

## CHAPTER I

### GENERAL PROVISIONS

#### ARTICLE 1

##### Definitions

For the purpose of this Agreement, the following terms and expressions shall have the meanings herein assigned to them:

**“competition authority”** means:

- (a) for Canada, the Commissioner of Competition or a successor to be notified to Benin by diplomatic note; and
- (b) for Benin, the Director of Competition and Struggle Against Fraud or his Deputy, or a successor to be notified to Canada by diplomatic note;

**“confidential information”** means confidential business information or information that is privileged or otherwise protected from disclosure under the law of a Contracting Party;

**“counterclaim”** means an act by which, within the competence of a Tribunal constituted under Article 26 (Submission of a Claim to Arbitration) or Article 30 (Consolidation), a respondent Contracting Party submits its own claim, during the proceedings;

**“covered investment”** means, with respect to a Contracting Party, an investment in its territory of an investor of the other Contracting Party existing on the date of coming into force of this Agreement, as well as an investment made or acquired subsequently;

**“disputing party”** means the investor that has made a claim under Chapter III or the respondent Contracting Party;

**“enterprise”** means an entity constituted or organized under applicable law, whether or not for profit, whether privately owned or governmentally owned, including a corporation, trust, partnership, sole proprietorship, joint venture or other association and a branch of any such entity;

**“existing”** means in effect on the date of entry into force of this Agreement;

**“financial institution”** means a financial intermediary or other enterprise that is authorized to do business and regulated or supervised as a financial institution under the law of the Contracting Party in whose territory it is located;

**“financial service”** means a service of a financial nature, including insurance, and a service accessory or auxiliary to a service of a financial nature;