

PART ONE
DEFINITIONS AND OBJECTIVES

Article 1: Definitions

1. For the purposes of this Agreement:

administrative ruling of general application means an administrative ruling or interpretation that applies to persons and to fact situations that fall within the general scope of that ruling or interpretation and that establishes a norm of conduct but does not include:

- (a) a determination or ruling made in an administrative or quasi-judicial proceeding that applies to a particular person, good, or service of the other Party in a specific case; or
- (b) a ruling that adjudicates with respect to a particular act or practice;

environmental law means any statutory or regulatory provisions of a Party, including legally binding instruments made pursuant to those provisions, the primary purpose of which is the protection of the environment, or the prevention of a danger to human life or health, through:

- (a) the prevention, abatement or control of the release, discharge, or emission of pollutants or environmental contaminants;
- (b) the control of environmentally hazardous or toxic chemicals, substances, materials, and wastes, and the dissemination of related information; or
- (c) the conservation and protection of wild flora or wildlife, including endangered species, their habitat, and specially protected natural areas,

in the Party's territory and areas under its jurisdiction, but does not include a statute or regulation, or provision, directly related to worker safety or health, and does not include a statute or regulation, or provision for which the primary purpose is managing the commercial harvest or exploitation, or subsistence or aboriginal harvesting, of natural resources.

For greater certainty, the primary purpose of a particular statutory or regulatory provision for purposes of the definition of "environmental law" shall be determined by reference to its primary purpose, rather than to the primary purpose of the statute or regulation of which it is part;

environmental management system means the domestic system of legal, administrative, scientific, and technical processes which collectively support the development, implementation, review, and improvement of laws, policies, programs, and procedures for the conservation, protection, and enhancement of the environment, including the prevention of environmental danger to human health, and contribute to the promotion of sustainable development;

Non-governmental organization means any scientific, professional, business, non-profit, or public interest organization or association which is not affiliated with, or under the direction of, a government;