APPENDIX:

CANADA-INDIA AGREEMENTS

Foreign Investment Protection Agreement

A FIPA is a bilateral agreement primarily designed to protect and promote Canadian foreign investment abroad through legally-binding provisions on, for example, most-favoured-nation (MFN) and national treatment of investments; internationally recognized standards of protection of investments and returns on investments; compensation for losses and expropriation; unrestricted transfer of funds in convertible currency; and state-to-state and investor-to-state dispute settlements. Countries like India sign these agreements with us because they want Canadian investment and the benefits that flow from it.

Canada and India are currently engaged in negotiations of a FIPA that will address aspects of investment such as the transfer of funds; transparency; ownership and control; taxation; and dispute- settlement mechanisms.

Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income between Canada and India

In brief, this agreement is a tax treaty that eliminates the problem of an enterprise being subject to tax in both of the contracting states (i.e. Canada and India). In addition, under certain circumstances, it eliminates taxation of a Canadian enterprise operating in India without a permanent establishment; reduces the incidence of Indian tax on dividends paid by an Indian company to a Canadian corporation; reduces or exempts tax on interest payments made to Canadian lenders; encourages Canadian investment in India by awarding Canadian tax credits to offset taxes paid in India; and exempts Canadian air transport and shipping companies from paying Indian tax.