

4. With respect to:

- (a) financial institutions of a Contracting Party; and
- (b) investors of a Contracting Party, and investments of such investors, in financial institutions in the other Contracting Party's territory,

this Article applies only in respect of claims that the other Contracting Party has breached an obligation under Article VI (Expropriation), Article VII (Transfer of Funds), or paragraph 1 or 2 of Article XV (Final Provisions and Entry into Force).

5. An investor may submit a dispute under this Article to arbitration only if:

- (a) the investor; and
- (b) where the claim is for loss or damage to an interest in an enterprise that is a juridical person which the investor owns or controls directly or indirectly, the enterprise,

waive their right to initiate or continue before any administrative tribunal or court under the law of any Contracting Party, or other dispute settlement procedures, any proceedings with respect to the measure of the disputing Contracting Party that is alleged to be a breach referred to in paragraph 1 of this Article, except for procedures for injunctive, declaratory or other extraordinary relief, not involving the payment of damages, before an administrative tribunal or court under the law of the disputing Contracting Party.

6. An interpretation of this Agreement agreed between the Contracting Parties shall be binding on a Tribunal established under this Article.