

## PART SEVEN OTHER PROVISIONS

### Chapter Twenty

#### Other Provisions

##### Article 2001: Tax Convention

Nothing in this Agreement shall affect the rights and obligations of the Parties under the *1980 Convention between Canada and the United States of America with respect to Taxes on Income and on Capital (with Exchange of Notes)*, including any amendments or any successor convention. Articles XXV and XXVI of the Convention shall govern exclusively issues or matters involving the *Income Tax Act* of Canada or the *Internal Revenue Code* of the United States of America.

##### Article 2002: Balance of Payments

Notwithstanding any other provision of this Agreement, either Party may:

- a) apply trade restrictions in accordance with Article XII of the *General Agreement on Tariffs and Trade*, including the Declaration on Trade Measures for Balance-of-Payments Purposes adopted by the GATT Contracting Parties 28 November 1979; or
- b) apply restrictions to persons of the other Party on:
  - i) the making of payments and transfers for current international transactions in conformity with Article VIII of the *Articles of Agreement of the International Monetary Fund*, or
  - ii) international capital movements in accordance with Article 7, paragraphs (c) through (e), of the *1961 OECD Code of Liberalization of Capital Movements*,

provided that such restrictions do not constitute a means of arbitrary or unjustifiable discrimination between persons of the