

4. With reference to Article 13, where an individual who ceases to be a resident of a Contracting State, and immediately thereafter becomes a resident of the other Contracting State, is treated for the purposes of taxation in the first-mentioned State as having alienated a property and is taxed in that State by reason thereof, the individual may elect to be treated for purposes of taxation in the other State as if the individual had, immediately before becoming a resident of that State, sold and repurchased the property for an amount equal to its fair market value at that time.

5. With reference to Article 18, it is agreed that the following rules apply.

- (a) Pensions arising in a Contracting State and paid to a resident of the other Contracting State may be also be taxed in the State in which they arise and according to the law of that State, but in the case of periodic pension payments (including payments under the social security legislation of a Contracting State), the tax so charged shall not exceed 15 per cent of the gross amount of such periodic pension payments paid to the recipient in the calendar year concerned that exceeds twelve thousand Canadian dollars or its equivalent in Azerbaijanian manat.
- (b) Notwithstanding anything in this Convention, war pensions and allowances (including pensions and allowances paid to war veterans or paid as a consequence of damages or injuries suffered as a consequence of a war) arising in a Contracting State and paid to a resident of the other Contracting State shall be exempt from tax in that other State to the extent that they would be exempt from tax if received by a resident of the first-mentioned State.

6. Irrespective of the fact that a Contracting State is or may become a signatory to the General Agreement on Trade in Services (GATS) or to other international agreements, the Contracting States shall, in their tax relations, be governed by the provisions of the Convention.

7. Nothing in the Convention shall be construed as preventing a Contracting State from imposing a tax on amounts included in the income of a resident of that State with respect to a partnership, trust, or company, in which that resident has an interest.