

**Notice concerning the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part**

The Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part <sup>(1)</sup>, signed in Brussels on 30 October 2016, shall, pursuant to its Article 30.7.3, be provisionally applied as from 21 September 2017. By virtue of Article 1(1) of the Council Decision of 28 October 2016 on the provisional application of the Agreement, the EU does apply provisionally the Agreement, pending the completion of the procedures for its conclusion, subject to the following points:

- (a) only the following provisions of Chapter Eight of the Agreement (Investment) shall be provisionally applied, and only in so far as foreign direct investment is concerned:
- Articles 8.1 to 8.8,
  - Article 8.13,
  - Article 8.15, with the exception of paragraph 3 thereof, and
  - Article 8.16;
- (b) the following provisions of Chapter Thirteen of the Agreement (Financial Services) shall not be provisionally applied in so far as they concern portfolio investment, protection of investment or the resolution of investment disputes between investors and States:
- Paragraphs 3 and 4 of Article 13.2,
  - Article 13.3 and Article 13.4,
  - Article 13.9, and
  - Article 13.21;
- (c) the following provisions of the Agreement shall not be provisionally applied:
- Article 20.12,
  - Article 27.3 and Article 27.4, to the extent that those Articles apply to administrative proceedings, review and appeal at Member State level,
  - Paragraph 7 of Article 28.7;
- (d) the provisional application of Chapters 22, 23 and 24 of the Agreement shall respect the allocation of competences between the Union and the Member States.
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<sup>(1)</sup> OJ L 11, 14.1.2017, p. 23.