

- (b) in respect of Canada:
 - (i) the land territory, internal waters and territorial sea, including the air space above these areas, over which Canada exercises sovereignty;
 - (ii) the exclusive economic zone of Canada, as determined by its law, pursuant to Part V of the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982 (UNCLOS); and
 - (iii) the continental shelf of Canada, as determined by its law, pursuant to Part VI of UNCLOS;

“competition authority” means:

- (a) for Canada, the Commissioner of Competition or a successor to be notified to the Hong Kong Special Administrative Region in writing; and
- (b) for the Hong Kong Special Administrative Region, the Competition Commission established under the Competition Ordinance (Cap. 619) or a successor to be notified to Canada in writing;

“confidential information” means confidential business information or information that is privileged or otherwise protected from disclosure under the law of a Party;

“covered investment” means, with respect to a Party, an investment in its area that is owned or controlled, directly or indirectly, by an investor of the other Party, and exists on the date of entry into force of this Agreement or is made or acquired thereafter;

“disputing party” means either the respondent Party or the investor that has made a claim under Section C (Settlement of Disputes between an Investor and the Host Party);

“enterprise” means an entity constituted or organized under applicable law, whether or not for profit, whether privately owned or governmentally owned, including a corporation, trust, partnership, sole proprietorship, joint venture or other association and a branch of any such entity;

“existing” means in effect on the date of entry into force of this Agreement;

“financial institution” means a financial intermediary or other enterprise that is authorized to provide financial service and regulated or supervised as a financial institution under the law of the Party in whose area it is located;

“financial service” has the same meaning as in subparagraph 5(a) of the Annex on Financial Services of the *General Agreement on Trade in Services*, contained in Annex 1B to the WTO Agreement;

“freely convertible currency” means a currency free of all currency exchange controls and widely traded in international foreign exchange markets;

“Government” means:

- (a) for Canada, the federal government; and