

CHAPTER 13

FINAL PROVISIONS

ARTICLE 13.1

Annexes, Appendices and Footnotes

The Annexes, Appendices and footnotes to this Agreement constitute an integral part of this Agreement.

ARTICLE 13.2

Entry into Force

1. This Agreement is subject to ratification, acceptance or approval in accordance with the respective legal and constitutional requirements of the Parties. The instruments of ratification, acceptance or approval shall be deposited with the Depositary.
2. This Agreement shall enter into force on 1 June 2011, provided that Peru and at least one EFTA State have deposited their instruments of ratification, acceptance or approval with, or notified provisional application to the Depositary at least two months prior to that date.
3. In case the Agreement does not enter into force on 1 June 2011, it shall enter into force on the first day of the third month following the latter date on which Peru and at least one EFTA State have deposited their instruments of ratification, acceptance or approval with, or notified provisional application to the Depositary.
4. If an EFTA State deposits its instrument of ratification, acceptance or approval after this Agreement has entered into force, the Agreement shall enter into force on the first day of the third month following the deposit of its instrument.
5. Where Peru has ratified this Agreement, an EFTA State may, if its legal and constitutional requirements so permit, apply this Agreement provisionally pending ratification, acceptance or approval by that State. Provisional application of this Agreement shall be notified to the Depositary, and shall apply from the first day of the third month following the notification.
6. If the Agreement is not ratified, accepted or approved by a Party, and it had been provisionally applied by that Party, paragraph 1 of Article 13.5 (Withdrawal) shall apply *mutatis mutandis*. Provisional application shall continue for a period of six months following the date of the receipt of the Party's notification by the Depositary regarding the non-ratification, non-acceptance or non-approval of the Agreement.

ARTICLE 13.3

Amendments

1. Any Party may submit proposals for amendments to this Agreement to the Joint Committee for consideration and approval.
2. Without prejudice to subparagraph 3 (b) of Article 11.1 (Joint Committee), amendments to this Agreement shall, after approval by the Joint Committee, be submitted to the Parties for ratification, acceptance or approval in accordance with their respective legal and constitutional requirements.
3. Amendments shall enter into force on the first day of the third month following the deposit of the last instrument of ratification, acceptance or approval, unless the Parties agree otherwise.
4. The Parties may agree that an amendment shall enter into force for those Parties that have fulfilled their internal legal requirements, provided that Peru and at least one EFTA State are among those Parties. A Party may apply, subject to its internal legal requirements and upon notification to the Depositary, the amendment provisionally, pending its ratification, acceptance or approval.
5. The text of the amendments and the instruments of ratification, acceptance or approval shall be deposited with the Depositary.

ARTICLE 13.4

Accession

1. Any State becoming a member of European Free Trade Association (EFTA), may accede to this Agreement, provided that the Joint Committee decides to approve its accession, on such terms and conditions as may be agreed between that State and the Parties.
2. In relation to an acceding State, this Agreement shall enter into force on the first day of the third month following the last deposit of the instrument of approval of the Parties and of the instrument of accession of the acceding State.

ARTICLE 13.5

Withdrawal

1. Any Party may withdraw from this Agreement after it provides written notification to the other Parties. Such withdrawal shall be effective six months after the date on which the notification is received by the Depositary, except otherwise agreed by the Parties.

2. If Peru withdraws, this Agreement shall expire when the withdrawal becomes effective.

3. In case any EFTA State withdraws from the Convention establishing the European Free Trade Association, it shall withdraw at the same time from this Agreement in accordance with paragraph 1.

ARTICLE 13.6

Relation to the Complementary Agreements

1. This Agreement shall not enter into force or be applied provisionally between Peru and an EFTA State unless the complementary Agreement on Agriculture between Peru and that EFTA State referred to in Article 1.1 (Establishment of a Free Trade Area) enters into force or is applied provisionally simultaneously. It shall remain in force as long as the complimentary agreement remains in force between those Parties.

2. If Peru or an individual EFTA State withdraws from the complementary Agreement on Agriculture between Peru and that EFTA State, it is understood that it is also withdrawing from this Agreement. Both withdrawals shall become effective on the date the first withdrawal becomes effective pursuant to Article 13.5 (Withdrawal).

ARTICLE 13.7

Authentic Texts

1. Except as provided in paragraph 2, the English and Spanish texts of this Agreement are equally valid and authentic. In case of divergence, the English version shall prevail.

2. The following texts are only valid and authentic in English or Spanish respectively:

(a) in English:

(i) Table in Annex II (Excluded Products);

(ii) Appendix 1 to Annex III (Processed Agricultural Products); and

(iii) Tables 1 and 2 in Annex IV (Fish and Other Marine Products).

- (b) in Spanish:
 - (i) Appendixes 2 and 3 to Annex III (Processed Agricultural Products);
 - (ii) Table 3 in Annex IV (Fish and Other Marine Products); and
 - (iii) Table in Annex VIII (Industrial Goods).

ARTICLE 13.8

Depositary

The Government of Norway shall act as Depositary.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments have signed this Agreement.

Signed by the EFTA States at Reykjavik, this 24 day of June 2010, and by Peru at Lima, this 14 July 2010, in one original text in the English and the Spanish languages, which shall be deposited with the Government of Norway (Depositary). The Depositary shall transmit certified copies to the Parties.

For Iceland

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For the Republic of Peru

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For the Principality of Liechtenstein

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For the Kingdom of Norway

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For the Swiss Confederation

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