(d) the term "enterprise of a Contracting Party" means any legal person or any other entity duly constituted or organised under the applicable laws and regulations of that Contracting Party, whether private or government owned or controlled;

(e) the term "investment activities" means operation, management, conduct, maintenance, use, enjoyment and sale or other disposal of investments;

(f) the term "Territory" means:

(i) with respect to Japan, its territory, and the exclusive economic zone and the continental shelf with respect to which Japan exercises sovereign rights or jurisdiction in accordance with international law; and

(ii) with respect to the Kingdom of Morocco, the territory of the Kingdom of Morocco, and any maritime area situated beyond the territorial waters of the Kingdom of Morocco which has been or might be in the future designated by the laws of the Kingdom of Morocco, in accordance with the United Nations Convention on the Law of the Sea, as being an area into which the rights of the Kingdom of Morocco relative to the sea-bed and to the maritime subsoil as well as to natural resources can be exercised;

(g) the term "freely usable currency" means freely usable currency as defined under the Articles of Agreement of the International Monetary Fund; and

(h) the term "the WTO Agreement" means the Marrakesh Agreement Establishing the World Trade Organization, done at Marrakesh, April 15, 1994.

Article 2
Admission and Promotion of Investment

1. Each Contracting Party shall, subject to its applicable laws and regulations, including those with regard to foreign ownership and control, admit investment of investors of the other Contracting Party, and shall as far as possible encourage and create favourable conditions for investors of the other Contracting Party to make investments in its Territory.

2. Substantial expansion, modification or transformation of an investment which is subject to admission and performed according to the laws and regulations in force in the Contracting Party in whose Territory the investment is made, is considered as a new investment.

3. For greater certainty, investment returns that are reinvested in accordance with the laws and regulations of the Contracting Party in whose Territory the reinvestment is made, enjoy the same protection accorded to the initial investment.

4. In order to encourage mutual investment flows, each Contracting Party may provide information, both to the other Contracting Party and to investors of the other Contracting Party, regarding investment opportunities in its Territory.

5. Each Contracting Party shall as far as possible within a reasonable period of time publish or otherwise make publicly available, its laws, regulations, administrative procedures and administrative rulings of general application as well as international agreements which pertain to or affect the implementation and operation of this Agreement.

6. Each Contracting Party shall, upon request by the other Contracting Party and within a reasonable period of time, respond to specific questions and provide that other Contracting Party with information on judicial decisions of general application and matters set out in paragraph 5, including that relating to a contract each Contracting Party enters into with regard to investment.

7. Paragraphs 5 and 6 shall not be construed so as to oblige either Contracting Party to disclose confidential information, the disclosure of which would impede law enforcement or otherwise be contrary to the public interest, or which would prejudice privacy or legitimate commercial interests.

8. Each Contracting Party shall, in accordance with its applicable laws and regulations, endeavour to provide, except in cases of emergency or of purely minor nature, a reasonable opportunity for comments by the public before the adoption, amendment or repeal of regulations of general application that affect any matter covered by this Agreement.