

- (a) the provisions of Article XV and XXIV of the Foreign Capital Inducement Law of Korea, so far as they were in force on, and have not been modified since, the date of signature of this Convention, or have been modified only in minor respects so as not to affect their general character; and
- (b) any other provision which may subsequently be made granting an exemption or reduction of tax which is agreed by the competent authorities of the Contracting States to be of a substantially similar character, if it has not been modified thereafter or has been modified only in minor respects so as not to affect its general character;

provided that any deduction from Canadian tax granted in accordance with the provisions of this paragraph shall not exceed 15 per cent of the gross amount of the dividends, interest or royalties.

3. In the case of a resident of Korea, double taxation shall be avoided as follows:

Subject to the existing provisions of the law of Korea regarding credit for foreign tax and to any subsequent modification of those provisions—which shall not affect the general principle hereof—,there shall be allowed as a credit against Korean tax payable in respect of income from sources within Canada, the Canadian tax payable under the laws of Canada and in accordance of this Convention. The credit shall not, however, exceed that proportion of Korean tax which the income from sources within Canada bears to the entire income subject to Korean tax.

4. For the purposes of this Article, profits, income or gains of a resident of a Contracting State which are taxed in the other Contracting State in accordance with this Convention shall be deemed to arise from sources in that other State.

## V. SPECIAL PROVISIONS

### ARTICLE XXI

#### *Non-Discrimination*

1. The nationals of a Contracting State shall not be subjected in the other Contracting State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which nationals of that other State in the same circumstances are or may be subjected.

2. The taxation on a permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be less favourably levied in that State than the taxation levied on enterprises of that other State carrying on the same activities.

3. Nothing in this Article shall be construed as obliging a Contracting State to grant to residents of the other Contracting State any personal allowances, reliefs and reductions for taxation purposes on account of civil status or family responsibilities which it grants to its own residents.