

(XI) any other claims to money,

that do not involve the kinds of interests set out in subparagraphs (I) through (IX);

“investment of an investor of a Party” means an investment owned or controlled directly or indirectly by an investor of such Party;

“investor of a Party”¹ means

(i) in the case of Canada:

(a) Canada or a state enterprise of Canada, or

(b) a national or an enterprise of Canada,

that seeks to make, is making or has made an investment; a natural person who is a dual citizen shall be deemed to be exclusively a citizen of the State of his or her dominant and effective citizenship; and

(ii) in the case of the Republic of Peru:

(a) a state enterprise of the Republic of Peru, or

(b) a national or enterprise of the Republic of Peru;

that seeks to make, is making or has made an investment; a natural person who is a dual citizen shall be deemed to be exclusively a citizen of the State of his or her dominant and effective citizenship;

“investor of a non-Party”² means an investor other than an investor of a Party, that seeks to make, is making, or has made an investment;

“legal stability agreement” means an agreement entered into by the national government of a Party and an investor of the other Party or a covered investment of such investor that accords certain benefits, including, but not limited to, a commitment to maintain the existing income tax regime during a specified time;

¹ For greater certainty, it is understood that an investor “seeks to make an investment” only when the investor has taken concrete steps necessary to make said investment, such as when the investor has made an application for a permit or license authorizing the establishment of an investment.

² For greater certainty, it is understood that an investor “seeks to make an investment” only when the investor has taken concrete steps necessary to make said investment, such as when the investor has made an application for a permit or license authorizing the establishment of an investment.