

**Effective Date GDP Price Index** means the arithmetic average of the GDP Price Indices for the four most recent consecutive quarters available as of January 1, 1992.

ii) The amounts obtained by applying the formula set out in (i) shall be rounded to the nearest million dollars.

3. The guidelines or regulations pursuant to the *Investment Canada Act* shall be amended to provide that Canada shall comply with the provisions of paragraphs 2 and 3 of Article 1602 and the provisions of Article 1603.

4. The amendments described in paragraphs 2 and 3 and the provisions of paragraph 2 of Article 1602 and of Article 1603 shall not apply in respect of the oil and gas and uranium-mining industries. These industries are subject to published policies that are implemented through the review process set out in the *Investment Canada Act*. The Parties shall by exchange of letters, prior to introduction of legislation to implement this Agreement by either Party in its respective legislature, set out the aforementioned policies, which policies shall be no more restrictive than those in effect on October 4, 1987.

5. For purposes of this Annex:

**American** shall have the same meaning as investor of the United States of America.

**controlled by an investor of the United States of America**, with respect to a Canadian business, means:

- a) the ultimate direct or indirect control by such investor through the ownership of voting interests; or
- b) the ownership by such investor of all or substantially all of the assets used in carrying on the Canadian business.

**direct acquisition of control** means an acquisition of control pursuant to the provisions of the *Investment Canada Act* other than an indirect acquisition of control.

**indirect acquisition of control** means an acquisition of control pursuant to the provisions of the *Investment Canada Act* through the acquisition of voting interests of an entity that controls, directly or