

Clause 5

The purpose of clause 5 is to prevent a private party from bringing a civil action based on a power or duty arising from Part I of the bill, without the consent of the Attorney General of Canada. This will prevent lawsuits brought by private parties against federal and provincial legislative or administrative bodies. However, an action brought to force an administrative authority to respect a duty or obligation imposed on it by Part II of the bill would not be prevented.

Clause 6

The purpose of this clause is to prevent a private party from bringing a civil action based on a power or duty arising from the Agreement, without the consent of the Attorney General of Canada. This will prevent lawsuits brought by private parties against federal and provincial legislative or administrative bodies.

Clause 7

This clause tracks the *FTA Implementation Act* provision added by the Legislative Committee of the House of Commons and a similar clause in the *NAFTA Implementation Act* to make it clear that large-scale transfers of water are not part of the World Trade Organization Agreement or the *Act*.

Sub-clause 7(1) establishes for greater certainty that nothing in the *Act* or Agreement applies to water as defined, except the Canadian Schedule to the General Agreement on Tariffs and Trade 1994 set out in Annex IA to the Agreement. The reference to that list is intended to ensure that the commitment to remove tariffs on all goods imported into Canada will not be inadvertently affected by clause 6.

Sub-clause 7(2) defines water. It recognizes that water that is packaged as a beverage or in tanks is covered by the Agreement.