

SECTION A – DEFINITIONS

ARTICLE 1

Definitions

For the purpose of this Agreement:

“competition authority” means:

for Canada, the Commissioner of Competition or a successor to be notified to the Republic of Serbia by diplomatic note; and

for the Republic of Serbia, the Commission for the Protection of Competition or a successor to be notified to Canada by diplomatic note;

“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 territory that is owned or controlled, directly or indirectly, by an investor of the other Party existing on the date of entry into force of this Agreement, as well as an investment made or acquired thereafter;

“disputing party” means either the respondent Party or the investor that has made a claim under Section C;

“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. For greater certainty, the term enterprise in the case of the Republic of Serbia, includes an enterprise undergoing privatization;

“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 do business and regulated or supervised as a financial institution under the law of the Party in whose territory it is located;

“financial service” means a service of a financial nature, including insurance, and a service incidental or auxiliary to a service of a financial nature;

“ICSID” means the International Centre for Settlement of Investment Disputes established by the ICSID Convention;