

"6. Notwithstanding any provision in this Convention, a Contracting State may impose on the earnings of a company attributable to permanent establishments in that State, or on the alienation of immovable property situated in that State by a company carrying on a trade in immovable property, tax in addition to the tax which would be chargeable on the earnings of a company that is a resident of that State, provided that the rate of such additional tax so imposed shall not exceed the percentage limitation provided for under subparagraph (a) of paragraph 2 of the amount of such earnings which have not been subjected to such additional tax in previous taxation years. For the purpose of this provision, the term "earnings" means:

- (a) the earnings attributable to the alienation of such immovable property situated in that State as may be taxed by that State under the provisions of Article 6 or of paragraph 1 of Article 13; and
- (b) the profits attributable to such permanent establishments in that State (including gains from the alienation of property forming part of the business property, referred to in paragraph 2 of Article 13, of such permanent establishments) in accordance with Article 7 in a year and previous years after deducting therefrom:
 - (i) business losses attributable to such permanent establishments (including losses from the alienation of property forming part of the business property of such permanent establishments) in such year and previous years,
 - (ii) all taxes chargeable in that State on such profits, other than the additional tax referred to herein,
 - (iii) the profits reinvested in that State, provided that the amount of such deduction shall be determined in accordance with the existing provisions of the laws of that State, as they may be amended from time to time without changing the general principle hereof, regarding the computation of the allowance in respect of investment in property in that State, and
 - (iv) five hundred thousand Canadian dollars (\$500,000) or its equivalent in the currency of the Republic of Austria, less any amount deducted:
 - (A) by the company, or
 - (B) by a person related thereto from the same or a similar business as that carried on by the company under this clause."

Article II

1. Paragraph 2 of Article 11 of the Convention shall be deleted and replaced by the following:

"2. However, such interest may also be taxed in the Contracting State in which it arises and according to the laws of that State, but if the beneficial owner of the interest is a resident of the other Contracting State, the tax so charged shall not exceed 10 per cent of the gross amount of the interest."

2. New subparagraphs (e) and (f) shall be added to paragraph 7 of Article 11 of the Convention as follows: