

CHAPTER VI
FINAL PROVISIONS

ARTICLE 27

Entry Into Force

1. This Convention shall come into force on the date on which the Government of Australia and the Government of Canada exchange notes through the diplomatic channel notifying each other that the last of such things has been done as is necessary to give this Convention the force of law in Australia and in Canada, as the case may be, and thereupon this Convention shall have effect —

(a) in Australia —

- (i) in respect of withholding tax on income that is derived by a non-resident, in respect of income derived on or after 1 July 1975
- (ii) in respect of other Australian tax, for any year of income beginning on or after 1 July 1975

(b) in Canada —

- (i) in respect of tax withheld at the source on amounts paid or credited to non-residents on or after 1 January 1976
- (ii) in respect of other Canadian tax, for taxation years beginning on or after 1 January 1976.

2. Subject to paragraph (3) of this Article, the Agreement between the Government of the Commonwealth of Australia and the Government of Canada for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income signed at Mont Tremblant on 1 October 1957 (in this Article referred to as “the 1957 Agreement”) shall cease to have effect in relation to any tax in respect of which this Convention comes into effect in accordance with paragraph (1) of this Article.

3. Where any provision of the 1957 Agreement would have afforded any greater relief from tax in one of the Contracting States than is afforded by this convention, any such provision shall continue to have effect in that Contracting State—

- (a) in the case of Australia in respect of withholding tax on income that is derived by a non-resident, in respect of income derived during any financial year beginning before the date of signature of this Convention and, in respect of other Australian tax, for any year of income beginning before that date;
- (b) in the case of Canada in respect of tax withheld at the source on amounts paid or credited to non-residents before 31 December in the calendar year during which this Convention was signed and, in respect of other Canadian tax for any taxation year beginning on or before that date.

4. The 1957 Agreement shall terminate on the last date on which it has effect in accordance with the foregoing provisions of this Article.