

“disputing Party” means a Party against which a claim is made under Section C (Settlement of Disputes Between an Investor and the Host Party);

“disputing party” means the disputing investor or the disputing Party;

“enterprise” means:

- (a) any entity constituted or organized under applicable law, whether or not for profit, whether privately owned or governmentally owned, including any corporation, trust, partnership, joint venture or other association; and
- (b) a branch of any such entity;

“existing” means in effect on the date of entry into force of this Agreement;

“financial institution” means any financial intermediary or other enterprise that is authorized to do business and regulated or supervised as a financial institution under the law of the Party in whose territory it is located;

“financial service” means a service of a financial nature, including insurance, and a service incidental or auxiliary to a service of a financial nature;

“ICSID” means the International Centre for the Settlement of Investment Disputes;

“ICSID Convention” means the *Convention on the Settlement of Investment Disputes between States and Nationals of Other States*, done at Washington on 18 March 1965;

“information protected under its competition laws” means:

- in the case of Canada, information within the scope of Section 29 of the *Competition Act*, R.S.C. 1985, c. 34, or any successor provision, and
- in the case of Mongolia, information within the scope of Article 12.1.5 and Article 15.1.8 of the Competition Law, 2010, or any successor provisions;

“intellectual property rights” means copyright and related rights, trademark rights, rights in geographical indications, rights in industrial designs, patent rights, rights in layout designs of integrated circuits, rights in relation to protection of undisclosed information, and plant breeders' rights;

“investment” means:

- (a) an enterprise;
- (b) shares, stocks and other forms of equity participation in an enterprise;
- (c) bonds, debentures and other debt instruments of an enterprise;
- (d) a loan to an enterprise;