(b) the term "computer reservation system (CRS) services" means services provided by computerized systems that contain information about air carriers' schedules, availability, fares and fare rules, through which reservations can be made or tickets may be issued;

(c) the term "covered investments" means, with respect to a Party, investments of an investor of the other Party in the Area of the Party existing on the date of entry into force of this Agreement or established, acquired or expanded thereafter;

(d) the term "cross-border trade in services" or "cross-border supply of services" means the supply of a service:

(i) from the Area of a Party into the Area of the other Party;

(ii) in the Area of a Party by a person of that Party to a person of the other Party; or

(iii) by a national of a Party in the Area of the other Party;

(e) the term "enterprise of a Party" means an enterprise constituted or organized under the laws of a Party;

(f) the term "existing" means in effect on the date of entry into force of this Agreement, except for entry 35 of Part 1 of Annex 5;

(g) the term "measure adopted or maintained by a Party" means any measure adopted or maintained by:

(i) any level of government or authority of a Party; and

(ii) non-governmental bodies in the exercise of powers delegated by any level of government or authority of a Party;

(h) the term "national" means a natural person who is a national of a Party under its laws;

(i) the term "selling and marketing of air transport services" means opportunities for the air carrier concerned to sell and market freely its air transport services including all aspects of marketing such as market research, advertising and distribution. These activities do not include the pricing of air transport services nor the applicable conditions;

(j) the term "service supplier" means a person that supplies or seeks to supply a service;

Note: Where the service is not supplied or sought to be supplied directly by an enterprise but through its covered investments such as a branch or a representative office, the service supplier (*i.e.* the enterprise) shall, nonetheless, through such covered investments be accorded the treatment provided for service suppliers under this Chapter. Such treatment shall be extended to the covered investments through which the service is supplied or sought to be supplied and need not be extended to any other parts of the service supplier located outside the Area of a Party where the service is supplied or sought to be supplied.

(k) the term "supply of a service" includes the production, distribution, marketing, sale and delivery of a service; and

(l) the term "traffic rights" means the rights for scheduled and non-scheduled services to operate and/or to carry passengers, cargo and mail for remuneration or hire from, to, within, or over a Party, including points to be served, routes to be operated, types of traffic to be carried, capacity to be provided, tariffs to be charged and their conditions, and criteria for designation of airlines, including such criteria as number, ownership and control.

2. For the purposes of this Chapter, an enterprise is: