

ARTICLE I

Definitions

For the purposes of this Agreement:

- (a) "Commission" means the Commission for Environmental Cooperation;
- (b) "Council" means the Council as created by the *North American Agreement on Environmental Cooperation*;
- (c) "Members of the Council" means the representatives of the Parties to the *North American Agreement on Environmental Cooperation* appointed pursuant to paragraph 1 of Article 9 of that Agreement;
- (d) "Secretariat" means the Secretariat of the Commission;
- (e) "Executive Director" means the Executive Director of the Secretariat;
- (f) "Director" means a Director of the Secretariat;
- (g) "Officials" means members of the staff of the Secretariat, other than the Directors, who were appointed and are supervised by the Executive Director;
- (h) "Experts" means persons, other than Officials, performing missions for the Commission.

THE COMMISSION

ARTICLE II

Legal Personality

The Commission shall possess in Canada juridical personality. It shall have the capacity:

- (a) to contract;
- (b) to acquire and dispose of property; and
- (c) to institute legal proceedings.

ARTICLE III

Property and Assets

The Commission, its property and its assets, wherever located and by whomever held, shall enjoy immunity from every form of judicial process except insofar as in any particular case the Council has expressly waived its immunity. Such waiver shall be understood not to extend to any measure of execution, save with the express consent of the Council.