(ii) relating to the non-proliferation of biological and chemical weapons, nuclear weapons or other nuclear explosive devices; or

(iii) taken in time of war or other serious international tension.

ARTICLE 23

Balance of payments difficulties

1. The Parties shall endeavour to avoid the imposition of restrictive measures for balance of payment purposes.

2. Where a Party faces or risks facing serious difficulties concerning its balance of payment or is under imminent threat thereof, the Party may in accordance with the relevant provisions under the GATT 1994 take the restrictive measures that are necessary to remedy the situation, and shall inform as soon as possible the other Parties, and provide them with the timetable for the removal of such measures.

CHAPTER III PROTECTION OF INTELLECTUAL PROPERTY

ARTICLE 24

1. The Parties shall grant and ensure adequate, effective and non-discriminatory protection of intellectual property rights, and provide for measures for the enforcement of such rights against infringement thereof, counterfeiting and piracy, in accordance with the provisions of this Article, Annex V to this Agreement and the international agreements referred to therein.

2. The Parties shall accord to each others' nationals treatment no less favourable than that they accord to their own nationals. Exemptions from this obligation must be in accordance with the substantive provisions of Article 3 and 5 of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

3. The Parties shall grant to each others' nationals treatment no less favourable than that accorded to nationals of any other State. Exemptions from this obligation must be in accordance with the substantive provisions of the TRIPS Agreement, in particular Articles 4 and 5 thereof.

4. The Parties agree, upon request of any Party, to review the provisions on the protection of intellectual property rights contained in this Article and in Annex V, with a view to further improving the levels of protection and to avoid or remedy trade distortions caused by actual levels of protection of intellectual property rights.