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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 2107, 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 (5) 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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32 TREATMENT OF INVESTORS AND INVESTMENTS
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35 Article 2102: National Treatment
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- 37 1. Each Party shall accord to investors of another Party treatment no less favorable
38 than that which it accords, in like circumstances, to its own investors with respect to the
39 establishment, acquisition, expansion, management, conduct, operation and sale or other
40 disposition of investments.
41
42 2. Each Party shall accord investments of investors of another Party treatment no
43 less favorable than that which it accords, in like circumstances, to investments of its own
44 investors with respect to the establishment, acquisition, expansion, management, conduct,
45 operation and sale or other disposition of investments.
46
47 3. The treatment accorded by a Party under paragraphs 1 and 2 means, with respect
48 to a state or province, treatment no less favorable than the most favorable treatment
49 accorded by such state or province in like circumstances to investors, and their
50 investments, of the Party of which it forms a part.
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¹ Mexico will confirm deletion of this paragraph.