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4 CHAPTER 21
5
6 INVESTMENT

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8 Article 2101: Scope
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- 10 1. This Chapter applies to measures adopted or maintained by a Party relating to:
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12 a) investments of investors of another Party in the territory of the Party existing
13 at the time of entry into force of this Agreement as well as to investments
14 made or acquired thereafter by such investors;
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16 b) investors of another Party; and
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18 c) with respect to article 2108, all investments in the territory of the Party.
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20 2. A Party has the right to perform exclusively the economic activities set forth in
21 Annex C and to refuse to permit the establishment of investment in such activities.
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23 3. This Chapter shall not apply to [financial services except as provided in the
24 Chapter on Financial Services.]¹
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26 4. Nothing in this Chapter shall be construed to prevent a Party from providing
27 functions or services such as law enforcement, correctional services, income security or
28 insurance, social security or insurance, social welfare, public education, public training,
29 health, and child care, in a manner that is not inconsistent with this Chapter.
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31
32 Article 2102: Environmental Measures
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- 34 1. Nothing in this Chapter shall be construed to prevent a Party from adopting,
35 maintaining, or enforcing any measure, otherwise consistent with this Chapter, that it
36 considers appropriate to ensure that investment activity in its territory is undertaken in a
37 manner sensitive to environmental concerns.
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39 2. The Parties recognize that it is inappropriate to encourage investment by relaxing
40 domestic health, safety or environmental measures. Accordingly, a Party should not
41 waive or otherwise derogate from, or offer to waive or otherwise derogate from, such
42 measures as an encouragement for the establishment, acquisition, expansion, or retention
43 in its territory of an investment of an investor. If a Party considers that another Party has
44 offered such an encouragement, it may request consultations with the other Party and the
45 two Parties shall consult with a view to avoiding any such encouragement.
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48 TREATMENT OF INVESTORS AND INVESTMENTS
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50 Article 2103: National Treatment
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¹ Mexico will confirm deletion of this paragraph.