

“**person**” means a natural person or an enterprise;

“**respondent Party**” means a Party against which a claim is made under Section C (Settlement of Disputes between an Investor and the Host Party);

“**returns-in-kind**” means returns in the form of an article or commodity, for example in goods or in natural produce, as opposed to money;

“**sub-national government**” means, for Canada, a provincial, territorial or local government;

“**tax convention**” means a convention for the avoidance of double taxation or other international taxation agreement or arrangement;

“**Tribunal**” means an arbitration tribunal constituted under Article 23 (Submission of a Claim to Arbitration) or Article 26 (Consolidation);

“**TRIPS Agreement**” means the *Agreement on Trade-Related Aspects of Intellectual Property Rights*, contained in Annex 1C of the WTO Agreement;

“**UNCITRAL Arbitration Rules**” means the arbitration rules of the United Nations Commission on International Trade Law; and

“**WTO Agreement**” means the *Marrakesh Agreement Establishing the World Trade Organization*, done at Marrakesh on 15 April 1994.

Section B – Substantive Obligations

ARTICLE 2

Scope

1. This Agreement shall apply to measures adopted or maintained by a Party relating to:
 - (a) an investor of the other Party; and
 - (b) a covered investment.