

- (b) The provisions of Article VIII (Expropriation) do not apply to the issuance of compulsory licenses granted in relation to intellectual property rights, or to the revocation, limitation or creation of intellectual property rights, to the extent that such issuance, revocation, limitation or creation is consistent with the *Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations*.

2. The provisions of Articles II (Establishment, Acquisition and Protection of Investment) and III (Most-Favoured-Nation (MFN) Treatment and National Treatment after Establishment), and paragraphs 1, 2 and 5 of Article V (Other Measures) of this Agreement do not apply to:

- (a) procurement by a government or state enterprise;
- (b) subsidies or grants provided by a government or a state enterprise, including government-supported loans, guarantees and insurance;
- (c) any measure denying investors of the other Contracting Party and their investment any rights or preferences provided to the aboriginal peoples of Canada; or
- (d) any current or future foreign aid programme to promote economic development, whether under a bilateral agreement, or pursuant to a multilateral arrangement or agreement, such as the *OECD Arrangement on Officially Supported Export Credits*.

3. Investments in cultural industries are exempt from the provisions of this Agreement. "Cultural industries" means natural persons or enterprises engaged in any of the following activities:

- (a) the publication, distribution, or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;
- (b) the production, distribution, or sale or exhibition of film or video recordings;
- (c) the production, distribution, sale or exhibition of audio or video music recordings;