IV. TAXATION OF CAPITAL

Article 22

Capital

1. Capital represented by immovable property owned by a resident of a Contracting State and situated in the other Contracting State, may be taxed in that other State.

2. Capital represented by movable property forming part of the business property of a permanent establishment which an enterprise of a Contracting State has in the other Contracting State or by movable property pertaining to a fixed base available to a resident of a Contracting State in the other Contracting State for the purpose of performing independent personal services, may be taxed in that other State.

3. Capital represented by ships and aircraft operated by an enterprise of a Contracting State in international traffic and by movable property pertaining to the operation of such ships and aircraft, shall be taxable only in that State.

4. All other elements of capital of a resident of a Contracting State shall be taxable only in that State.

V. METHODS FOR PREVENTION OF DOUBLE TAXATION

Article 23

Elimination of Double Taxation

1. In the case of Estonia, double taxation shall be avoided as follows:

   (a) Where a resident of Estonia derives income or owns capital which, in accordance with this Convention, may be taxed in Canada, unless a more favourable treatment is provided in its domestic law, Estonia shall allow:

   (i) as a deduction from the tax on the income of that resident, an amount equal to the income tax paid thereon in Canada;

   (ii) as a deduction from the tax on the capital of that resident, an amount equal to the capital tax paid thereon in Canada.

   Such deduction in either case shall not, however, exceed that part of the income or capital tax in Estonia 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.

   (b) For the purpose of subparagraph (a), where a company that is a resident of Estonia receives a dividend from a company that is a resident of Canada in which it owns at least 10 per cent of its shares having full voting rights, the tax paid in Canada shall include not only the tax paid on the dividend but also the tax paid on the underlying profits of the company out of which the dividend was paid.