



TREATY SERIES 2000

No. 24

**CONVENTION
AMENDING THE CONVENTION BETWEEN THE
GOVERNMENT OF IRELAND AND THE GOVERNMENT OF
THE UNITED STATES OF AMERICA FOR THE AVOIDANCE
OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL
EVASION WITH RESPECT TO TAXES ON INCOME AND
CAPITAL GAINS SIGNED AT DUBLIN ON 28 JULY, 1997**

**Signed at Washington on 24 September 1999
Instruments of Ratification exchanged at Dublin on 13 July 2000**

ENTERED INTO FORCE ON 13 JULY 2000

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**LAI D BEFORE DÁIL ÉIREANN
BY THE MINISTER FOR FOREIGN AFFAIRS**

Pn. 8951

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The Government of Ireland and the Government of the United States of America, desiring to amend the Convention between the Government of Ireland and the Government of the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains signed at Dublin on 28 July, 1997 (hereinafter referred to as the "1997 Convention"), have agreed as follows:

ARTICLE I

Paragraph 4 of Article 10 (Dividends) of the 1997 Convention shall be deleted and replaced by the following:

"4. Subparagraph a) of paragraph 2 shall not apply in the case of dividends paid by a Regulated Investment Company (RIC) or a Real Estate Investment Trust (REIT). In the case of dividends paid by a RIC, subparagraph b) of paragraph 2 shall apply. In the case of dividends paid by a REIT, subparagraph b) of paragraph 2 also shall not apply unless:

a) the beneficial owner of the dividends is an individual holding an interest of not more than 10 percent in the REIT;

b) the dividends are paid with respect to a class of stock that is publicly traded and the beneficial owner of the dividends is a person holding an interest of not more than 5 percent of any class of the REIT's stock; or

c) the beneficial owner of the dividends is a person holding an interest of not more than 10 percent in the REIT and the REIT is diversified."

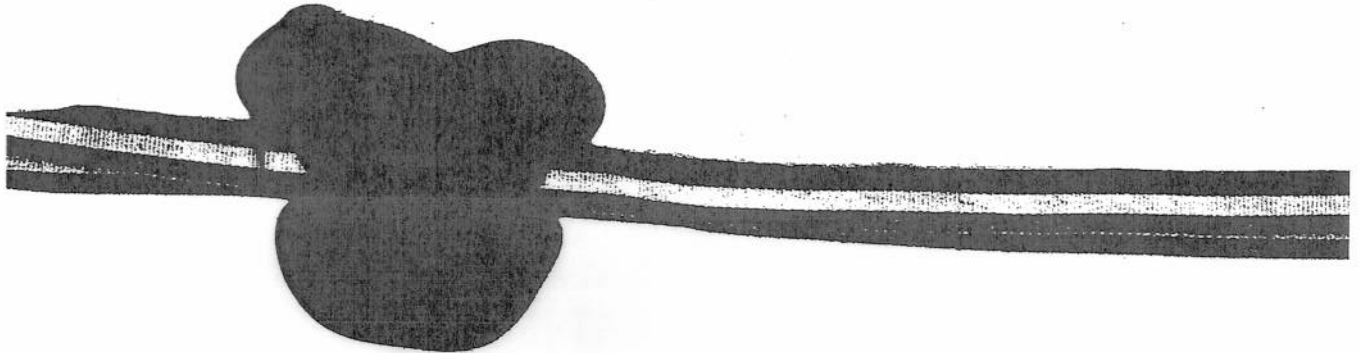
ARTICLE 2

1. This Convention shall be subject to ratification in accordance with the applicable procedures in Ireland and the United States of America and instruments of ratification shall be exchanged as soon as possible.

2. This Convention shall enter into force upon the exchange of instruments of ratification and shall have effect in respect of dividends paid on or after the first day of the second month next following the date on which the Convention enters into force.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed this Convention.

DONE at _____ in duplicate, this day of _____, 1999.



**FOR THE GOVERNMENT
OF IRELAND:**

Seán A. Higgins

**FOR THE GOVERNMENT OF
THE UNITED STATES OF
AMERICA:**

Philip R. ...

Ireland

Ratification of a Convention amending the Convention between the Government of Ireland and the Government of the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains signed at Dublin on 28 July 1997

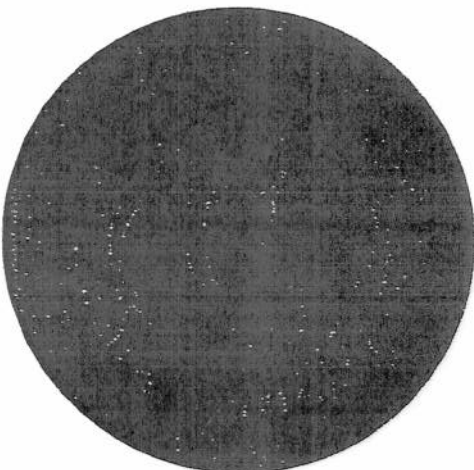
WHEREAS a Convention amending the Convention between the Government of Ireland and the Government of the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains signed at Dublin on 28 July 1997 has been negotiated;

AND WHEREAS the said Convention was signed, subject to ratification, on behalf of Ireland on 24 September 1999;

AND WHEREAS the Government of Ireland on 22 December 1999 gave its approval to arrange for the notification of the Government of the United States of America of the completion of the procedures required by Irish law for the bringing into force of the Convention;

NOW THEREFORE, I, Brian Cowen, TD, Minister for Foreign Affairs of Ireland, do hereby formally ratify on behalf of the Government of Ireland, the Convention amending the Convention between the Government of Ireland and the Government of the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains signed at Dublin on 28 July 1997, signed on 24 September 1999.

GIVEN AT Dublin under my Official Seal this the 13th day of July 2000



A handwritten signature in black ink, appearing to read "Brian Cowen", written in a cursive style.

Brian Cowen TD
Minister for Foreign Affairs of Ireland

WILLIAM J. CLINTON

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CONSIDERING THAT:

The Convention Amending the Convention Between the Government of the United States of America and the Government of Ireland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital Gains Signed at Dublin on 28 July, 1997, signed at Washington on September 24, 1999; and

The Senate of the United States of America by its resolution of November 5, 1999, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention.

NOW, THEREFORE, I, William J. Clinton, President of the United States of America, ratify and confirm the said Convention.

IN TESTIMONY WHEREOF, I have signed this instrument of ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington
this twenty-eighth day of
December in the year of
our Lord one thousand
nine hundred ninety-nine
and of the Independence
of the United States of
America two hundred
twenty

By the President:

William J. Clinton

Stewart
Acting Secretary of State

PROTOCOL OF EXCHANGE OF INSTRUMENTS OF RATIFICATION

The undersigned, being duly authorised by their respective governments, have met for the purpose of exchanging instruments of ratification of the Convention amending the Convention between the Government of Ireland and the Government of the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital Gains signed at Dublin on 28 July, 1997, and signed at Washington on 24 September, 1999.

The respective instruments of ratification of the aforesaid Convention having been examined and found to be in due form, were exchanged this day.

In accordance with Article 2, the Convention shall enter into force upon the exchange of instruments of ratification, that is on this thirteenth day of July 2000.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed the present Protocol of Exchange of Instruments of Ratification.

DONE in duplicate, in English, at Dublin this thirteenth day of July, 2000,
both texts being equally authentic,

FOR THE GOVERNMENT OF
IRELAND:

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:



Brian Cowen TD
Minister for Foreign Affairs
of Ireland



Michael J. Sullivan
Ambassador of the United States
of America