

2. Article O-03(2) of the CCFTA is deleted and replaced with the following:

“2. Nothing in this Agreement shall affect the rights and obligations of either Party under any tax convention. In the event of any inconsistency between this Agreement and any such convention, that convention shall prevail to the extent of the inconsistency. If an issue arises as to whether a tax convention prevails over this Agreement, the issue shall be referred to the competent authorities of the Parties. The competent authorities shall consider the issue and decide whether the tax convention prevails. If within six months of the referral of the issue to the competent authorities, they decide with respect to the measure that gives rise to the issue that the tax convention prevails, no procedures concerning that measure may be initiated under Article N-08 (Institutional Arrangements and Dispute Settlement Procedures – Request for an Arbitral Panel) and no claim concerning that measure may be submitted under Article G-21 (Investment – Submission of a Claim to Arbitration). No procedures or claim concerning the measure may be initiated during the period that the issue is under consideration by the competent authorities.”

3. Articles O-03(4)(a) and O-03(4)(b) of the CCFTA are deleted and replaced, respectively, with the following:

- “(a) Article H-02 (Cross-Border Trade in Services – National Treatment) and Article H *bis*-02 (Financial Services – National Treatment) shall apply to taxation measures on income, on capital gains or on the taxable capital of corporations, that relate to the purchase or consumption of particular services, except that nothing in this subparagraph shall prevent a Party from making the receipt, or continued receipt, of an advantage relating to the purchase or consumption of particular services conditional on requirements that the services be provided in its territory; and
- (b) Articles G-02 and G-03 (Investment – National Treatment and Most-Favoured-Nation Treatment) and Articles H-02 and H-03 (Cross-Border Trade in Services – National Treatment and Most-Favoured-Nation Treatment) and Articles - *bis*-02 and H *bis*-03 (Financial Services – National Treatment and Most-Favoured-Nation Treatment) shall apply to all taxation measures, other than those on income, on capital gains or on the taxable capital of corporations, and taxes on estates, inheritances and gifts.”

4. The mid-amble between Articles O-03(4)(b) and O-03(4)(c) is deleted and replaced with: “except that nothing in the Articles referred to in subparagraphs (a) and (b) shall apply:”.