

Protocol

At the signing of the Convention between Canada and the Islamic Republic of Pakistan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, the undersigned have agreed on the following provisions which shall be an integral part of the Convention:

1. With reference to paragraph 3 of Article VII, it is understood that no deduction shall be allowed in respect of amounts, if any, paid (otherwise than towards reimbursement of actual expenses) by the permanent establishment to the head office of the enterprise or any of its other offices, by way of royalties, fees or other similar payments in return for the use of patents or other rights, or by way of commission for specific services performed or for management, or by way of interest on moneys lent to the permanent establishment. Likewise, no account shall be taken, in the determination of the profits of a permanent establishment, for amounts charged (otherwise than towards reimbursement of actual expenses) by the permanent establishment to the head office of the enterprise or any of its other offices, by way of royalties, fees or other similar payments in return for the use of patents or other rights, or by way of commission for specific services performed or for management, or by way of interest on moneys lent to the head office of the enterprise or any of its other offices.

2. With reference to paragraph 7(b) of Article XI, it is agreed that the terms "approved loans" and "foreign currency accounts" mean respectively loans covered by Notifications S.R.O. 17(R) dated 1st July, 1960 and S.R.O. 625(I)/72 dated 12th August, 1972 and accounts covered by Notification S.R.O. 861(I)/74 dated 29th August, 1974. The said terms also mean loans or accounts covered by any substantially similar provision or statutory rule subsequently enacted by Pakistan in addition to, or in place of, the Notifications mentioned above.