

September 6, 1992

Chapter Fourteen

Financial Services

Article 1401: Scope

1. This Chapter shall apply to measures adopted or maintained by a Party relating to:
 - (a) financial institutions of another Party;
 - (b) investors of another Party, and investments of such investors, in financial institutions in the Party's territory; and
 - (c) cross-border trade in financial services.
2. Only Articles 1109 (Transfers), 1110 (Expropriation and Compensation), 1111 (Special Formalities and Information Requirements), 1113 (Denial of Benefits), 1114 (Environmental Measures) and Articles 1115 to 1136 (Settlement of Disputes Between a Party and an Investor of Another Party) of Chapter Eleven (Investment) and Article 1211 (Denial of Benefits) of Chapter Twelve (Cross-Border Trade in Services) shall apply to this Chapter. Article 1802(2) (Publication) shall not apply to this Chapter.
3. In the event of any inconsistency between a provision of this Chapter and any other provision of this Agreement, the former shall prevail to the extent of the inconsistency. This paragraph does not apply to Article 2103 (Taxation).
4. Nothing in this Chapter shall prevent a Party from being the exclusive service provider in its territory with respect to the following:
 - (a) activities forming part of a public retirement plan or statutory system of social security; and
 - (b) activities conducted by a public entity for the account or with the guarantee or using the financial resources of the government or of any other public entity.