

- (b) interest arising in the Hong Kong Special Administrative Region and paid to a resident of Canada shall be taxable only in Canada if it is paid in respect of a loan made, guaranteed or insured, or a credit extended, guaranteed or insured by Export Development Canada;
- (c) interest arising in Canada and paid to the Hong Kong Monetary Authority shall be taxable only in the Hong Kong Special Administrative Region;
- (d) interest arising in a Party and paid to any wholly-owned agency or instrumentality of the other Party, political subdivision or local authority, shall be taxable only in that other Party. However, this provision shall only apply in circumstances as may be agreed from time to time between the competent authorities of the Parties; and
- (e) interest arising in a Party and paid to a resident of the other Party shall not be taxable in the first-mentioned Party if the beneficial owner of the interest is a resident of the other Party and is dealing at arm's length with the payer.

4. Subparagraph 3(e) shall not apply where all or any portion of the interest is paid or payable on an obligation that is contingent or dependent on the use of or production from property or is computed by reference to revenue, profit, cash flow, commodity price or any other similar criterion or by reference to dividends paid or payable to shareholders of any class of shares of the capital stock of a corporation.

5. The term "interest" as used in this Article means income from debt-claims of every kind, whether or not secured by mortgage, and in particular, income from government securities and income from bonds or debentures, including premiums and prizes attaching to such securities, bonds or debentures as well as income which is subjected to the same taxation treatment as income from money lent by the laws of the Party in which the income arises. However, the term "interest" does not include income dealt with in Article 8 (Shipping and Air Transport) or Article 10 (Dividends).

6. The provisions of paragraphs 1, 2 and 3 shall not apply if the beneficial owner of the interest, being a resident of a Party, carries on business in the other Party in which the interest arises through a permanent establishment situated therein and the debt-claim in respect of which the interest is paid is effectively connected with such permanent establishment. In such case the provisions of Article 7 (Business Profits) shall apply.