"**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 that 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 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;

"**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;

"**information protected under its competition laws**" means:

- for Canada, information within the scope of Section 29 of the *Competition Act*, R.S.C. 1985, c. 34, or a successor provision; and
- for the Republic of Moldova, information according to Article 15 of the *Law on protection of competition* No. 1103-XIV, from 30.06.2000, or a successor provision;

"**intellectual property rights**" means copyright and related rights, trademark rights, rights in geographical indications, rights in industrial designs, patent rights, rights in layout designs of integrated circuits, rights in relation to protection of undisclosed information, and plant breeders' rights;

"**investment**" means:

(a) an enterprise;

(b) a share, stock, or other form of equity participation in an enterprise;

(c) a bond, debenture, or other debt instrument of an enterprise;

(d) a loan to an enterprise;

(e) notwithstanding subparagraphs (c) and (d) above, a loan to or debt security issued by a financial institution is an investment only where the loan or debt security is treated as regulatory capital by the Party in whose territory the financial institution is located;