(m) a juridical person is:

(i) "owned" by natural or juridical persons of a Party if more than 50 per cent of the equity interest in it is beneficially owned by natural or juridical persons of that Party; and

(ii) "controlled" by natural or juridical persons of a Party if those natural or juridical persons have the power to name a majority of its directors or otherwise to legally direct its actions;

(n) "juridical person of a Party" means:

(i) for the European Union, a juridical person constituted or organised under the laws and regulations of the European Union or its Member States and engaged in substantive business operations[1] in the territory of the European Union; and

(ii) for Japan, a juridical person constituted or organised under the laws and regulations of Japan and engaged in substantive business operations in the territory of Japan;

Notwithstanding subparagraphs (i) and (ii), shipping companies established outside the European Union or Japan and controlled by nationals of a Member State of the European Union or of Japan, respectively, shall also be beneficiaries of the provisions of this Chapter if their vessels are registered in accordance with their respective legislation, in a Member State of the European Union or in Japan and fly the flag of that Member State of the European Union or of Japan;

(o) "measures by a Party" means measures adopted or maintained by:

(i) central, regional or local governments or authorities; and

(ii) non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities;

(p) "operation" means conduct, management, maintenance, use, enjoyment and sale or other form of disposal of an enterprise;

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[1] In line with its notification of the Treaty establishing the European Community to the WTO (WT/REG39/1), the European Union understands that the concept of "effective and continuous link" with the economy of a Member State of the European Union enshrined in Article 54 of the TFEU is equivalent to the concept of "substantive business operations".