

If the investment is made by an investor through an entity not covered by paragraph (d) (ii) of this Article, in which he holds an equity participation, such investor shall enjoy the benefits of this Agreement to the extent of such indirect equity participation, provided, however, that such an investor shall not enjoy the benefits of this Agreement if the investor invokes the dispute settlement mechanism under another foreign investment protection agreement concluded by a Contracting Party in whose territory the investment is made.

- (c) the term "returns" means all amounts yielded by an investment and in particular, though not exclusively, profits, interest, capital gains, dividends, royalties, fees or other current income;
- (d) the term "investor" means with regard to either Contracting Party:
  - (i) any natural person possessing the citizenship of a Contracting Party in accordance with its laws; or
  - (ii) any corporation, partnership, trust, organization, association or enterprise incorporated or duly constituted in accordance with applicable laws of that Contracting Party.

## ARTICLE II

### Promotion of investment

- (1) Each Contracting Party shall encourage the creation of favourable conditions for investors of the other Contracting Party to make investments in its territory.
- (2) Subject to its laws, regulations and published policies, each Contracting Party shall admit investments of investors of the other Contracting Party.