

ARTICLE 7**Senior Management, Boards of Directors and Entry of Personnel**

1. A Contracting Party may not require that an enterprise of that Party, that is a covered investment, appoint individuals of any particular nationality to senior management positions.
2. A Contracting Party may require that a majority of the board of directors, or any committee thereof, of an enterprise of that Contracting Party that is a covered investment be of a particular nationality or resident in the territory of the Contracting Party, provided that the requirement does not materially impair the ability of the investor to exercise control over its investment.
3. Subject to its laws, regulations and policies relating to the entry and sojourn of non-citizens, a Contracting Party shall permit natural persons who have the citizenship or status of permanent resident of the other Contracting Party and are employed by any enterprise that is a covered investment of an investor, or a subsidiary or affiliate thereof, to enter and remain temporarily in its territory in a capacity that is managerial, executive or that requires specialized knowledge.

ARTICLE 8**Exceptions**

1. Article 5 does not apply to:
 - (a) treatment by a Contracting Party pursuant to any existing or future bilateral or multilateral agreement:
 - (i) establishing, strengthening or expanding a free trade area or customs union; or
 - (ii) relating to aviation, fisheries, or maritime matters including salvage;
 - (b) treatment accorded under any bilateral or multilateral international agreement in force prior to 1 January 1994.
2. Articles 5, 6 and 7 do not apply to⁵:
 - (a) (i) any existing non-conforming measures maintained within the territory of a Contracting Party; and

⁵ The exception described in this paragraph applies without prejudice to the rights reserved by Canada and China in paragraph 3.