

- (ii) any individual who stays in the Hong Kong Special Administrative Region for more than 180 days during a year of assessment or for more than 300 days in two consecutive years of assessment one of which is the relevant year of assessment,
 - (iii) a company incorporated in the Hong Kong Special Administrative Region or, if incorporated outside the Hong Kong Special Administrative Region, being centrally managed and controlled in the Hong Kong Special Administrative Region,
 - (iv) any other person constituted under the laws of the Hong Kong Special Administrative Region or, if constituted outside the Hong Kong Special Administrative Region, being centrally managed and controlled in the Hong Kong Special Administrative Region,
 - (v) the Government of the Hong Kong Special Administrative Region;
- (b) in the case of Canada, any person who, under the laws of Canada, is liable to tax therein by reason of the person's domicile, residence, place of management, place of incorporation or any other criterion of a similar nature. This term also includes the Government of Canada and any political subdivision or local authority of Canada, as well as any agency or instrumentality of the Government of Canada, or of a political subdivision or local authority of Canada. This term, however, does not include any person who is liable to tax in Canada in respect only of income from sources in Canada.

2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Parties, then the individual's status shall be determined as follows:

- (a) the individual shall be deemed to be a resident only of the Party in which the individual has a permanent home available and, if the individual has a permanent home available in both Parties, the individual shall be deemed to be a resident only of the Party with which the individual's personal and economic relations are closer (centre of vital interests);