

financial service supplier of a Party means a person of a Party that is engaged in the business of supplying a financial service within the territory of that Party;

investment means “investment” as defined in Article G-40 (Investment – Definitions), except that, with respect to “loans” and “debt securities” referred to in that Article:

- (a) a loan to or debt security issued by a financial institution is an investment only where it is treated as regulatory capital by the Party in whose territory the financial institution is located; and
- (b) a loan granted by or debt security owned by a financial institution, other than a loan to or debt security of a financial institution referred to in subparagraph (a), is not an investment;

for greater certainty a loan to, or debt security issued by, a Party or a state enterprise thereof is not an investment; and a loan granted by or debt security owned by a cross-border financial service supplier, other than a loan to or debt security issued by a financial institution, is an investment if such loan or debt security meets the criteria for investments set out in Article G-40 (Investment – Definitions);

investor of a Party means a Party or state enterprise thereof, or a person of that Party, that seeks to make, is making, or has made an investment;

new financial service means a financial service not supplied in the Party’s territory that is supplied within the territory of the other Party, and includes any new form of delivery of a financial service or the sale of a financial product that is not sold in the Party’s territory;

person of a Party means “person of a Party” as defined in Article B-01 (Definitions of General Application) and, for greater certainty, does not include a branch of an enterprise of a non-Party;