

ANNEX

The Contracting Parties have agreed to the following:

I. Interpretation

1. With respect to Article I(f), an investment shall be considered to be controlled by an investor if the investor demonstrably controls, directly or indirectly, the enterprise which owns the asset.
2. With respect to Article I(g): For the purposes of this Agreement, the term "natural person possessing the citizenship of Canada" shall include a natural person permanently residing in Canada in accordance with the laws of Canada, including the provisions of the Immigration Act of Canada or any statute replacing it in whole or in part (the "Act"), and without limiting the generality of the foregoing shall include a natural person who:
 - (a) has been granted landing within the meaning of the Act;
 - (b) has not become a Canadian citizen; and
 - (c) has not ceased to be a permanent resident of Canada pursuant to the provisions of the Act.

II. NAFTA, Group of Three Treaty and Exceptions

1. Nothing in this Agreement shall be interpreted to require a Contracting Party to extend to the other Contracting Party, any investor of the other Contracting Party, or to any investment, any right, privilege, preference or treatment more favourable than required to be extended by that Contracting Party

in the case of Canada, under the North American Free Trade Agreement (the "NAFTA") to any state, investor or investment to which the NAFTA applies;

in the case of Venezuela, under the Free Trade Treaty of the Group of Three (the "G-3 Agreement") to any state, investor or investment to which the G-3 Agreement applies.
2. Paragraph 1 alone shall not be interpreted to require a Contracting Party to extend to the other Contracting Party, or to any investor of the other Contracting Party, or to any investment, any right, privilege, preference or treatment which it extends

in the case of Canada, under the NAFTA to any state, investor or investment to which the NAFTA applies;

in the case of Venezuela, under G-3 Agreement to any state, investor or investment to which the G-3 Agreement applies.
3. (a) Decisions by either Contracting Party, pursuant to measures not inconsistent with this Agreement, as to whether or not to permit an acquisition shall not be subject to the provisions of Articles XII or XIV of this Agreement.