

(h) The terms "Netherlands enterprise" and "Canadian enterprise" mean respectively an enterprise carried on by a resident of the Netherlands and an enterprise carried on by a resident of Canada, and the terms "enterprise of one of the States" and "enterprise of the other State" mean a Netherlands enterprise or a Canadian enterprise, as the context requires.

(i) The term "permanent establishment" when used with respect to an enterprise of one of the States, means a branch, office, factory, or other fixed place of business, a mine, quarry or any other place of natural resources subject to exploitation, but does not include a casual and temporary use of merely storage facilities. Nor does it include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of the enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. In this connection—

(i) An enterprise of one of the States shall not be deemed to have a permanent establishment in the other State merely because it carries on business dealings in that other State through a *bona fide* broker or general commission agent acting in the ordinary course of his business as such;

(ii) The fact that an enterprise of one of the States maintains in the other State a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise;

(iii) The fact that a company which is a resident of one of the States has a subsidiary company which is a resident of the other State or which carries on a trade or business in that other State (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

(j) The term "liberal profession" means independent activity for the purpose of profit (not being exercised in an enterprise, such as independent activity in the field of science, arts, literature, instruction or education, medicine, law, architecture, engineering and accountancy).

(k) The term "competent authority" means in the case of the Netherlands the Minister of Finance or his authorised representative and in the case of Canada, the Minister of National Revenue or his authorised representative.

2. In the application of the provisions of this Convention by either of the States, any term which is not defined in this Convention shall, unless the context otherwise requires, have the meaning which that term has under the laws of that State.

### ARTICLE III.

1. Income from immovable property, interest (other than debenture interest) from any mortgage of such property and royalties in respect of the operation of a mine or quarry or of any other extraction of a natural resource, shall be subject to tax in the State in which such immovable property, mine, quarry or natural resource is situated.