

2. Subparagraph 6(a) of Article XII (Royalties) of the Convention shall be deleted and replaced by the following:

- (a) Royalties shall be deemed to arise in a Contracting State when the payer is a resident of that State. Where, however, the person paying the royalties, whether he is a resident of a Contracting State or not, has in a State a permanent establishment in connection with which the obligation to pay the royalties was incurred, and such royalties are borne by such permanent establishment, then such royalties shall be deemed to arise in the State in which the permanent establishment is situated and not in any other State of which the payer is a resident; and

3. Paragraph 8 of Article XII (Royalties) of the Convention shall be amended by deleting the words "or a fixed base" following the words "effectively connected with a permanent establishment".

ARTICLE 8

1. Paragraph 2 of Article XIII (Gains) of the Convention shall be deleted and replaced by the following:

2. Gains from the alienation of personal property forming part of the business property of a permanent establishment which a resident of a Contracting State has or had (within the twelve-month period preceding the date of alienation) in the other Contracting State, including such gains from the alienation of such a permanent establishment, may be taxed in that other State.