

CHAPTER 19

INSTITUTIONAL PROVISIONS

Article 19.1: Joint Commission

The Parties hereby establish the China-Korea Free Trade Area Joint Commission (hereinafter referred to as the “Joint Commission”) at the level of Ministers comprising representatives of both Parties.

Article 19.2: Functions of the Joint Commission

1. The Joint Commission shall:

- (a) oversee the implementation and further elaboration of this Agreement;
- (b) consider any proposal to amend this Agreement or to make modifications to the commitments therein;
- (c) oversee the work of all committees and other bodies established under this Agreement;
- (d) consider ways to further enhance trade and investment between the Parties in accordance with the objective of this Agreement;
- (e) seek to resolve differences that may arise regarding the interpretation or application of this Agreement; and
- (f) consider any other matter that may affect the operation of this Agreement.

2. The Joint Commission may:

- (a) establish and delegate responsibilities to *ad hoc* and standing committees or other bodies;
- (b) adopt rules of procedure; and

- (c) take such other action in the exercise of its functions as the Parties may agree.

Article 19.3: Rules of Procedure of the Joint Commission

1. The Joint Commission shall take decisions on any matter within its functions as set out in Article 19.2 by mutual agreement.
2. The Joint Commission shall convene in regular sessions once per year and at other times as the Parties may agree. Regular sessions of the Joint Commission shall be held alternately in the territory of each Party and chaired successively by each Party. Other sessions of the Joint Commission shall be held at such location as the Parties may agree and chaired by the Party hosting the meeting.
3. The Joint Commission shall be chaired by, the Minister of Commerce of China or its successor and the Minister of Trade, Industry and Energy of Korea or its successor, or their respective designees.
4. Each Party shall be responsible for the composition of its own delegation to the Joint Commission.
5. The Party chairing a session of the Joint Commission shall provide necessary administrative support for such session, and shall record any decisions and discussions of the Joint Commission, copies of which will be provided to the other Party.
6. Each Party shall treat any confidential information exchanged in relation to a meeting of the Joint Commission or any body created under paragraph 2(a) of Article 19.2 on the same basis as the Party providing the information.
7. All decisions of the Joint Commission and all Committees, working groups, and other bodies established under this Agreement shall be taken by consensus of the Parties.

Article 19.4: Committees and Other Bodies

1. The following Committees and bodies are hereby established under the auspices of the

Joint Commission.

- (a) The Committee on Trade in Goods;
- (b) The Committee on Trade in Services;
- (c) The Committee on Financial Services;
- (d) The Committee on Movement of Natural Persons;
- (e) The Committee on Investment;
- (f) The Committee on Customs;
 - (i) Sub-Committee on Rules of Origin;
 - (ii) Sub-Committee on Customs Procedure and Trade Facilitation;
- (g) The Committee on Outward Processing Zones
- (h) The Committee on Trade Remedies;
- (i) The Committee on Sanitary and Phytosanitary Measures;
- (j) The Committee on Technical Barriers to Trade;
- (k) The Committee on Intellectual Property Rights;
- (l) The Committee on Environment and Trade; and
- (m) The Committee on Economic Cooperation.

2. The Committees may decide to establish their own sub-Committees or any other body for the performance of their tasks.

3. All decisions made by the Committees and other bodies shall be subject to the

endorsement of the Joint Commission.

Article 19.5: Contact Points

1. Each Party shall designate a Contact Point or Points to facilitate communications between the Parties on any matter covered by this Agreement. The following Contact Points are designated:

(a) for China, the Ministry of Commerce, or its successor; and

(b) for Korea, the Ministry of Trade, Industry and Energy, or its successor.

2. On the request of the other Party, the Contact Point or Points shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communications with the requesting Party.