

ARTICLE 15

1. Paragraphs 1, 2 and 3 of the Protocol forming an integral part of the Convention shall be deleted and replaced by the following paragraphs:

“1. With respect to paragraph 1 of Article II, in the case of Spain, this Convention shall also apply to taxes on income imposed on behalf of its political subdivisions or local authorities.

2. With respect to paragraph 6 of Article X, references to profits that are repatriated shall, in the case of Canada, be understood to mean the amount computed in accordance with Part XIV of the *Income Tax Act*.

3. With respect to subparagraph (a) of paragraph 7 of Article XI, persons described under subparagraphs (a) or (b) of paragraph 1 of Article IX shall be deemed not to be dealing with each other at arm’s length.”

2. Paragraph 6 of the Protocol of the Convention shall be deleted and replaced by the following paragraph:

“6. For greater certainty, both Contracting States agree that the interpretation of paragraph 4 of Article XIII should be guided by paragraph 28.5 of the Commentary on Article 13 of the Organization for Economic Co-Operation and Development Model Tax Convention on Income and on Capital (July 2010).”

3. The Protocol of the Convention shall be amended by adding the following paragraphs:

“7. For the purpose of this Convention, the term “immovable property” includes shares or other rights which directly or indirectly entitles the owner of such shares or rights to the enjoyment of immovable property situated in a Contracting State.

8. For greater certainty, it is understood that the term “recipient” in Articles X, XI and XII shall be read as “beneficial owner”.”

ARTICLE 16

1. The Governments of the Contracting States shall notify each other, through diplomatic channels, that the internal procedures required by each Contracting State for the entry into force of this Protocol have been complied with.

2. This Protocol shall enter into force after the period of three months following the date of receipt of the later of the notifications referred to in paragraph 1 and its provisions shall have effect:

(a) In the case of Spain:

(i) in respect of tax withheld at the source on amounts paid or credited to non-residents, on or after the date on which this Protocol enters into force;