

the Party concerned may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 16 (Procedure of application of safeguard measures).

Article 14

Balance of payments difficulties

1. Notwithstanding the provisions of Article 3 (Customs duties on imports and charges having equivalent effect), Article 4 (Fiscal duties) and Article 6 (Quantitative restrictions on imports or exports and measures having equivalent effect), a Party may, consistently with its other international obligations, introduce restrictive measures on trade if it is in serious balance of payments difficulties or under imminent threat thereof. Such measures shall be of limited duration and non-discriminatory, and may not go beyond what is necessary to remedy the balance of payments situation. Preference shall be given to price-based measures which shall be progressively relaxed as balance of payments conditions improve and eliminated when conditions no longer justify their maintenance.
2. Measures taken in accordance with paragraph 1 of this Article shall be notified to the Joint Committee, if possible prior to their introduction. The Joint Committee shall, upon the request of the other Party, examine the need for maintaining the measures taken.
3. The Parties shall, nevertheless, endeavour to avoid the imposition of restrictive measures for balance of payments purposes.

Article 15

Re-export and serious shortage

Where compliance with the provisions of Article 5 (Customs duties on exports and charges having equivalent effect) and Article 6 (Quantitative restrictions on imports or exports and measures having equivalent effect) leads to:

- (a) re-export towards a third country against which the exporting Party maintains for the product concerned quantitative export restrictions, export duties or measures or charges having equivalent effect; or
- (b) a serious shortage, or threat thereof, of a product essential to the exporting Party; and where the situations referred to above give rise or are likely to give rise to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 16 (Procedure for the application of safeguard measures). The measures referred to in subparagraph (b) shall be non-discriminatory. The measures shall be eliminated when conditions no longer justify their maintenance.