

- (h) "measure" includes any law, regulation, procedure, requirement, or practice;
- (i) "returns" means all amounts yielded by an investment and in particular, though not exclusively, includes profits, interest, capital gains, dividends, royalties, fees or other current income;
- (j) "state enterprise" means an enterprise that is governmentally-owned or controlled through ownership interests by a government;
- (k) "territory" means:
  - (i) in respect of Canada, the territory of Canada, as well as those maritime areas, including the seabed and subsoil adjacent to the outer limit of the territorial sea, over which Canada exercises, in accordance with international law, sovereign rights for the purpose of exploration and exploitation of the natural resources of such areas;
  - (ii) in respect of the Republic of Trinidad and Tobago: the islands of Trinidad and Tobago and any territories that immediately before the 31 August 1962 were dependencies of Trinidad and Tobago including the territorial sea and any maritime area adjacent to the outer limit of the territorial sea of the Republic of Trinidad and Tobago which has been or might in the future be designated under the national law of the Republic of Trinidad and Tobago as an area over which the Republic of Trinidad and Tobago may in accordance with international laws exercise sovereign rights and jurisdiction with regard to the seabed, subsoil and natural resources.

## ARTICLE II

### Establishment, Acquisition and Protection of Investment

- (1) Each Contracting Party shall encourage the creation of favourable conditions for investors of the other Contracting Party to make investments in its territory.
- (2) Each Contracting Party shall accord investments or returns of investors of the other Contracting Party
  - (a) fair and equitable treatment in accordance with principles of international law, and
  - (b) full protection and security.
- (3) Each Contracting Party shall permit establishment of a new business enterprise or acquisition of an existing business enterprise or a share of such enterprise by investors or prospective investors of the other Contracting Party on a basis no less favourable than that which, in like circumstances, it permits such acquisition or establishment by:
  - (a) its own investors or prospective investors; or