

publish, distribute and sell periodicals except for the acquisition of Canadian-owned businesses.

Partnerships of foreign investors with majority Canadian ownership will be permitted.

Foreign investments with respect to the publication, distribution and sale of a periodical are subject to review for net benefit to Canada pursuant to Part IV of the *Investment Canada Act*, including the investment's compatibility with Canada's cultural policy. In its net benefits review of an investment under Part IV of the *Investment Canada Act*, Canada will consider a combination of undertakings as compatible with Canadian cultural policy.

Net benefits review will include undertakings from foreign investors that result in a substantial level of original editorial content for the Canadian market contained in each periodical title. The amount of original editorial content for the Canadian market will be determined as a percentage of the total space occupied by the total editorial content contained in the periodical.

Net benefits review may also include undertakings by the foreign investor that:

- i) create an employment infrastructure by directly employing an editorial staff and support staff composed of people resident in Canada with respect to each periodical title in Canada and establish or expand a place of business in Canada; or
- ii) support the infrastructure in the publishing sector by having their titles edited, typeset and printed in Canada.

Under the *Investment Canada Act* and the Related Business Guidelines, an investment by a non-Canadian in a periodical title is deemed to be a new Canadian business and is subject to notification and review under the *Act*. Investors may submit a single application under the *Investment Canada Act* covering one or more titles concerning the publication, distribution and sale of periodicals. Investors will be required to report quarterly on their performance in relation to their undertakings, which will be reviewed on an annual basis.

Within one year of the entry into force of this Agreement, Canada will amend section 19 of the *Income Tax Act* so as to allow advertisers deductions in respect of periodicals containing the requisite levels of original editorial content irrespective of the nationality of the publisher or place of production.