

- (d) *"freely convertible currency" means any currency that is widely used to make payments for international transactions and widely traded in principal international exchange markets;*
- (e) *"intellectual property rights" means copyright and related rights, trademark rights, patent rights, rights in layout designs of semiconductor integrated circuits, trade secret rights, plant breeders' rights, rights in geographical indications and industrial design rights;*
- (f) *"investment" means any kind of asset owned or controlled either directly, or indirectly through an investor of a third State, by an investor of one Contracting Party in the territory of the other Contracting Party in accordance with the latter's laws, and in particular, though not exclusively, includes:*
- (i) *movable and immovable property and any related property rights, such as mortgages, liens or pledges;*
 - (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.

Any change in the form of an investment does not affect its character as an investment. In the case of Thailand, this shall not be construed so as to relieve investors of any obligation to obtain such approvals as may be required by the competent authorities of Thailand established under the Thai Cabinet's decision of 26 July 1994 (as contained in the Secretariat of the Cabinet's Note No. 0201/9549 dated 28 July 1994), a copy of which is attached hereto as Annex II.

- (g) *"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*