



CETA and the NEEI

Benefits and Opportunities

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Forward

The Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA) is a free-trade agreement between Canada, the EU, and its Member States. The agreement is designed to boost trade between the EU and Canada and thus create new jobs, facilitate business operations by abolishing customs duties, streamline goods checks, and eliminating various other restrictions to goods, services, and investments, facilitate mutual recognition of diplomas and regulate investment disputes by creating a new Investment Court System. CETA builds upon existing multi-lateral free trade agreements and incorporates articles of the General Agreement on Tariffs and Trade 1994 (GATT 1994) the EU and Canada were already parties to, including Articles III (national treatment) and XI (elimination of quantitative restrictions).

This paper summarizes the commitments made by the EU and Canada under CETA that target increased market access and reduce non-tariff barriers to trade that are **relevant to the non-energy extractive industries (NEEI)**. It does not attempt to distinguish between commitments in place under existing trade agreements, nor does it attempt to forecast the impact of CETA commitments on trade activity NEEI. It is to serve as a guide to NEEI stakeholders to understand the relevance, opportunities and benefits of all of CETA's commitments, whether new or existing.

The information in this guide contains information in summary form, current as of the date of publication, and is intended for general guidance only. It should not be regarded as comprehensive or as a substitute for legal advice. Readers of this guide are expected to use professional judgment and analysis in determining whether the guidance offered in this publication should be applied to particular circumstances.

Key Terms

CETA	Canada-European Union (EU) Comprehensive Economic and Trade Agreement
EU	European Union
GATS	The General Agreement on Trade in Services, contained in Annex 1B to the WTO Agreement.
GATT 1994	The General Agreement on Tariffs and Trade 1994, contained in Annex 1A to the WTO Agreement.
NEEI	Non-energy extractive industries
WTO	World Trade Organization

Executive Summary

CETA is a modern and progressive trade agreement that upholds and promotes values that Canada shares with EU Member States. It is a trade deal between Canada, the EU and its 28 Member States and the result of negotiations that began in 2009. This historic agreement was signed on October 30, 2016. It was approved by EU Member States, in the Council, in October 28, 2016 and the European Parliament on February 15, 2017 and Canada's CETA implementing legislation, Bill C-30 received Royal Assent on May 16, 2017. CETA provisionally came into force on September 21, 2017, bringing into effect its trade liberalisation and labour mobility provisions. Full application of CETA will come into force once each EU Member State has ratified the deal.

This paper provides a summary of commitments undertaken by the EU and Canada under CETA that aim to increase market access and reduce non-tariff barriers to trade in the NEEI. It is also a guide to NEEI stakeholders on the opportunities and benefits of CETA's commitments, irrespective of whether the commitment existed pre-CETA or not¹.

Impact

CETA will impact virtually all sectors of Canada-EU trade including those of the NEEI. Specifically, Canada and the EU (the Parties) have committed to remove tariffs, reduce non-tariff barriers, grant companies better effective access to each other's markets, and enhance overall cooperation in the sector.

1. Commitment to reduce tariffs and increase market access

CETA is structured around the principles of national treatment and non-discrimination. National treatment is a principle in CETA which means treating foreign (imported) goods, services and their suppliers, investors and their covered investments, no less favourably than domestic goods, services and their suppliers, investors and their investments with respect to the establishment, acquisition, expansion, conduct, operation, management, maintenance, use, enjoyment and sale or disposal of their investments in its territory. Under CETA, import duties on trade between the Parties will be eliminated and various restrictions on importation and exportation of goods, the supply of services, or investments between the Parties will be removed. This will lead to:

- Imports of (certain) raw materials from Canada into the EU may become cheaper as they will enjoy duty-free access to the EU market. This will also reduce input costs for European consumers of Canadian minerals and metals, including the EU's important manufacturing sector;

¹ As members of the WTO, Canada and the EU are already obligated to many of CETA's commitments under GATT 1994 and GATS. The intention of this paper is not to review the differences between GATT 1994/GATS and CETA but to highlight the rights and advantages to Canadian and European stakeholders in the NEEI that the combination of these agreements provide.

- Some equipment and machinery used in mining and exploration may also become cheaper with the removal of tariffs;
- CETA will establish greater transparency in the services market, resulting in better, more secure and predictable market access in areas relevant to the NEEI, including consulting geologists, engineering services, environmental services, and drilling contract services;
- EU and Canadian suppliers of goods and services will benefit from expanded access to public contracts as they pertain to NEEI related services;
- CETA seeks greater certainty, stability, transparency, and protection for NEEI investments, and to secure access for Canadian and European investors to each other's respective markets.

2. Commitment to remove non-tariff barriers to trade

Non-tariff barriers to trade restrict imports or exports of goods or services through mechanisms other than the imposition of tariffs. They may take the form of import subsidies, customs delays, or other measures preventing or impeding trade. Under CETA, the Parties have committed to streamline or eliminate a number of non-tariff barriers to trade, leading to:

1. Increased transparency and lower costs of complying with technical regulations and associated testing or certification requirements that differ between Canada and the EU;
2. Enhanced and simplified labour mobility;
3. Streamlined customs procedures, reduced transaction costs caused by outdated customs processes; and
4. Enhanced intellectual property rights and protection.

3. Commitment to enhanced cooperation in the NEEI

The Parties have agreed to engage in bilateral dialogue in raw materials to establish and maintain effective cooperation in this field. The dialogue aims to cover any relevant issue of mutual interest, for the benefit of stakeholders across the NEEI. For instance, it will provide a forum of discussion in the field of raw materials between the Parties, to contribute to market access for raw material goods and related services and investments and to avoid non-tariff barriers to trade for raw materials.

Stakeholders

In summary, a number of CETA commitments are relevant to the NEEI. Relevant commitments have been mapped against industry stakeholders groups (Table 1).

	CETA Commitment	Exporters of raw materials	Exporters of mining equipment and machinery	Service providers to the NEEI	NEEI Investors
1	Dialogue on raw materials	◆	◆	◆	◆
2	Removal of duties on goods	◆ ²	◆ ³	--	◆
3	Improved access for services	--	--	◆	◆
4	Increased protection for investors	--	--	--	◆
5	Streamlined product certifications	--	◆	--	--
6	Enhanced labour mobility	--	◆	◆	◆
7	Simplified customs procedures	◆	◆	--	◆
8	Access to public contracts	◆	◆	◆	

◆ Relevant commitment

Table 1: CETA commitment and benefit by stakeholder group

² For certain raw materials. Canadian exporters only

³ For select equipment and machinery

CETA commitments

CETA commitments and their relationship to CETA’s objectives and vision in the NEEI is depicted in Figure 1.



Figure 1: CETA objective, strategies, and commitments

A summary of CETA chapters that describe these commitments is included in Annex 1.

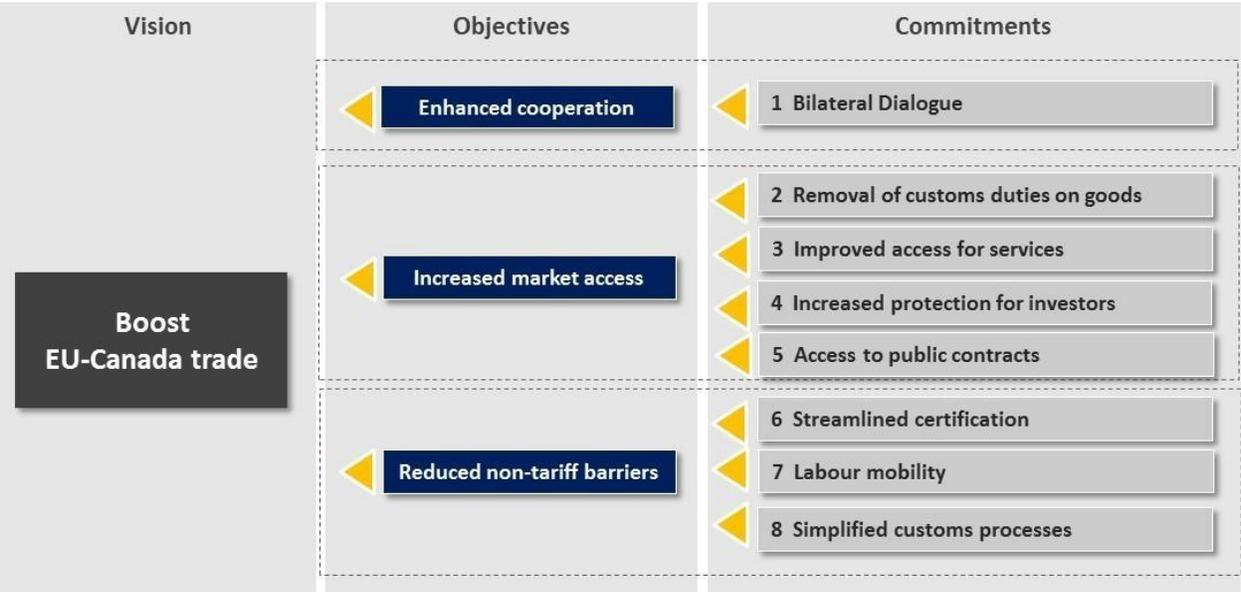


Figure 1: CETA objective, strategies, and commitments

1 Bilateral Dialogue on Raw Materials

Under CETA, the Parties have agreed to engage in bilateral dialogue in four sectors of common interest including biotechnology, forest products, science, technology, research and innovation, and raw materials. Chapter 25 of CETA outlines the objectives, principles, and focus areas of the bilateral dialogue on raw materials.

The Bilateral Dialogue on Raw Materials will serve as a forum to exchange views and discuss best practices on issues most relevant to the sector. This will lead to better cooperation in the field of raw materials. For example:

- Forum of discussion on cooperation in the field of raw materials between the Parties, to contribute to market access for raw material goods and related services and investments and to avoid non-tariff barriers to trade for raw materials;
- Exchange of information on best practices and around regulatory policy in areas relevant to raw materials;
- Corporate social responsibility; and
- Cooperation in relevant global fora.

CETA highlights – raw materials dialogue

The Bilateral Dialogue on Raw Materials will serve as a forum to exchange views and discuss best practices on issues most relevant to the sector. This will lead to better cooperation in the field of raw materials.

2 Trade of goods and materials

CETA looks to build upon the strong EU-Canada trade relationship in the NEEI. Europe, Canada's second largest export market for raw materials, imports approximately \$20 billion of Canadian raw materials annually⁴. Conversely, EU manufacturers account for the greatest share of mining equipment imports into Canada; worth an average annual value of \$700 million⁵. CETA commitments to benefit EU-Canada trade in raw materials and mining equipment and machinery include:

- A commitment to lower or eliminate tariffs;
- Mutual acceptance of results of conformity assessments;

⁴ Average over 2014 – 2016, NRCan <http://www.nrcan.gc.ca/mining-materials/publications/19310>

⁵ StatsCanada

- Lower costs through more efficient customs processes;
- Labour flexibility and mobility, and
- Enhanced intellectual property rights.

2.1 Implications to trade in raw materials

Under CETA, remaining tariffs on metals and minerals imported into the EU have been removed (Table 2). Prior to CETA, metals and minerals imported into Canada from the EU were eligible for duty-free entry into Canada.

EU tariff elimination under CETA	Pre CETA ⁶	Under CETA
Aluminum and aluminum products	10.0%	0.0%
Nickel and nickel products	3.3%	0.0%
Copper and copper products	5.2%	0.0%
Lead and lead products	5.0%	0.0%
Zinc and zinc products	5.0%	0.0%
Other non-ferrous metals ⁷	9.0%	0.0%
Other mineral products ⁸	3.0%	0.0%

Table 2: EU tariffs on minerals and metals, pre- and under CETA

CETA highlights – trade in raw materials

- Imports of (certain) raw materials from Canada into the EU may become cheaper as they will enjoy duty-free access to the EU market.

2.2 Implications to trade in mining equipment and machinery

2.2.1 Improve market access

Prior to CETA, all goods classified under headings 84.29 and 84.30 (mining related equipment) of the Harmonized Tariff System and Schedule to the Canadian Customs Tariff were eligible for duty-free entry into Canada, regardless of country of origin. The same was true for Canadian mining equipment and machinery imported into the EU.

⁶ Maximum tariff

⁷ Includes tungsten, tin, titanium, zirconium, cobalt

⁸ Includes sulfur, magnesia, lime

However, tariffs may have been in place on equipment used in developing and operating mines and processing facilities prior to CETA that are classified under other equipment headings. Under CETA, **100% of tariff lines on industrial goods including equipment and machinery for both sides will be fully eliminated**. It is estimated that the removal of these tariff lines is estimated to save EU exporters of equipment and machinery €470 million annually⁹, although not all of this is associated with mining related equipment or machinery.

CETA also reinforces existing market access commitments under GATT 1994 to accord **national treatment** to the goods of the other Party and to **not adopt or maintain any prohibition or restriction on the importation of any good of the other Party**¹⁰ with the incorporation of Articles III and XI of the GATT 1994 into the agreement.

2.2.2 Reduced non-tariff barriers to trade

Under a WTO Agreement on Technical Barriers to Trade (WTO TBT Agreement), Canada and the EU have already made a number of commitments with respect to the preparation, adoption and application of technical regulations, standards, and conformity assessment procedures, to avoid implementing measures that act as unnecessary obstacles to international trade. CETA incorporates and builds on the key provisions of the WTO TBT Agreement. It sets out provisions that help prevent and address disruptions created by regulations and associated testing or certification requirements in Canada and the EU. These provisions are aimed to ensure that technical regulations and standards are applied equally to products and goods originating in both Canada and the EU. Where differences in regulations or standards arise, the provisions of the TBT chapter seek to promote convergence of respective practices where possible.

Under CETA, the Parties have agreed on a **protocol of mutual acceptance of results of conformity assessment** across a number of equipment and machinery classifications that are relevant to NEEI manufactures, across drilling, blasting, loading, crushing, and processing processes including :

- electrical goods;
- electronic and radio equipment;
- machinery; and
- measuring equipment.

This means that, under certain circumstances, a conformity assessment body in the EU can test EU products for export to Canada according to Canadian standards/rules and vice versa. So, for

⁹ Source: European Trade Commission, Government of Canada, Business Sweden Research

¹⁰ or on the exportation or sale for export of any good destined for the territory of the other Party

example, an EU firm that wants to sell a drilling machine in Canada will only need to get its product tested once in Europe to obtain a certificate valid for Canada. This will avoid both sides doing the same test and could cut costs for both companies and consumers.

The Parties have **agreed to standardize and, where possible, automate procedures for the efficient release of goods**. For example, under CETA, goods will now be released at the first point of arrival and documentation requirements for the entry of low-value goods and pre-arrival processing will be simplified. These changes will reduce transaction costs on goods (e.g. drills, heavy mining equipment, and crushing equipment) as caused by customs processes.

Exporters of mining equipment and machinery will also benefit from CETA's temporary entry provisions. Under CETA, these companies will be able to **bring specialised service providers from Canada to the EU and vice versa more quickly and at lower cost**. Examples of specialised services include after sales and related services, support activities such as routine maintenance, or non-emergency service on original manufactured equipment.

Under CETA, each Party shall ensure that licensing requirements, qualification requirements, or licensing procedures it adopts or maintains are based on criteria that preclude the competent authority from exercising its power of assessment in an arbitrary manner. This means that regulations which the EU and Canada issue will be publicly available, easily understood, and reasonable. This commitment is aimed to ensure that **domestic regulations in the other territory do not act as an unfair barrier to trade and do not unduly complicate or delay the supply of a service or the pursuit of some other economic activities for EU or Canadian businesses**.

CETA highlights – trade in mining equipment and machinery

- Elimination of any remaining tariffs on imports of equipment and machinery will increase the competitiveness of Canadian and European equipment manufacturers.
- More efficient customs processes may reduce customs related transaction costs for exporters of mining and exploration equipment and machinery.
- Equipment and machinery manufacturing costs may decrease as a result of the conformity assessment protocol under which Canadian and European firms can sell goods to each other without having to undergo expensive and time consuming 'double testing'. Types of test include technical rules, regulations, health, safety, consumer protection or environmental standards.
- Exporters of mining equipment and machinery will be able to bring specialised service providers from Canada to the EU and vice versa more quickly and at lower cost. Examples of specialised services include: after sales and related services, support activities such as routine maintenance, or non-emergency service on original manufactured equipment.
- Expanded access to public contracts

3 Trade in services

Cross-border trade in services refers to the production, distribution, marketing, sale, and delivery of a service. Services differ from goods in that they involve the exchange of advice or expertise rather than tangible products. Examples of NEEI services are presented in Table 3.

<ul style="list-style-type: none">▪ Geophysical surveys and consulting▪ Mapping services▪ CSR advisers▪ Health and safety analytical laboratories services▪ Management consultants	<ul style="list-style-type: none">▪ Consulting geologists and engineers▪ Environmental services▪ Drilling contract services▪ Mining engineering and contracting	<ul style="list-style-type: none">▪ Bulk material handling equipment engineering services▪ Mineral processing services▪ Water treatment services
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Table 3: Consulting and Contracting Services to the NEEI

CETA makes it easier for EU individuals and companies in the NEEI to provide services to Canadian customers, and vice versa due to:

- MFN treatment;
- national treatment and market access obligations;
- simplified business travel;
- flexible temporary work permits;
- mutual professional qualification recognition; and
- expanded access to public contracts.

The extent to which service suppliers in the NEEI will benefit from CETA will depend on the type of service provided, existing regulatory and professional requirements, and jurisdiction.

3.1 MFN treatment

Under Article II of the GATS, Canada and the EU, as members of the WTO, are **held to extend to each other “treatment no less favorable than that accorded to like services and service suppliers of any other country”**. This commitment is reinforced in CETA.

3.2 National treatment and market access

Under CETA, Canada and the EU have committed to **extend national treatment and market access to services and service suppliers**. National treatment obliges each Party to treat service

suppliers of the other Party no less favorably than it treats its own service suppliers in like situations. Market access obligation prohibit the imposition of certain types of regulatory measures that would restrict the supply of services, for example:

- numerical limits on the number of service suppliers;
- the total value of services transactions or assets;
- the total number of service operations or the total quantity of service output; or
- total number of natural persons who may be employed in a certain service sector.

3.3 Facilitated business travel

Provisions to support the temporary entry of business persons (company personnel) form an integral part of CETA due to the important role that the mobility of highly-skilled business people plays in growing businesses and expanding trade. CETA's chapter on temporary entry specifically addresses administrative requirements at the border such as **labor market tests or other numerical limitations that can impose time delays and administrative costs on business employees of service providers entering Canada or the EU**. The agreement also **facilitates the provision of services once a border has been crossed**.

3.4 Flexible temporary work permits

CETA contains a number of entry permits that are differentiated in terms of their application to different types of business people, including service suppliers, independent professionals, and business visitors (see Annex 2). Service providers will enjoy the **legal certainty of a number of relevant permits for professionals who temporarily enter the EU or Canada to do business including short-term business visitors, contractual service suppliers, and independent professionals**.

Specific activities covered under the temporary work permits that relate to the NEEI include engineering services and integrated engineering services, manufacturing advisory and consulting services, mining including mining engineers, geological engineers, and land surveyors.

Note that under CETA, Canada and the EU may not, through numerical restrictions or economic needs tests, limit the number of contractual suppliers and independent professionals authorized for temporary entry

3.5 Recognition of Professional Qualifications

CETA outlines a framework that would allow Canada to recognize professional qualifications earned in the EU, and vice versa. This will enhance market access for foreign technical service providers (e.g.: land surveyors and geoscientists) **by allowing a professional from one Party to take up and pursue professional activities in the other Party irrespective of where that professional was trained or educated, or of any citizenship or residency requirements.** CETA also obligates the Parties to afford each other's recognized professionals treatment no less favorable than that provided to their domestic professionals.

3.6 Expanded access to public contracts

Government purchases of goods and services account for significant levels of total economic activity in both Canada and the EU. The EU's overall government procurement market alone is estimated at approximately \$3.3 trillion per year. Conversely, every year, Canada's federal government, provinces and municipalities buy goods and services worth over €30 billion from private companies. CETA expands access to this market. As Parties to the World Trade Organization Agreement on Government Procurement (GPA), Canada and the EU have already committed to rules regarding non-discrimination, impartiality and transparency in their procurement activities. However, these rules apply to limited procurement activities of governments in Canada and the EU. CETA builds upon those commitments by opening up competition to a much wider range of government procurement activities.

This means that in CETA, Canadian suppliers have, for the first time, **guaranteed and secure access to opportunities to supply their goods and services to EU regional and local governments**, as well as a wide range of entities operating in the utilities sector. Under CETA, Canada has committed to providing EU suppliers with guaranteed and secure access to sub-national procurement opportunities (e.g. provincial/territorial governments).

Providers of goods and services will benefit from this commitment to the extent that governments in Canada and the EU procure services in the NEEI.

CETA highlights – service providers in the NEEI

- National treatment extended to services
- Market access certainty and transparency
- Simplified business travel
- Flexible temporary work permits
- Recognition of professional qualifications
- Expanded access to public contracts

4 Investments and Investors

Investments form a substantial portion of the Canada-EU economic relationship. Direct investments by Canadian companies in the EU totalled \$232 billion in 2016, representing 22 percent of Canadian direct investments abroad. This includes \$15 billion of investment in mining assets. The same year, direct investments from European companies in Canada totalled \$247 billion, representing 30 percent of total foreign investments in Canada¹¹.

CETA seeks to facilitate increased investment between Canada and the EU in the NEEI by providing investors with greater certainty, stability, transparency, and protection for their investments, and to secure access for Canadian and European investors to each other's respective markets. These provisions are expected to have a positive impact on investment in mining and exploration projects.

4.1 Market access, MFN, National Treatment

The market access requirements of CETA **prohibit the Parties from imposing certain quantitative restrictions that may inhibit the ability of an investor to establish an investment.** Specifically, measures may not be adopted or maintained that restrict the number of enterprises that may carry out an economic activity, the total value of transactions or assets, the number of operations or the total quantity of output, or the number of individuals that may be employed in a particular sector. Additionally, there are disciplines on measures that restrict the forms of legal entity an enterprise may take, such as a requirement for a joint venture, or the participation of foreign equity.

¹¹ Global Affairs Canada

Under CETA, each Party shall accord to an investor of the other Party and to a covered investment:

- treatment no less favourable than the treatment it accords, in like situations to its own investors and to their investments with respect to the establishment, acquisition, expansion, conduct, operation, management, maintenance, use, enjoyment and sale or disposal of their investments in its territory – National Treatment.
- treatment no less favourable than the treatment it accords in like situations, to investors of a third country and to their investments with respect to the establishment, acquisition, expansion, conduct, operation, management, maintenance, use, enjoyment and sale or disposal of their investments in its territory – Most-Favoured Nation Treatment.
- This means that governments do not unfairly discriminate against foreign investors in the application of their laws and regulations and that the investors can benefit from any preferable treatment that the respective Party would have granted to a third country investor.

4.2 Transfers

CETA requires the Parties to **permit all transfers without restriction or delay and in a freely convertible currency**. These transfers include capital investments, profits, dividends, interest, capital gains, royalties, management fees, and other forms of returns derived from investments proceeds from sale or liquidation, and contract payments.

4.3 Temporary work permits

NEEI investors will benefit from the new investor category work permit that will make it be easier to bring in new C-suite level talent to a foreign entity in Canada / EU. The CETA Investor provisions **may be useful to some investors who are unable to otherwise qualify under another work permit category**. CETA will also encourage more job-creating investment in Europe by making it easier for Canadian firms to temporarily transfer their key staff to the EU. The same is true, of course, for EU firms setting up in Canada. CETA will also make it easier for them to send key staff to Canada for a limited period. That in turn will help EU companies expand.

4.4 New dispute resolution system

To provide increased protection to investments, CETA includes a dedicated mechanism designed to resolve disputes between governments and investors. This mechanism is referred to as the Investment Court System (ICS). It will effectively replace the investor-state arbitration provisions

in the eight existing bilateral investment agreements between EU Member States and Canada, once CETA is implemented¹².

The ICS is an independent permanent tribunal that will conduct dispute settlement proceedings. Rather than ad hoc arbitrators, a pool of fifteen arbitrators will be appointed by a joint committee with Canadian and EU representatives. Each arbitrator will serve a five- to ten-year term, and the pool will have five Canadian judges, five European judges and five judges from other countries.

CETA provides that submissions by the Parties and decisions of the tribunal will be publicly available. The ICS will work transparently by opening up hearings to the public and will publish documents submitted during cases. As a result, all interested parties, including non-governmental organizations and trade unions, will be able to make submissions related to disputes.

CETA highlights – investors in the NEEI

- The benefits coming from the investment provisions are expected to have a positive impact on mineral exploration and extractive industries' investment projects.
- Secures access for Canadian and European investors to each other's respective markets.
- Removes barriers to foreign investment, such as foreign equity caps or performance requirements.
- Allows EU investors to transfer their capital in Canada back to the EU, and vice versa.
- Puts in place transparent, stable and predictable rules governing investment.
- Guarantees that the governments will treat foreign investors fairly.
- Sets up a new dispute resolution system to enable investors to resolve investment disputes with governments quickly and fairly.
- Investors will benefit from the new investor category work permit that will make it be easier to bring in new C-suite level talent to a foreign entity in Canada / EU. The CETA Investor provisions may be useful to some investors who are unable to otherwise qualify under another work permit category.

¹² Investment protection provisions including new dispute resolution system are not provisionally applied pending MS ratification. CETA does not privilege recourse to the investment court system set up by the agreement. Investors may choose instead to pursue available recourse in domestic courts.

Annex 1: Summary of CETA Chapters

Ch.	Name	Relevance
2	National Treatment and Market Access for Goods	Commitment to provide comprehensive access for goods and to treat imported products (Canada into the EU, or EU into Canada) no less favorably than similar goods produced domestically.
4	Technical Barriers to Trade	As tariffs are eliminated, technical regulations and standards relating to products may serve for countries as means of blocking imports. To avoid this, CETA provisions aim to ensure that technical regulations and standards are applied equally to products and goods originating in both Canada and the EU. Where differences in regulations or standards arise, Canada and the EU seek to promote convergence.
6	Customs and Trade Facilitation	Streamlined and efficient border measures to expedite the movement of goods and reduce transaction costs caused by customs processes.
8	Investment	Secure access for Canadian and European investors to each other's respective markets and provide investors with greater certainty, stability, transparency, and protection for their investments.
9	Cross-Border Trade in Services	Liberalization of the services market including the application of national treatment and MFN obligations for services.
10	Temporary Entry and Stay Of Natural Persons For Business Purposes	Enabled mobility of highly skilled business people through elimination or reduction in temporary entry restrictions.
11	Mutual recognition of Professional Qualifications	Streamlined process for the mutual recognition of professional qualifications recognized between Canadian and EU regulators and/or professional bodies.
12	Domestic Regulation	Ensuring that licensing and qualification requirements and procedures in Canada and the EU are transparent, objective, fair, and timely.
19	Government Procurement	Guaranteed and secure access to opportunities to supply goods and services to EU regional and local governments, as well as a wide range of entities operating in the utilities sector and vice versa.
25	Bilateral Dialogue on Raw Materials	The dialogue on raw materials provides a forum to discuss issues relating to market access for raw materials, including metal and mineral products, as well as related services and investments. This facilitates the exchange of information regarding best practices concerning regulatory policies in these areas. The dialogue is also designed to encourage activities that support corporate social responsibility.

Table 4: CETA chapters relevant to the NEEI

Annex 2: CETA’s short-term work permits

The table provides an overview of CETA’s short-term work permits.

	Business Visitors		Professionals		Intra-Company Transferee	Investor
	Short-term business visitors	Business visitors for investment purposes	Contractual service suppliers	Independent professionals		
Description	A person from Jurisdiction A ¹³ who comes to Jurisdiction B ¹⁴ for business activities without directly entering the labor market.	An employee in a managerial or specialist position of a company from Jurisdiction A who is responsible for setting up an enterprise in Jurisdiction B ¹⁵ .	An employee of an enterprise located in Jurisdiction A has a contract to supply a service to a company in Jurisdiction B. The enterprise cannot have an establishment in Jurisdiction B.	Citizens of Jurisdiction A who wish to enter Jurisdiction B in order to provide professional services directly to a client in Jurisdiction B.	A qualified employee of a company of jurisdiction A that is temporarily transferred to an office of that same company in Jurisdiction B.	A person from Jurisdiction A who establishes or administers the operation of an investment in Jurisdiction B in a capacity that is supervisory or executive ¹⁶ .
Example activities ¹⁷	Meetings and consultations; after-sales or after-lease service; marketing research.	Set up a subsidiary or branch office of their foreign employer.	Engineering services and integrated engineering services, manufacturing advisory and consulting services, mining including mining engineers, geological engineers, and land surveyors.		Improve management effectiveness, enhance competitiveness.	Establishes, develops, or administers the operation of an investment.
Duration of stay	Aggregate of ninety days in any six-month period.		A maximum cumulative period of twelve months during any twenty-four-month period or for the duration of the contract, whichever is less ¹⁸ .		Three years for senior personnel, one year for a graduate ¹⁹ .	Max initial period of stay is one year with extensions possible ²⁰ .

Table 5: Description of short-term work permits, by category, under CETA

¹³ Canada or the EU

¹⁴ Canada or the EU

¹⁵ And does not engage in direct transactions with the general public and will not receive remuneration from a Jurisdiction B source

¹⁶ And to which that person has committed a substantial amount of capital

¹⁷ The full detailed list of permissible activities for business visitors can be found in Annex 10-D of CETA. Annex 10-E of the CETA provides a list of service sectors that will apply to contractual service suppliers and independent professionals

¹⁸ However, their work permits may be extended, at the discretion of the officer assessing the application, provided that the necessary documentary evidence has been submitted by the applicant to support the request. In other words, there is no maximum duration imposed on CETA Professional work permits.

¹⁹ They may also seek an extension of up to eighteen months, at the immigration officer’s discretion, if the applicant is able to provide documentation that satisfies the processing officer of their need to have their stay extended. Graduate trainees may be admitted for an initial period of one year or the length of the contract, whichever is less. They are not permitted to seek extensions of their work permits.

²⁰ Work permit extensions are possible if the applicant is able to provide documentation that satisfies the processing officer of their need to have their stay extended. In other words, there is no maximum duration imposed on CETA investor work permits.