

- (2) the disputing investor and, where the claim is for loss or damage to an interest in an enterprise of the other Party that is a juridical person that the disputing investor owns or controls directly or indirectly, the enterprise waive their right to initiate or continue before any administrative tribunal or court under the law of a Party, or other dispute settlement procedures, any proceedings with respect to the measure of the disputing Contracting Party that is alleged to be a breach referred to in Article 20, except for proceedings for injunctive, declaratory or other extraordinary relief, not involving the payment of damages, before an administrative tribunal or court under the law of the disputing Contracting Party;
  - (f) in the case of a claim submitted under paragraph 2 of Article 20:
    - (1) not more than three years have elapsed from the date on which the enterprise first acquired, or should have first acquired, knowledge of the alleged breach and knowledge that the enterprise has incurred loss or damage thereby; and
    - (2) both the disputing investor and the enterprise waive their right to initiate or continue before any administrative tribunal or court under the law of a Party, or other dispute settlement procedures, any proceedings with respect to the measure of the disputing Contracting Party that is alleged to be a breach referred to in Article 20, except for proceedings for injunctive, declaratory or other extraordinary relief, not involving the payment of damages, before an administrative tribunal or court under the law of the disputing Contracting Party.
3. A consent and waiver required under paragraph 2 shall be delivered to the disputing Contracting Party and shall be included in the submission of a claim to arbitration. A waiver from the enterprise under subparagraphs 2(e)(2) or 2(f)(2) shall not be required if the disputing Contracting Party has deprived the investor of control of an enterprise.

## **ARTICLE 22**

### **Special Rules Regarding Financial Services**

- 1. With respect to:
  - (a) financial institutions of a Party; and