

- (ii) *any enterprise incorporated or duly constituted in accordance with applicable laws of Canada,*

*who makes the investment in the territory of the Kingdom of Thailand, in accordance with its laws and regulations, applied in a manner consistent with paragraph 2 of Article IV; and*

*in the case of the Kingdom of Thailand:*

- (i) *any natural person possessing the nationality of or permanently residing in the Kingdom of Thailand in accordance with its laws; or*
- (ii) *any corporation, partnership, trust, joint venture, organization, association or enterprise incorporated or duly constituted in accordance with applicable laws of the Kingdom of Thailand*

*who makes the investment in the territory of Canada and who does not possess the citizenship of Canada;*

- (h) *"measure" includes any law, regulation, procedure, requirement, or practice. "Existing measure" means any measure existing on the date of entry into force of this Agreement.*
- (i) *"returns" means all amounts yielded by an investment and in particular, though not exclusively, includes profits, interest, capital gains, dividends, royalties, and licensing, franchise and other fees;*
- (j) *"territory" means:*
- (i) *in respect of Canada, the territory of Canada, as well as those maritime areas, including the seabed and subsoil adjacent to the outer limit of the territorial sea, over which Canada exercises, in accordance with international law, sovereign rights for the purpose of exploration and exploitation of the natural resources of such areas;*
- (ii) *in respect of the Kingdom of Thailand, the national territory of the Kingdom of Thailand including the maritime areas, seabed and subsoil, over which the Kingdom of Thailand exercises, in accordance with international law, sovereign rights or jurisdiction.*

## ARTICLE II

### *Establishment, Acquisition and Protection of Investment*

- (1) *Each Contracting Party shall encourage the creation of favourable conditions for investment in its territory by investors of the other Contracting Party.*