

Section A – Definitions

ARTICLE 1

Definitions

For the purposes of this Agreement:

“**central government**” means the federal government in the case of Canada and the government of Kuwait in the case of the State of Kuwait;

“**confidential information**” means confidential business information and information that is privileged or otherwise protected from disclosure;

“**covered investments**” means, with respect to a Party, existing investments in its territory of an investor of the other Party, as well as investments made or acquired after the entry into force of this Agreement;

“**disputing Contracting Party**” means a Party against which a claim is made under Section C;

“**disputing investor**” means an investor that makes a claim under Section C;

“**disputing party**” means the disputing investor or the disputing Contracting Party;

“**enterprise**” means:

- (a) any entity constituted or organized under applicable law, whether or not for profit, whether privately-owned or governmentally-owned, including any corporation, trust, partnership, sole proprietorship, joint venture or other association; and
- (b) a branch of an entity described in subparagraph (a);

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

“**financial institution**” means any 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;

“**freely convertible currency**” means any currency that is widely used to make payments for international transactions and is widely traded in the principal exchange markets;

“**ICSID**” means the International Centre for Settlement of Investment Disputes;

“**ICSID Convention**” means the *Convention on the Settlement of Investment Disputes between States and Nationals of Other States*, done at Washington on 18 March 1965;