

III SERVICES AND INVESTMENT

ARTICLE 12

Services and investment

- The Parties recognise the increasing importance of trade in services and investment in their economies. In their efforts to gradually develop and broaden their co-operation, they will work together with the aim of creating the most favourable conditions for expanding investment between them and achieving further liberalisation and additional mutual opening of markets for trade in services, taking into account on-going work under the auspices of the WTO.
- Upon request of a Party, the requested Party shall endeavour to provide information on any of its measures that may have an impact on trade in services or investment.
- The Parties shall encourage the relevant bodies in their respective territories to co-operate with a view to achieving mutual recognition for licensing and certification of professional service suppliers.
- The Parties shall jointly review issues related to services and investment in the Joint Committee and consider the adoption of liberalisation measures with due regard to Article V of the WTO *General Agreement on Trade in Services* and in the light of developments in multilateral and bilateral agreements. Such a review shall take place no later than three years after the entry into force of this Agreement.
- Any future negotiation on services and investment between Canada and the EFTA States shall be based on the principles of non-discrimination and transparency.

ARTICLE 13

Temporary entry

- The Parties recognise that investment and services are growing in importance in relation to trade in goods. Each Party shall, in accordance with its applicable laws:
 - facilitate the temporary entry into its territory of nationals of another Party who are intra-corporate transferees (managers, executives, specialists) and business visitors;

三 服务与投资

ARTICLE 12

服务与投资

- 缔约方认识到服务贸易和投资在各自经济中的重要性日益提升。在逐步发展和扩大合作的努力中，双方将共同努力，旨在为扩大彼此间的投资、实现服务贸易市场的进一步自由化和相互开放创造最有利的条件，同时考虑到世界贸易组织框架下的现行工作。
- 应一缔约方请求，被请求方应尽力提供其可能对服务贸易或投资产生影响的任何措施的信息。
- 缔约方应鼓励各自境内的相关机构开展合作，以期实现专业服务供应商许可和认证的相互承认。
- 缔约方应在联合委员会中共同审查与服务与投资相关的问题，并考虑根据世界贸易组织服务贸易总协定第五条，结合多边和双边协定的发展情况，采取自由化措施。此类审查应在本协定生效后不迟于三年内进行。
- 加拿大与欧洲自由贸易联盟国家之间未来关于服务与投资的任何谈判，均应基于非歧视和透明度的原则。

ARTICLE 13

临时入境

- 缔约方认识到投资和服务在货物贸易中的重要性日益增长。每一缔约方应根据其适用法律：
 - 便利另一缔约方国民作为公司内部调任人员（经理、高管、专家）及商务访问者临时入境其领土；

- (b) facilitate the temporary entry into its territory of nationals of another Party who render services directly related to the exportation of goods by an exporter of that same Party into the territory of the Party concerned; and
- (c) facilitate the entry into its territory of spouses and children of nationals described in sub-paragraph (a) above.

2. The Joint Committee shall monitor the operation and implementation of this Article and deal with issues of implementation or administration related to temporary entry.

3. No later than one year after the date of entry into force of this Agreement, each Party shall make available explanatory material regarding the requirements for temporary entry under this Article, in such a manner as will enable nationals of the other Parties to become acquainted with them.

4. For the purposes of this Article:

- (a) “temporary entry” means the right to enter and remain for the period authorised;
- (b) “national” means a natural person who is a citizen or a permanent resident of a Party; and
- (c) “business visitors” means short term visitors who do not intend to enter the labour market of the Parties, but seek entry to engage in activities such as buying or selling goods or services, negotiating contracts, conferring with colleagues, or attending conferences.

IV COMPETITION LAW AND POLICY

ARTICLE 14

General principles

1. The Parties agree that anti-competitive business conduct can hinder the fulfilment of the objectives of this Agreement. Accordingly, each Party shall adopt or maintain measures to proscribe such conduct and take appropriate action with respect thereto, acknowledging that such measures may be brought about by a Party’s obligations entered into through other international agreements, such as the *Agreement on the European Economic Area*, done at Brussels on 17 March 1993, to which certain EFTA States are party. The Parties shall, upon request of a Party, consult about the effectiveness of measures undertaken by each Party.

(b) 便利另一缔约方国民临时入境其领土，该国民提供的服务直接涉及同一缔约方出口商向相关缔约方领土的货物出口；以及 (c) 便利上述(a)项所述国民的配偶及子女入境其领土。

2. 联合委员会应监督本条款的运作与实施，并处理与临时入境相关的实施或管理问题。

3. 本协定生效日期后不迟于一年，各缔约方应以使其他缔约方国民能够了解的方式，提供关于本条款下临时入境要求的解释性材料。

4. 就本条款而言：

(a) “临时入境”指在授权期限内进入并停留的权利；(b) “国民”指作为缔约方公民或永久居民的自然人；及(c) “商务访问者”指不打算进入缔约方劳动力市场，但寻求入境从事诸如买卖商品或服务、谈判合同、与同事商讨或参加会议等活动的短期访问者。

IV 竞争法与政策

ARTICLE 14

一般原则

1. 缔约方同意反竞争商业行为可能阻碍本协定目标的实现。因此，每一缔约方应制定或维持措施以禁止此类行为，并就此采取适当行动，同时承认此类措施可能源于缔约方通过其他国际协议（如1993年3月17日在布鲁塞尔签署的《欧洲经济区协定》，某些欧洲自由贸易联盟国家为其缔约方）所承担的义务。应一缔约方请求，缔约方应就各自采取的措施的有效性进行磋商。