

**ARTICLE 23****Elimination of Double Taxation**

1. In the case of Canada, double taxation shall be avoided as follows:
  - (a) subject to the existing provisions of the law of Canada regarding the deduction from tax payable in Canada of tax paid in a territory outside Canada and to any subsequent modification of those provisions -- which shall not affect the general principle hereof -- and unless a greater deduction or relief is provided under the laws of Canada, tax payable in Algeria on profits, income or gains arising in Algeria shall be deducted from any Canadian tax payable in respect of such profits, income or gains;
  - (b) where, in accordance with any provision of the Convention, income derived or capital owned by a resident of Canada is exempt from tax in Canada, Canada may nevertheless, in calculating the amount of tax on other income or capital, take into account the exempted income or capital.
  
2. In the case of Algeria, double taxation shall be avoided as follows:
  - (a) where a resident of Algeria derives income or owns capital which, in accordance with the provisions of this Convention, may be taxed in Canada, Algeria shall deduct:
    - (i) from the tax on the income of that resident, an amount equal to the income tax paid in Canada;
    - (ii) from the tax on capital of that resident, an amount equal to the capital tax paid in Canada;
  - (b) such deduction in either case shall not, however, exceed that part of the income tax or capital tax, as computed before the deduction is given, which is attributable, as the case may be, to the income or the capital which may be taxed in Canada.
  
3. For the purposes of subparagraph (a) of paragraph 1, tax payable in Algeria by a company that is a resident of Canada in respect of profits attributable to a trade or business carried on by it in Algeria shall include any amount which would have been payable thereon as Algerian tax for any year but for an exemption from, or reduction of, tax granted for that year or any part thereof under the provisions of Decree Law no 93-12 of October 5, 1993, relating to the promotion of investment 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. The provisions of this paragraph shall apply for the first five years for which the Convention is effective, but the competent authorities of the Contracting States may consult with each other to determine whether this period shall be extended.
  
4. For the purposes of this Article, profits, income or gains of a resident of a Contracting State that may be taxed in the other Contracting State in accordance with this Convention shall be deemed to arise from sources in that other State.