

- (ii) shares, stock, bonds and debentures or any other form of participation in a company, business enterprise or joint venture;
- (iii) money, claims to money, and claims to performance under contract having a financial value;
- (iv) goodwill;
- (v) intellectual property rights;
- (vi) rights, conferred by law or under contract, to undertake any economic and commercial activity, including any rights to search for, cultivate, extract or exploit natural resources,

but does not mean real estate or other property, tangible or intangible, not acquired in the expectation or used for the purpose of economic benefit or other business purposes.

For further certainty, an investment shall be considered to be controlled by an investor if the investor controls, directly or indirectly, the enterprise which owns the investment.

Any change in the form of an investment does not affect its character as an investment.

(e) "investor" means

in the case of Canada:

- (i) any natural person possessing the citizenship of or permanently residing in Canada in accordance with its laws; or
- (ii) any enterprise incorporated or duly constituted in accordance with applicable laws of Canada,

who makes the investment in the territory of The Republic of Croatia and who does not possess the citizenship of The Republic of Croatia; and

in the case of The Republic of Croatia:

- (i) any natural person possessing the citizenship of or permanently residing in The Republic of Croatia in accordance with its laws; or
- (ii) any enterprise incorporated or duly constituted in accordance with applicable law of The Republic of Croatia

who makes the investment in the territory of Canada and who does not possess the citizenship of Canada;

- (f) "measure" includes any law, regulation, procedure, requirement, or practice;
- (g) "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;
- (h) "state enterprise" means an enterprise that is governmentally-owned or controlled through ownership interests by a government;