, such tax on profits shall likewise be taken into account insofar as the dividend exceeds such fixed rate.

2. Subject to the provisions of the law of Canada regarding the allowance as a credit against Canadian tax of tax payable in a territory outside Canada, Irish tax payable under the law of Ireland and in accordance with this Agreement, whether directly or by deduction, in respect of income from sources within Ireland shall be allowed as a credit against any Canadian tax payable in respect of that income. For this purpose the recipient of a dividend paid by a company which is a resident of Ireland shall be deemed to have paid the Irish income tax appropriate to such dividend if such recipient elects to include in his gross income for the purposes of Canadian tax the amount of such Irish income tax. For the purposes only of this Article, income derived from sources in the United Kingdom by an individual who is resident in Ireland shall be deemed to be income from sources in Ireland if such income is not subject to United Kingdom income tax.

3. For the purposes of computing Canadian tax a company resident in Canada, other than a life assurance company or a non-resident-owned investment corporation, shall, unless, it is entitled to any greater deduction or relief under the Income Tax Act of Canada, be allowed to deduct in computing its taxable income any dividend paid out of profits granted incentive concessions in Ireland which it receives from a company resident in Ireland provided that the company resident in Canada owns more than 25 per cent of the issued share capital having full voting rights of the company resident in Ireland. For the purpose of this paragraph a "dividend paid out of profits granted incentive concessions in Ireland" means

- (a) a dividend received from a company resident in Ireland and paid out of profits which were wholly exempted from Irish tax by reason of the provisions of one or more of:—
  - (i) Parts II and III of the Finance (Miscellaneous Provisions) Act, 1956, (No. 47 of 1956), as amended;
  - (ii) the Finance (Profits of Certain Mines) (Temporary Relief from Taxation) Act, 1956 (No. 8 of 1956), as amended; and
  - (iii) Part II of the Finance (Miscellaneous Provisions) Act, 1958 (No. 28 of 1958);