

INVESTMENT

SCOPE, COVERAGE AND DURATION

1. This Chapter shall apply to measures¹ affecting:

a) investments (of investors of a Party) in the territory of another party existing at the time of entry into force as well as to investments made or acquired thereafter; and

b) investors of a Party in the establishment, acquisition, expansion, management, conduct, operation and sale or other disposition of investments in the territory of another Party.

c) ~~CDA~~USA [all] investments ~~MEX~~ [(of investors of a non-Party)] in the territory of any Party as provided in Article (performance requirements).

2. USA [With respect to investments established prior to the date of termination of this Agreement and to which this Chapter otherwise applies, the provisions of all of this Chapter shall thereafter continue to be effective for a further period of ten years from such date of termination.]

3. This Chapter shall not apply to:

~~MEX~~ (a) any measure taken pursuant to a restriction expressly mandated by the Constitution of a Party.]²

b) ~~MEX~~ [the provision of financial services or insurance] ~~CDA~~ [except as provided in the Chapter on Financial Services;]

U.S. Note 1 - While financial services will be covered in the financial services chapter, certain provisions of the investment chapter may apply to financial services by cross-reference in the financial services chapter.

c) government procurement ~~CDA~~ [except as provided in the Chapter on Government Procurement;] ~~USA~~ [of goods and services supplied by investments in its territory controlled by nationals of a non-Party and procurement by states, provinces or political subdivisions of a Party];

d) ~~MEX~~ ~~CDA~~ [services listed in Annex Y01.3(c)]

¹ US agrees on the condition the definition of "measure" includes single actions.

² Mexico will supply new language for this provision.