

# ***Trade, Investment and Labour Mobility Agreement***

## **THIRD PROTOCOL OF AMENDMENT**

The Governments of British Columbia and Alberta, Parties to the *Trade, Investment and Labour Mobility Agreement* (the “**Agreement**”), hereby agree to make the following amendments to the Agreement:

### **1. PART II: C. Special Provisions**

#### 1.1 Article 9 : Transitional Measures

Delete the existing paragraph and replace with the following:

- “ 1. With the exception of this Article, measures listed in Appendix I are not subject to Parts II and IV, except as otherwise provided therein.
2. The Ministerial Committee shall oversee any consultations and negotiations relating to Appendix I and approve any amendments related thereto.
3. Parties shall:
- a) ensure that no measure listed in Appendix I is amended or renewed in a manner that would decrease its consistency with this Agreement; and
  - b) seek to minimize any adverse effects on the other Party or its persons of measures listed in Appendix I.
4. A Party may, of its own accord, remove any of its measures listed in Appendix I.
5. Additional measures may be added to Appendix I only by mutual consent of the Parties.”

#### 1.2 Article 14: Procurement

In paragraph 1:

- a. remove the “and” at the end of a);
- b. renumber b) as c); and
- c. add the following as b):

“Crown Corporations, government owned commercial enterprises, and other entities that are owned or controlled by the Party through ownership interest where the procurement value is:

- (i) \$25,000 or greater for goods;
- (ii) \$100,000 or greater for services; or
- (iii) \$100,000 or greater for construction; and”.

### **2. Appendices**

Replace Appendix I in its entirety with Schedule A to this Protocol of Amendment.

## **APPROVAL OF THE THIRD PROTOCOL OF AMENDMENT**

The amendments to the Agreement contained in this Protocol are effective as of April 1, 2009, subject to the prior exchange of written notifications certifying the completion of each Party's internal approval procedures.

**SCHEDULE A**

**APPENDIX I**  
**TRANSITIONAL MEASURES**

**BOTH PARTIES**

**Credit Unions**

1. Subject to Article 9(3), until April 1, 2010, the Agreement does not apply to any measure of Alberta or British Columbia in effect on April 1, 2009 relating to credit unions.

**BRITISH COLUMBIA**

**Procurements by Crown Corporations, government owned commercial enterprises, and other entities that are owned or controlled by the Party through ownership interest**

1. The Agreement applies to procurements by British Columbia Crown Corporations, government owned commercial enterprises, and other entities that are owned or controlled by the Party through ownership interest subject to the following:
  - (a) Until April 1, 2010, the following thresholds apply to such procurements in substitution of the thresholds specified in Article 14(1)(b):
    - (i) \$250,000 or greater for goods;
    - (ii) \$250,000 or greater for services; and
    - (iii) \$2,500,000 or greater for construction.
  - (b) After April 1, 2010 the thresholds specified in Article 14(1)(b) apply to such procurements.