

which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Convention.

ARTICLE 12

Royalties

1. Royalties arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other State.
2. However, such royalties may also be taxed in the Contracting State in which they arise, and according to the laws of that State, but if the recipient is the beneficial owner of the royalties the tax so charged shall not exceed:
 - (a) in the case of Canada, 15 per cent and
 - (b) in the case of Cameroon, 20 per centof the gross amount of the royalties.
3. The term "royalties" as used in this Article means payments of any kind received as a consideration for the use of, or the right to use, any copyright of literary, artistic or scientific work including cinematograph films and films for use in connection with television, patent, trade mark, design or model, plan, secret formula or process, or for the use of, or the right to use, industrial, commercial or scientific equipment, or for information concerning industrial, commercial or scientific experience.
4. Notwithstanding the provisions of paragraph 2, the income referred to in paragraph 3 above, remuneration received in respect of studies, technical, financial or accounting assistance, any sum paid to any other person by way of commission, brokerage, rebate, fees, charges and any other remuneration, whether casual or not, paid by a resident of a Contracting State to a resident of the other Contracting State may be taxed in the first-mentioned State at a rate not exceeding 15 per cent of the gross amount thereof where such income is regarded as costs deductible from income under the law of the State of the person paying such income.
5. The provisions of paragraphs 1, 2 and 4 shall not apply if the beneficial owner of the royalties and other remuneration referred to in paragraphs 3 and 4 above, being a resident of a Contracting State, carries on business in the other Contracting State in which the royalties arise through a permanent establishment situated therein, or performs in that other State independent personal services from a fixed base situated therein, and the right or property in respect of which the royalties are paid is effectively connected with such permanent establishment or fixed base. In such case the provisions of Article 7 or Article 13, as the case may be, shall apply.