

**AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME**

The Government of Canada and the Government of the Commonwealth of Australia, desiring to conclude an agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, have agreed as follows:

**ARTICLE I.**

1. The taxes which are the subject of this Agreement are:
  - (a) in Australia:
 

the Commonwealth income tax and social services contribution, including the additional tax assessed in respect of the undistributed amount of the distributable income of a private company;
  - (b) in Canada:
 

the income taxes, including surtaxes, imposed by Canada.
2. This Agreement shall also apply to any other tax of a substantially similar character imposed by either Contracting State after the date of signature of this Agreement.

**ARTICLE II.**

1. In this Agreement, unless the context otherwise requires
  - (a) "Australia" means the Commonwealth of Australia and includes the Territories of Papua, New Guinea, and Cocos (Keeling) Islands, and Norfolk Island;
  - (b) "Australian enterprise" means an industrial or commercial enterprise or undertaking carried on by an Australian resident;
  - (c) "Australian resident" means a person who is a resident of Australia and is not resident in Canada for the purposes of Canadian tax;
  - (d) "Australian tax" means tax imposed by Australia, being tax to which this Agreement applies by virtue of Article I;
  - (e) "Canadian enterprise" means an industrial or commercial enterprise or undertaking carried on by a Canadian resident;
  - (f) "Canadian resident" means a person who is resident in Canada for the purposes of Canadian tax and is not a resident of Australia;
  - (g) "Canadian tax" means tax imposed by Canada, being tax to which this Agreement applies by virtue of Article I;
  - (h) "company" includes a corporation;
  - (i) "Contracting State", "one of the Contracting States" or "the other Contracting State" means Australia or Canada, as a political entity or geographical area, as the context requires;
  - (j) "enterprise of one of the Contracting States" and "enterprise of the other Contracting State" means an Australian enterprise or a Canadian enterprise, as the context requires;
  - (k) "industrial or commercial profits" includes the profits of an industrial or commercial enterprise or undertaking, but does not include income in the form of dividends, interest, rents, royalties, management charges or remuneration for personal services, or income from the operation of ships or aircraft;