

3. Canada shall notify Ukraine six months in advance of any modification to its declaration.

4. Canada may not request information or send a notification under Article 12.14, or request consultations under Article 12.21.4, at the instance of the government of a province not included in the declaration made under paragraph 1.

Chapter 13: Labour

Article 13.1: Definitions

For the purposes of this Chapter:

labour law means laws and regulations that implement and protect the labour principles and rights set out in Article 13.3;

persistent pattern means a sustained or recurring course of action or inaction beginning after the date of entry into force of this Agreement, but does not include a single instance or case;

person means a natural person, an enterprise, or an organization of employers or workers;

province means a province of Canada, and includes the Yukon, the Northwest Territories, and Nunavut, and their successors;

trade-related means related to trade or investment covered by this Agreement, provided that this term shall not be interpreted as including the public sector.

Article 13.2: Shared Commitments

The Parties affirm their obligations as members of the International Labour Organization (ILO) and their commitments to the *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up of 1998*, adopted by the International Labour Conference at its 86th Session (ILO 1998 Declaration), as well as the *ILO Declaration on Social Justice for a Fair Globalization of 2008*, adopted by the International Labour Conference at its 97th Session (ILO 2008 Declaration).

Section A – Obligations

Article 13.3: General Commitments

1. Each Party shall ensure that its labour law and practices embody and provide protection for the following internationally recognized labour principles and rights, particularly bearing in mind their commitments as members of the ILO to the ILO 1998 Declaration:

- (a) freedom of association and the effective recognition of the right to collective bargaining;
- (b) the elimination of all forms of forced or compulsory labour;
- (c) the effective abolition of child labour and, for the purposes of this Chapter, a prohibition on the worst forms of child labour;
- (d) the elimination of discrimination in respect of employment and occupation;
- (e) acceptable minimum employment standards, such as minimum wages and overtime pay, for wage earners, including those not covered by collective agreements;
- (f) the prevention of occupational injuries and illnesses, and compensation in cases of injuries or illnesses; and
- (g) non-discrimination in respect of working conditions for migrant workers.

2. To the extent that the principles and rights stated above relate to the ILO, paragraphs (a) to (d) refer only to the ILO 1998 Declaration, whereas paragraphs (e), (f), and (g) refer to the ILO's Decent Work Agenda.

Article 13.4: Non-Derogation

A Party shall not, as a means to encourage trade or investment, waive or otherwise derogate from, or offer to waive or otherwise derogate

from, its labour law in a manner that weakens or reduces adherence to the internationally recognized labour principles and rights referred to in Article 13.3.

Article 13.5: Government Enforcement Action

1. Each Party shall, subject to Article 13.17, promote compliance with and effectively enforce its labour law through appropriate government action, such as:

- (a) establishing and maintaining an effective labour inspection regime, including by developing responsible bodies and appointing and training inspectors;
- (b) monitoring compliance and investigating suspected violations, including through on-site inspections;
- (c) requiring record keeping and reporting;
- (d) encouraging the establishment of worker-management committees to address the regulation of labour in the workplace;
- (e) providing or encouraging mediation, conciliation and arbitration services; and
- (f) initiating, in a timely manner, proceedings to seek appropriate sanctions or remedies for violations of its labour law.

2. Each Party shall ensure that its competent authorities give due consideration, in accordance with its law, to any request by an employer, employee, or their representatives, or other interested person, for an investigation of an alleged violation of that Party's labour law.

Article 13.6: Private Action

Each Party shall ensure that a person with a recognized interest under its labour law in a particular matter has appropriate access to administrative or tribunal proceedings, which can enforce and give effect to the rights protected by that law, including by granting effective remedies for any breaches of that law.

Article 13.7: Procedural Guarantees

1. Each Party shall ensure that proceedings referred in Article 13.5.1(b), Article 13.5.1(f) and Article 13.6 are fair, equitable and transparent, and to this end each Party shall provide that:

- (a) proceedings are conducted by decision-makers who are impartial and independent, and do not have an interest in the outcome of the matter;
- (b) parties to the proceedings are entitled to support or defend their respective positions, and to present information or evidence;

- (c) decisions are based on information or evidence presented by the parties to the proceedings and final decisions on the merits of each case are in writing;
- (d) proceedings are open to the public, except when the law and the administration of justice require otherwise; and
- (e) proceedings are free and expeditious, or at least do not entail unreasonable fees or delays, and the time limits do not impede exercise of the rights.

2. Each Party shall provide that parties to these proceedings have the right, pursuant to its legislation, to seek review and correction of decisions issued in these proceedings.

Article 13.8: Public Information and Awareness

1. Each Party shall ensure that its labour law, as well as regulations, procedures and administrative rulings of general application respecting any matter covered by this Chapter are promptly published or otherwise made available in a manner that enables any interested person and the other Party to become acquainted with them.

2. When required by its law, each Party shall:

- (a) publish in advance any measure that it proposes to adopt;
and
- (b) provide any interested person with a reasonable opportunity to comment on these proposed measures.

3. Each Party shall promote public awareness of its labour law, including by:

- (a) ensuring the availability of public information related to its labour law and enforcement and compliance procedures; and
- (b) encouraging education of the public regarding its labour law.

Section B – Institutional Mechanisms

Article 13.9: Labour Ministerial Council

1. The Parties hereby establish a Labour Ministerial Council (Council) composed of Ministers responsible for labour affairs of the Parties, or their designees.

2. The Council shall meet within the first year after the date of entry into force of this Agreement and thereafter as often as it considers necessary, to discuss matters of common interest, and oversee the implementation of, and review progress under, this Chapter. The

Council may hold joint meetings with other Councils established under similar agreements.

3. Unless the Parties decide otherwise, each meeting of the Council shall include a session during which members of the Council have an opportunity to meet with the public to discuss matters relating to the implementation of this Chapter.

4. The Council may consider any matter within the scope of this Chapter and take any other action in the exercise of its functions, including:

- (a) establishing and assigning responsibilities to committees, working groups, or expert groups; and*
- (b) seeking the advice of independent experts.*

5. The Council shall review the operation and effectiveness of this Chapter, including the degree to which progress has been made in implementing the objectives of this Chapter, within five years after the date of entry into force of this Agreement and thereafter within any other period as may be decided by the Council. Unless otherwise agreed, this review:

- (a) shall be conducted by one or more independent experts subject to the availability of resources. The Parties shall make every*

effort to decide on the selection of the expert or experts, and shall cooperate with the expert or experts in the preparation of the report;

- (b) shall include a literature review and consultation with the members of the public, including representatives of labour and business organizations, as well as an opportunity for the Parties to provide comments;*
- (c) shall make recommendations for the future; and*
- (d) shall be concluded within 180 days of its commencement and made public 30 days thereafter.*

Article 13.10: National Mechanisms

1. Each Party may convene a new, or consult an existing, national labour advisory or consultative committee, composed of members of its public, including representatives of its labour and business organizations, to provide views on any issue related to this Chapter.

2. Each Party shall establish an office or designate an existing office within its ministry responsible for labour affairs that shall serve as a National Administrative Office (NAO), and provide to the other Party its contact information through diplomatic channels.

3. The NAO shall serve as a point of contact with the other Party and perform the functions assigned by that Party or the Council, as well as:

- (a) coordinate cooperative programs and activities pursuant to Article 13.11;
- (b) receive and review public communications pursuant to Article 13.12; and
- (c) provide information to the other Party, a Review Panel established under Article 13.15, and the public.

Article 13.11: Cooperative Activities

1. The Parties may develop a plan of action for cooperative labour activities for the promotion of the objectives of this Chapter. To the extent possible, those activities shall be linked to any recommendation in any Council report referred to in Article 13.9. An indicative list of areas of possible cooperation between the Parties is set out in Annex 13-A to this Chapter.

2. In carrying out the plan of action, the Parties may, commensurate with the availability of resources, cooperate through:

- (a) seminars, training sessions, working groups and conferences;
- (b) joint research projects, including sector studies; and

- (c) other means by which the Parties may decide.

3. The Parties shall carry out the cooperative activities with due regard to the differences that exist with respect to each Party's national conditions, circumstances and needs, including with respect to their economies, their social and cultural traditions and their legal framework.

Article 13.12: Public Communications

1. Each Party shall provide for the submission and receipt of public communications on labour law matters that:

- (a) are raised by a national of the Party or by an enterprise or organization established in the territory of the Party;
- (b) arise in the territory of the other Party; and
- (c) pertain to any matter related to this Chapter.

2. Each Party shall review these matters, as appropriate, in accordance with domestic procedures, and notify the public of communications accepted for review within 30 days of acceptance.

Article 13.13: General Consultations

1. The Parties shall at all times endeavour to come to an understanding on the interpretation and application of this Chapter.

2. The Parties shall make every attempt, including through cooperation, consultations, and the exchange of information, to address any matter that might affect the operation of this Chapter.
3. A Party may request consultations with the other Party regarding any matter arising under this Chapter by delivering a written request to the NAO of the other Party.
4. If the Parties fail to resolve the matter, the requesting Party may use the procedures provided under Article 13.14.

Section C – Procedures for Labour Consultations and Dispute Settlement

Article 13.14: Ministerial Consultations

1. A Party may request, in writing, consultations with the other Party at the ministerial level regarding any obligation under this Chapter. The Party that is the subject of the request shall respond within 60 days of receipt of the request, or within any other period that the Parties may decide. The Parties shall be represented by the Council established under Article 13.9.
2. To facilitate discussion of a matter under consideration and assist in arriving at a mutually satisfactory resolution:

- (a) each Party shall provide the other Party with sufficient information in its possession to allow a full examination of the matter raised, subject to a requirement in its law regarding the confidentiality of personal and commercial information; and
- (b) each Party may call upon one or more independent experts to prepare a report on a matter referred to in this Article. The Parties shall make every effort to decide on the selection of the expert or experts, and shall cooperate with the expert or experts in the preparation of the report. Any report shall be made public within 60 days of its receipt by the Parties.

3. Ministerial consultations shall be concluded no later than 180 days after the receipt of the request unless the Parties decide on another date.

Article 13.15: Establishment and Conduct of a Review Panel

1. Following the conclusion of Ministerial Consultations, the Party that requested the consultations may request, in writing, that a Review Panel be established if that Party considers that:

- (a) the matter is trade-related; and
- (b) the other Party has failed to comply with an obligation under this Chapter through:

- (i) a failure to comply with an obligation under Article 13.3 or Article 13.4 to the extent that they refer to the ILO 1998 Declaration; or
- (ii) a persistent pattern of failure to effectively enforce its labour law through appropriate government action, private action, procedural guarantees, or public information and awareness.

2. Unless the Parties decide otherwise, a Review Panel composed of three independent experts, including a chairperson who is not a national of either Party, shall be established in a manner consistent with the criteria and procedures set out in Annex 13-B.

3. Unless the Parties decide otherwise, the Review Panel shall perform its functions in accordance with the provisions of this Part, Annex 13-B and the Model Rules of Procedure to be established by the Parties further to Annex 13-B. The Review Panel:

- (a) shall determine, within 30 days of confirmation of its terms of reference, whether the matter is trade-related and cease its functions if it determines that the matter is not trade-related;
- (b) shall provide the Parties with sufficient opportunity to make written and oral submissions to the Review Panel;

- (c) may consider written submissions and any other information sought or received from organizations, institutions, the public and persons with relevant information or expertise; and
- (d) shall hold proceedings that are open to the public, except to the extent necessary to protect information in accordance with Article 13.19 and the Model Rules of Procedure.

Article 13.16: Review Panel Reports and Determinations

1. The Review Panel shall present to the Parties a report that:

- (a) makes findings of fact;
- (b) addresses the submissions and arguments of the Parties and any relevant information considered pursuant to Article 13.15.3(c);
- (c) determines whether the Party that is the subject of the review has failed to comply with an obligation under Article 13.3 or Article 13.4 to the extent that they refer to the ILO 1998 Declaration or a persistent pattern of failure to effectively enforce its labour law through appropriate government action, private action, procedural guarantees, public information and awareness, or any other determination requested in the terms of reference; and

- (d) makes a recommendation for resolution of any non-compliance determined under sub-paragraph (c), which normally shall be that the Party that is the subject of the review adopt and implement an action plan sufficient to remedy the pattern of non-compliance.

2. The Review Panel shall present its initial report to the Parties within 120 days after the last panellist is selected unless the Review Panel extends the time period by up to a further 60 days or the Model Rules of Procedure to be established by the Parties further to Annex 13-B provide otherwise. If the Review Panel extends the time period, it shall first give written notice to both Parties setting out the reasons for the extension of time.

3. Each Party may submit written comments to the Review Panel on its initial report within 30 days of presentation of the report or within any other period as the Parties may decide. After considering these written comments, the Review Panel, on its own initiative or at the request of either Party, may reconsider its report and make any further examination that it considers appropriate.

4. The Review Panel shall present to the Parties a final report within 60 days of the presentation of the initial report, unless the Parties

decide otherwise. The final report shall be made public within 60 days of its receipt by the Parties.

5. If, in the final report, a Review Panel determines that there has been non-compliance within the meaning of sub-paragraph 1(c), the Parties may develop, within the following 90 days, or any longer period as they may decide, a mutually satisfactory action plan to implement the Review Panel's recommendations.

6. Following the expiry of the period set out in paragraph 5, if the Parties are unable to decide on an action plan, or the Party that is the subject of the review is failing to adopt or implement the action plan according to its terms, the requesting Party may request in writing that the Review Panel be reconvened with a view to determining whether or not a monetary assessment needs to be set and paid in accordance with Annex 13-C.

Section D – General Provisions

Article 13.17: Enforcement Principle

This Chapter does not empower a Party's authorities to undertake any action aiming at labour law enforcement in the territory of the other Party.

Article 13.18: Private Rights

A Party shall not provide for a right of action under its law against the other Party on the ground that the other Party has acted in a manner inconsistent with this Chapter.

Article 13.19: Protection of Information

1. A Party that receives information identified by the other Party as confidential or proprietary information shall protect such information as confidential or proprietary.

2. A Review Panel that receives confidential or proprietary information under this Chapter shall protect it in accordance with the Model Rules of Procedure to be established by the Parties further to Annex 13-B.

Article 13.20: Cooperation with International and Regional Organizations

The Parties may establish a cooperative arrangement with the ILO, or any other competent international or regional organization to draw on their expertise and resources to achieve the objectives of this Chapter.

Article 13.21: Review

The provisions of this Chapter shall be reviewed pursuant to Article 19.2 (Review Clause).

Annex 13-A: Cooperative Activities

1. The Parties have established the following indicative list of areas for cooperative activities that they may develop pursuant to Article 13.11:

- (a) information sharing: exchanging of information and sharing of best practices on issues of common interest and on relevant events, activities, and initiatives organized in their respective territories;*
- (b) international forums: cooperation within international and regional forums such as the ILO on labour-related issues;*
- (c) fundamental rights and their effective application: legislation and practice related to the core elements of the ILO 1998 Declaration (freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation);*
- (d) worst forms of child labour: legislation and practice related to compliance with the ILO Convention concerning the Prohibition*

and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182), done at Geneva, on 17 June 1999;

- (e) labour administration: institutional capacity of labour administrations and tribunals;
- (f) labour inspectorates and inspection systems: methods and training to improve the level and efficiency of labour law enforcement, strengthen labour inspection systems, and help ensure compliance with labour laws;
- (g) labour relations: forms of cooperation and dispute resolution to ensure productive labour relations among workers, employers, and governments;
- (h) working conditions: mechanisms for supervising compliance with legislation pertaining to hours of work, minimum wages and overtime, and employment conditions;
- (i) occupational safety and health: prevention of occupational injuries and illnesses;
- (j) gender: gender issues, including the elimination of discrimination in respect of employment and occupation;
- (k) informal economy: facilitating transition from the informal to the formal economy; and
- (l) any other matter that the Parties may decide.

2. In identifying areas for labour cooperation and capacity building, and in carrying out cooperative activities, each Party may consider the views of its worker and employer representatives, as well as those of other members of the public.

Annex 13-B: Procedures Related to Review Panels

Qualifications of Panellists

1. Each Panellist shall:

- (a) be chosen on the basis of expertise in labour matters or other appropriate disciplines, objectivity, reliability and sound judgment;
- (b) be independent of, and not be affiliated with or take instructions from, either Party; and
- (c) comply with a code of conduct to be established by the Parties pursuant to this Annex.

2. If either Party believes that a panellist is in violation of the Code of Conduct, the Parties shall consult and, if they decide that the panellist shall be removed, a new panellist shall be selected in accordance with the procedures set out in paragraph 4 or 5 that were used to select the panellist who was removed. The time limits shall run from the date of the removal of the panellist. The Model Rules of Procedure may

provide procedures for resolving the situation if the Parties cannot decide.

3. Individuals shall not serve as panellists with respect to a review in which they have an interest, or if a person or organization with which they are affiliated has an interest.

Review Panel Selection Procedures

4. For the purposes of selecting a panellist, the following procedures shall apply:

- (a) within 20 days of the receipt of the request for the establishment of a Review Panel under Article 13.15.1, each Party shall select one panellist; and*
- (b) if one Party fails to select its panellist within this period, the other Party shall select the panellist from among qualified individuals who are nationals of the Party that has failed to select its panellist.*

5. For the purposes of selecting the chairperson, the following procedures shall apply:

- (a) the Party that is the subject of the review shall provide the Party that made the request with the names of three individuals who it considers to be qualified to be the chairperson. The names*

shall be provided no later than 20 days after the receipt of the request for the establishment of the Review Panel under Article 13.15.1;

- (b) the requesting Party may choose one of the individuals to be the chairperson or, if the names were not provided or none of the individuals is acceptable, provide the Party that is the subject of the review with the names of three individuals who it considers to be qualified to be the chairperson. Those names shall be provided no later than five days after receiving the names under sub-paragraph (a) or 25 days after the receipt of the request for the establishment of the Review Panel; and
- (c) the Party that is the subject of the review may choose one of the three individuals to be the chairperson, no later than five days after receiving the names under sub-paragraph (b), failing which either Party shall immediately request the Director General of the International Labour Office to appoint a chairperson within 25 days.

Conduct of the Review Panel

6. The Parties shall, within one year after the date of entry into force of this Agreement, establish Model Rules of Procedure, that shall be used for the establishment and conduct of proceedings under Section

C. The Model Rules of Procedure shall include a code of conduct for the purposes of paragraph 1 and rules for the protection of information under Article 13.19.

7. The Parties shall determine a separate budget for each set of Review Panel proceedings under this Chapter. The Parties shall contribute equally to the budget, unless they decide otherwise.

8. Unless the Parties decide otherwise, within 30 days of the establishment of the Review Panel, the terms of reference shall be:

- “To examine, in light of the relevant provisions of this Chapter, whether the Party that is the subject of the request has, in a trade-related matter, failed to comply with its obligations under Article 13.3 or Article 13.4 to the extent that they refer to the ILO 1998 Declaration, or engaged in a persistent pattern of failure to effectively enforce its labour law through appropriate government action, private action, procedural guarantees, or public information and awareness, and to make a finding, determination, and recommendation in accordance with paragraph 1 of Article 13.16.”*

9. For a determination under Article 13.15.3(a) whether the matter is trade-related, the requesting Party has the onus of establishing that the matter is trade-related. For a determination under Article

13.16.1(c) whether the Party that is the subject of the request has failed to comply with its obligations, the requesting Party has the onus of establishing that non-compliance, and its case may be supplemented by any other information provided under Article 13.15.3(c).

10. A Review Panel shall not release the final report other than to the Parties. A Panellist may furnish a separate opinion on a matter not unanimously agreed. A Review Panel, however, shall not disclose which panellists are associated with a majority or minority opinion.

Annex 13-C: Monetary Assessments

1. The Review Panel shall reconvene as soon as possible after delivery of the request pursuant to Article 13.16.6. Within 90 days after being reconvened, the Review Panel shall determine whether the terms of the action plan have been implemented or the non-compliance remedied.

2. In the event of a negative determination under paragraph 1, and at the request of the requesting Party under Article 13.16.6, the Review Panel shall provide a monetary assessment payable on an annual basis, that reflects a determination of the estimated costs of implementing the action plan, or in the absence of an action plan,

other appropriate measures to remedy the non-compliance provided that:

- *(a) the Review Panel may adjust the assessment to reflect:*
 - *(i) any mitigating factors, such as good faith efforts made by the Party to begin remedying the non-compliance after the final report of the Review Panel, good faith reasons for the Party's failure to comply with its obligations, or a real likelihood that the cost of the assessment would have a negative impact on vulnerable members of society;*
 - *(ii) any aggravating factors, such as the pervasiveness and duration of the Party's failure to comply with its obligations; or*
 - *(iii) the Party's national conditions, circumstances and needs; and*
- *(b) in no circumstances shall the monetary assessment exceed \$15 million U.S. dollars annually, or its equivalent in the currency of the Party that is the subject of the review, adjusted to the rate of inflation of that Party.*

3. Unless the Council decides otherwise, a monetary assessment shall be paid to the requesting Party. When the circumstances warrant, the Council may decide that an assessment shall be paid into an

interest-bearing account designated by the Council and shall be expended at the direction of the Council to implement the action plan or other appropriate measures.

4. After the expiry of 90 days from the date on which the Review Panel determines the amount of the monetary assessment under paragraph 2, the requesting Party may provide the Party that is the subject of the review with a notice in writing demanding payment of the monetary assessment. The monetary assessment shall be paid in equal quarterly instalments, beginning 120 days after the requesting Party provides the notice, and ending upon a decision of the Parties, or upon the date of any Review Panel determination under paragraph 5.

5. If the Party that is the subject of the review considers that it has eliminated the non-compliance, it may refer the matter to the Review Panel by providing written notice to the requesting Party. The Review Panel shall be reconvened within 60 days of that notice and issue its report within 90 days thereafter.

6. In Canada, the procedures for enforcement of the monetary assessment resulting from a Review Panel determination under paragraph 2 shall be the following:

- (a) Ukraine may file in a court of competent jurisdiction a certified copy of a Review Panel determination only if Canada has failed to comply with the terms of a notice provided under paragraph 4 within 180 days of it being provided;
- (b) when filed, the Review Panel determination, for purposes of enforcement, shall become an order of the court;
- (c) Ukraine may take proceedings for enforcement of a Review Panel determination that is made an order of the court, in that court, against the person in Canada against whom the Review Panel determination is addressed in accordance with paragraph 4 of Annex 13-D;
- (d) proceedings to enforce a Review Panel determination that has been made an order of the court shall be conducted in Canada by way of summary proceedings, provided that the court shall promptly refer any question of fact or interpretation of the Review Panel determination to the Review Panel that made the determination, and the decision of the Review Panel shall be binding on the court;
- (e) a Review Panel determination that has been made an order of the court shall not be subject to domestic review or appeal; and

- (f) an order made by the court in proceedings to enforce a Review Panel determination that has been made an order of the court shall not be subject to review or appeal.

7. If Ukraine has failed to comply with a notice provided under paragraph 4 within 180 days of it being provided, the procedures for the enforcement of the monetary assessment resulting from a Review Panel determination under paragraph 2 shall be executed in Ukraine as follows:

- (a) Ukraine shall deem a Review Panel determination as a binding foreign arbitral award within the meaning of the *Convention on the Recognition and Enforcement of Foreign Arbitral Awards*, done in New York, on 10 June 1958, and shall recognize and enforce it as such;
- (b) a Review Panel determination shall be deemed to be the result of a valid arbitration agreement; and
- (c) a competent Ukrainian court may refuse to recognize and enforce the Review Panel determination only on the grounds provided for in this Chapter.

8. If a Party makes a change to its domestic procedures for enforcement under paragraph 6 or 7 that has the effect of

undermining the provisions of this Annex, that Party shall be considered to be in violation of this Chapter.

Annex 13-D: Extent of Obligations

1. At the time of entry into force of this Agreement, Canada shall notify Ukraine, through diplomatic channels, a written declaration with a list of any provinces for which Canada is to be bound in respect of matters within their jurisdiction. The declaration shall be effective on the date of receipt by Ukraine, and shall carry no implication as to the internal distribution of powers within Canada. Canada shall notify Ukraine of any modification to its declaration, which shall take effect six months thereafter, subject to any outstanding public communications, Ministerial review or Review Panels.

2. Canada shall not request the establishment of a Review Panel under Section C at the request of the government of a province not included in the declaration provided under paragraph 1.

3. Ukraine shall not request the establishment of a Review Panel under Section C concerning a matter related to a labour law of a province unless that province is included in the declaration provided under paragraph 1.

4. Canada shall, no later than the date on which a Review Panel is established pursuant to Article 13.15 respecting a matter within the scope of paragraph 3, notify Ukraine in writing of whether any recommendation of a Review Panel in a report under Article 13.16 or any monetary assessment imposed by a Review Panel under Annex 13-C with respect to Canada shall be addressed to Her Majesty in right of Canada or Her Majesty in right of the province concerned.

5. Canada shall make its best efforts to have as many of its provinces as possible accept to be added to the declaration referred in paragraph 1.

Chapter 14: Transparency

Section A – Publication, Notification and Administration of Laws

Article 14.1: Definitions

For the purposes of this Section:

ruling of general application means an administrative ruling or interpretation applying to situations of fact and persons falling within the general scope of that ruling or interpretation and establishing a norm of conduct but does not include: