

#### **Article 22.6: Cultural Industries**

This Agreement is not to be construed to apply to measures adopted or maintained by either Party with respect to cultural industries except as specifically provided in Articles 1.6 (Cultural Cooperation) and 2.3 (Tariff Elimination).

#### **Article 22.7: World Trade Organization Waivers**

To the extent that there are overlapping rights and obligations in this Agreement and the WTO Agreement, measures adopted by a Party in conformity with a waiver decision adopted by the WTO pursuant to Article IX of the WTO Agreement are deemed to be also in conformity with this Agreement. The conforming measure of either Party shall not give rise to legal actions by an investor of a Party against the other Party under Section B of Chapter Eight (Investor-State Dispute Settlement).

#### **Article 22.8: Definitions**

For the purposes of this Chapter:

**competition authority** means:

- (a) for Canada, the Commissioner of Competition; and
  - (b) for Korea, the Korea Fair Trade Commission,
- or their respective successors;

**cultural industries** means persons engaged in any of the following activities:

- (a) the publication, distribution, or sale of books, magazines, periodicals or newspapers in print or machine readable form but not including the sole activity of printing or typesetting any of the foregoing;
- (b) the production, distribution, sale or exhibition of film or video recordings;
- (c) the production, distribution, sale or exhibition of audio or video music recordings;
- (d) the publication, distribution, or sale of music in print or machine readable form;
- (e) radio communications in which the transmissions are intended for direct reception by the general public;
- (f) radio, television and cable broadcasting undertakings; or
- (g) satellite programming and broadcast network services;