
Temporary Entry for Business Purposes

Business persons trading in goods and services will benefit from improved and easier border crossing.

Investment

The two governments agree to provide national treatment in future to each other's investors and will not impose export, local content, local sourcing or import substitution requirements on each other's investors. Existing laws, regulations and published policies are grandfathered. The Canadian threshold for the review of U.S. direct acquisitions will be raised to CDN \$150 million by 1992. Review of U.S. indirect acquisitions will be phased out over the same period.

Dispute Settlement in Antidumping and Countervail Cases

A dispute settlement mechanism will guarantee the fair application of respective antidumping and countervailing duty laws. Either government may request a bi-national panel to review final antidumping or countervail determinations. Panel decisions will be binding. New legislation will not apply to the other country unless it is so specified.

A bi-national panel may review such proposed legislative changes and issue opinions. Both governments will attempt to develop and implement a substitute system of countervail and antidumping laws within seven years.

Institutional Provisions

A Canada-United States Trade Commission will be established to supervise the implementation of the Agreement and resolve disputes. The two governments further agree to bi-national panel procedures at the insistence of either country to make recommendations for the settlement of disputes regarding the interpretation and application of the Agreement in other than antidumping and countervail cases. They will refer such disputes to binding arbitration in the case of safeguards and, with the agreement of both governments, may also do so in other cases. As well, the Government Procurement Chapter provides for the establishment of bid challenge procedures for procurements covered by the chapter.