



The Trade, Investment, and Labour Mobility Agreement

*Presentation to the ICBA
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December 3, 2009*





Background

- Barriers to trade within Canada
- Regional Agreements (e.g. Western Accord)
- Agreement on Internal Trade (AIT)
- Ineffectiveness of AIT
- Creation of the TILMA



Quick History

- **October 2003:** Alberta and B.C. signed the Protocol of Cooperation
- **After which** the two provinces entered into negotiations to improve trade, investment and labour mobility
- **April 28, 2006:** Alberta and B.C. signed the TILMA
- **April 1, 2007:** The TILMA enters into force
- **April 1, 2009:** Fully implemented



Architecture of TILMA

- Scope and Coverage
- General Rules
- Special Provisions
- Exceptions/Legitimate Objectives
- Dispute Resolution



Scope and Coverage

- Government entities defined broadly
 - Ministries, agencies, boards, councils...or similar agencies of government
 - Crown corporations, government owned commercial enterprises
 - Municipalities and entities owned or controlled by them
 - School boards, publicly funded academic, health and social service entities
 - Non-governmental bodies exercising authority delegated by law



General Rules

- No Obstacles
- Non-Discrimination
- Transparency
- Standards and Regulations



Special Provisions

- Investment
- Business Subsidies
- Labour Mobility
- Energy
- Procurement
- Transportation



Dispute Resolution

- Architecture
- Dispute Avoidance
- Consultations
- Panel
- Compliance Panel
 - Enforceable
 - Monetary Penalties
- Rules of Procedure – adopts UNCITRAL Rules except where expressly amended



Exceptions/Legitimate Objectives

- Exceptions:
 - General
 - Party-specific
- Legitimate objectives



Implementation

- Standards and Regulations
- Labour Mobility



Implementation

- Bid Protest Mechanism
- Energy
- Credit Unions



Questions:

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