

IV. METHODS FOR PREVENTION OF DOUBLE TAXATION

Article 22

Elimination of Double Taxation

1. In the case of Canada, double taxation shall be avoided as follows:
 - (a) subject to the existing provisions of the law of Canada regarding the deduction from tax payable in Canada of tax paid in a territory outside Canada and to any subsequent modification of those provisions -- which shall not affect the general principle hereof -- and unless a greater deduction or relief is provided under the laws of Canada, tax payable in Trinidad and Tobago on profits, income or gains arising in Trinidad and Tobago shall be deducted from any Canadian tax payable in respect of such profits, income or gains;
 - (b) subject to the existing provisions of the law of Canada regarding the taxation of income from a foreign affiliate and to any subsequent modification of those provisions -- which shall not affect the general principle hereof -- for the purpose of computing Canadian tax, a company which is a resident of Canada shall be allowed to deduct in computing its taxable income any dividend received by it out of the exempt surplus of a foreign affiliate which is a resident of Trinidad and Tobago.
2. For the purposes of subparagraph (a) of paragraph 1, tax payable in Trinidad and Tobago by a company which is a resident of Canada in respect of profits attributable to manufacturing and agricultural activities, exploration or exploitation of natural resources and construction, telecommunications, data processing, engineering or tourism projects or services carried on or provided as part of an active business carried on by it in Trinidad and Tobago shall be deemed to include any amount which would have been payable thereon as Trinidad and Tobago tax for any year but for an exemption from or reduction of tax granted for that year or any part thereof under specific Trinidad and Tobago legislation to promote economic development, provided that relief from Canadian tax shall not be given by virtue of this paragraph in respect of income from any source if the income arises in a period starting more than ten years after the exemption from, or reduction of, Trinidad and Tobago tax was first granted in respect of that source.
3. In the case of Trinidad and Tobago, double taxation shall be avoided as follows:
 - (a) subject to the provisions of the law of Trinidad and Tobago regarding the allowance of a credit against Trinidad and Tobago tax of tax payable in a territory outside Trinidad and Tobago (which shall not affect the general principle hereof);
 - (i) Canadian tax payable under the law of Canada and in accordance with this Convention, whether directly or by deduction, on profits or income from sources within Canada (excluding, in the case of a dividend, tax payable in respect of the profits out of which the dividend is paid) shall be allowed as a credit against any Trinidad and Tobago tax computed by reference to the same profits or income by reference to which the Canadian tax is computed;