

2. In the case of Switzerland, double taxation shall be avoided as follows:
- (a) Where a resident of Switzerland derives income or owns capital which, in accordance with the provisions of this Convention, may be taxed in Canada, Switzerland shall, subject to the provisions of subparagraphs (b), (c) and (d), exempt such income or capital from tax but may, in calculating tax on the remaining income or capital of that resident, apply the rate of tax which would have been applicable if the exempted income or capital had not been so exempted; provided, however, that such exemption shall apply to gains referred to in paragraph 4 of Article 13 only if actual taxation of such gains in Canada is demonstrated.
  - (b) Where a resident of Switzerland derives dividends, interest or royalties which, in accordance with the provisions of Articles 10, 11 and 12, may be taxed in Canada, Switzerland shall allow, upon request, a relief to such resident. The relief may consist of:
    - (i) a deduction from the Swiss tax on the income of that resident of an amount equal to the tax levied in Canada in accordance with the provisions of Articles 10, 11 and 12; such deduction shall not, however, exceed that part of the Swiss tax, as computed before the deduction is given, which is appropriate to the income which may be taxed in Canada; or
    - (ii) a lump sum reduction of the Swiss tax; or
    - (iii) a partial exemption of such dividends, interest or royalties from Swiss tax, in any case consisting at least of the deduction of the tax levied in Canada from the gross amount of the dividends, interest or royalties.

Switzerland shall determine the applicable relief and regulate the procedure in accordance with the Swiss provisions relating to the carrying out of international conventions of the Swiss Confederation for the avoidance of double taxation.
  - (c) The provisions of subparagraph (a) shall not restrict the right of Switzerland to tax the gains referred to in paragraph 7 of Article 13.
  - (d) Where a resident of Switzerland derives pensions or annuities which, in accordance with the provisions of paragraph 1 of Article 18, may be taxed in Canada, Switzerland shall allow, upon request, a relief consisting of the deduction of one-third of the net amount of such pensions or annuities.
3. For the purposes of subparagraph (a) of paragraph 1, profits, income or gains of a resident of Canada which are taxed in Switzerland in accordance with the Convention shall be deemed to arise in Switzerland.

## ARTICLE 23

### Non-Discrimination

1. 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.