

Section D

General Provisions

Article 29.16

Rules of procedure

Dispute settlement procedure under this Chapter shall be governed by the rules of procedure for arbitration in Annex 29-A, unless the Parties agree otherwise.

Article 29.17

General rule of interpretation

The arbitration panel shall interpret the provisions of this Agreement in accordance with customary rules of interpretation of public international law, including those set out in the *Vienna Convention on the Law of Treaties*. The arbitration panel shall also take into account relevant interpretations in reports of Panels and the Appellate Body adopted by the WTO Dispute Settlement Body.

Article 29.18

Rulings of the arbitration panel

The rulings of the arbitration panel cannot add to or diminish the rights and obligations provided for in this Agreement.

Article 29.19

Mutually agreed solutions

The Parties may reach a mutually agreed solution to a dispute under this Chapter at any time. They shall notify the CETA Joint Committee and the arbitration panel of any such solution. Upon notification of the mutually agreed solution, the arbitration panel shall terminate its work and the proceedings shall be terminated.

CHAPTER THIRTY

Final provisions

Article 30.1

Integral parts of this Agreement

The protocols, annexes, declarations, joint declarations, understandings and footnotes to this Agreement constitute integral parts thereof.

Article 30.2

Amendments

1. The Parties may agree, in writing, to amend this Agreement. An amendment shall enter into force after the Parties exchange written notifications certifying that they have completed their respective applicable internal requirements and procedures necessary for the entry into force of the amendment, or on the date agreed by the Parties.

2. Notwithstanding paragraph 1, the CETA Joint Committee may decide to amend the protocols and annexes of this Agreement. The Parties may approve the CETA Joint Committee's decision in accordance with their respective internal requirements and procedures necessary for the entry into force of the amendment. The decision shall enter into force on a date agreed by the Parties. This procedure shall not apply to amendments to Annexes I, II and III and to amendments to the annexes of Chapters Eight (Investment), Nine (Cross-Border Trade in Services), Ten (Temporary Entry and Stay of Natural Persons for Business Purposes) and Thirteen (Financial Services), except for Annex 10-A (List of Contact Points of the Member States of the European Union).

Article 30.3

Preference utilisation

For a period of 10 years after the entry into force of this Agreement, the Parties shall exchange quarterly figures at the tariff line level for HS Chapters 1 through 97, on imports of goods from the other Party that are subject to MFN-applied tariff rates and tariff preferences under this Agreement. Unless the Parties decide otherwise, this period will be renewed for five years and may be subsequently extended by them.

Article 30.4

Current account

The Parties shall authorise, in freely convertible currency and in accordance with Article VIII of the *Articles of Agreement of the International Monetary Fund* done at Bretton Woods on 22 July 1944, any payments and transfers on the current account of the balance of payments between the Parties.

Article 30.5

Movement of capital

The Parties shall consult each other with a view to facilitating the movement of capital between them by continuing to implement their policies regarding the liberalisation of the capital and financial account, and by supporting a stable and secure framework for long term investment.

Article 30.6

Private rights

1. Nothing in this Agreement shall be construed as conferring rights or imposing obligations on persons other than those created between the Parties under public international law, nor as permitting this Agreement to be directly invoked in the domestic legal systems of the Parties.
2. A Party shall not provide for a right of action under its domestic law against the other Party on the ground that a measure of the other Party is inconsistent with this Agreement.

Article 30.7

Entry into force and provisional application

1. The Parties shall approve this Agreement in accordance with their respective internal requirements and procedures.
2. This Agreement shall enter into force on the first day of the second month following the date the Parties exchange written notifications certifying that they have completed their respective internal requirements and procedures or on such other date as the Parties may agree.
3. (a) The Parties may provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other that their respective internal requirements and procedures necessary for the provisional application of this Agreement have been completed or on such other date as the Parties may agree.

- (b) If a Party intends not to provisionally apply a provision of this Agreement, it shall first notify the other Party of the provisions that it will not provisionally apply and shall offer to enter into consultations promptly. Within 30 days of the notification, the other Party may either object, in which case this Agreement shall not be provisionally applied, or provide its own notification of equivalent provisions of this Agreement, if any, that it does not intend to provisionally apply. If within 30 days of the second notification, an objection is made by the other Party, this Agreement shall not be provisionally applied.

The provisions that are not subject to a notification by a Party shall be provisionally applied by that Party from the first day of the month following the later notification, or on such other date as the Parties may agree, provided the Parties have exchanged notifications under subparagraph (a).

- (c) A Party may terminate the provisional application of this Agreement by written notice to the other Party. Such termination shall take effect on the first day of the second month following that notification.
- (d) If this Agreement, or certain provisions of this Agreement, is provisionally applied, the Parties shall understand the term 'entry into force of this Agreement' as meaning the date of provisional application. The CETA Joint Committee and other bodies established under this Agreement may exercise their functions during the provisional application of this Agreement. Any decisions adopted in the exercise of their functions will cease to be effective if the provisional application of this Agreement is terminated under subparagraph (c).

4. Canada shall submit notifications under this Article to the General Secretariat of the Council of the European Union or its successor. The European Union shall submit notifications under this Article to Canada's Department of Foreign Affairs, Trade and Development or its successor.

Article 30.8

Termination, suspension or incorporation of other existing agreements

1. The agreements listed in Annex 30-A shall cease to have effect, and shall be replaced and superseded by this Agreement. Termination of the agreements listed in Annex 30-A shall take effect from the date of entry into force of this Agreement.

2. Notwithstanding paragraph 1, a claim may be submitted under an agreement listed in Annex 30-A in accordance with the rules and procedures established in the agreement if:

- (a) the treatment that is object of the claim was accorded when the agreement was not terminated; and
- (b) no more than three years have elapsed since the date of termination of the agreement.

3. The *Agreement between the European Economic Community and Canada concerning Trade and Commerce in Alcoholic Beverages*, done at Brussels on 28 February 1989, as amended, (the '1989 Alcoholic Beverages Agreement') and the *Agreement between the European Community and Canada on Trade in Wines and Spirit Drinks*, done at Niagara-on-the-Lake on 16 September 2003 (the '2003 Wines and Spirit Drinks Agreement') are incorporated into and made part of this Agreement, as amended by Annex 30-B.

4. The provisions of the 1989 Alcoholic Beverages Agreement or the 2003 Wines and Spirit Drinks Agreement, as amended and incorporated into this Agreement, prevail to the extent that there is an inconsistency between the provisions of those agreements and any other provision of this Agreement.

5. The *Agreement on Mutual Recognition between the European Community and Canada* (the 'Agreement on Mutual Recognition'), done at London on 14 May 1998, shall be terminated from the date of entry into force of this Agreement. In the event of provisional application of Chapter Four (Technical Barriers to Trade) in accordance with Article 30.7.3(a), the Agreement on Mutual Recognition, as well as the rights and obligations derived therefrom, shall be suspended as of the date of provisional application. In the event the provisional application is terminated, the suspension of the Agreement on Mutual Recognition shall cease.

6. The Parties recognise the achievements that have been accomplished under the *Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products*, done at Ottawa on 17 December 1998 (the 'Veterinary Agreement') and confirm their intention to continue this work under this Agreement. The Veterinary Agreement shall be terminated from the date of entry into force of this Agreement. In the event of provisional application of Chapter Five (Sanitary and Phytosanitary Measures) in accordance with Article 30.7.3(a), the Veterinary Agreement, as well as the rights and obligations derived therefrom, shall be suspended as of the date of provisional application. In the event the provisional application is terminated, the suspension of the Veterinary Agreement shall cease.

7. The definition of 'entry into force of this Agreement' in Article 30.7.3(d) shall not apply to this Article.

Article 30.9

Termination

1. A Party may denounce this Agreement by giving written notice of termination to the General Secretariat of the Council of the European Union and the Department of Foreign Affairs, Trade and Development of Canada, or their respective successors. This Agreement shall be terminated 180 days after the date of that notice. The Party giving a notice of termination shall also provide the CETA Joint Committee with a copy of the notice.

2. Notwithstanding paragraph 1, in the event that this Agreement is terminated, the provisions of Chapter Eight (Investment) shall continue to be effective for a period of 20 years after the date of termination of this Agreement in respect of investments made before that date.

Article 30.10

Accession of new Member States of the European Union

1. The European Union shall notify Canada of any request made by a country to accede to the European Union.

2. During the negotiations between the European Union and the country seeking accession, the European Union shall:

- (a) provide, upon the request of Canada, and to the extent possible, any information regarding any matter covered by this Agreement; and
- (b) take into account any concerns expressed by Canada.

3. The European Union shall notify Canada of the entry into force of any accession to the European Union.

4. Sufficiently in advance of the date of accession of a country to the European Union, the CETA Joint Committee shall examine any effects of the accession on this Agreement and shall decide on any necessary adjustment or transition measures.

5. Any new Member State of the European Union shall accede to this Agreement from the date of its accession to the European Union by means of a clause to that effect in the act of accession to the European Union. If the act of accession to the European Union does not provide for the automatic accession of the European Union Member State to this Agreement, the European Union Member State concerned shall accede to this Agreement by depositing an act of accession to this Agreement with the General Secretariat of the Council of the European Union and the Department of Foreign Affairs, Trade and Development of Canada, or their respective successors.

Article 30.11

Authentic texts

This Agreement is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each version being equally authentic.

Съставено в Брюксел на тридесети октомври през две хиляди и шестнадесета година.

Hecho en Bruselas, el treinta de octubre de dos mil dieciséis.

V Bruselu dne třicátého října dva tisíce šestnáct.

Udfærdiget i Bruxelles den tredivte oktober to tusind og seksten.

Geschehen zu Brüssel am dreißigsten Oktober zweitausendsechzehn.

Kahe tuhande kuueteistkümnenda aasta oktoobrikuu kolmekümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις τριάντα Οκτωβρίου δύο χιλιάδες δεκαέξι.

Done at Brussels on the thirtieth day of October in the year two thousand and sixteen.

Fait à Bruxelles, le trente octobre deux mille seize.

Sastavljeno u Bruxellesu tridesetog listopada godine dvije tisuće šesnaeste.

Fatto a Bruxelles, addì trenta ottobre duemilasedici.

Briselē, divi tūkstoši sešpadsmitā gada trīsdesmitajā oktobrī.

Priimta du tūkstančiai šešioliktą metų spalio trisdešimtą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenhatodik év október havának harmincadik napján.

Magħmul fi Brussell, fit-tletin jum ta' Ottubru fis-sena elfejn u sittax.

Gedaan te Brussel, dertig oktober tweeduizend zestien.

Sporządzono w Brukseli dnia trzydziestego października roku dwa tysiące szesnastego.

Feito em Bruxelas, em trinta de outubro de dois mil e dezasseis.

Întocmit la Bruxelles la treizeci octombrie două mii şaisprezece.

V Bruseli tridsiateho oktobra dvetisícšestnásť.

V Bruslju, dne tridesetega oktobra leta dva tisoč šestnajst.

Tehty Brysselissä kolmantenakymmenentenä päivänä lokakuuta vuonna kaksituhattakuusitoista.

Som skedde i Bryssel den trettionde oktober år tjugohundrasexton.

Voor het Koninkrijk België

Pour le Royaume de Belgique

Für das Königreich Belgien

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

За Република България

Za Českou republiku



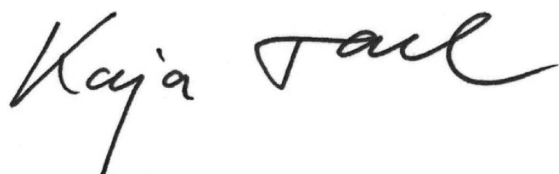
For Kongeriget Danmark



Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel



Thar cheann Na hÉireann

For Ireland



Για την Ελληνική Δημοκρατία



Por el Reino de España

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Pour la République française

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Za Republiku Hrvatsku

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Per la Repubblica italiana

A handwritten signature in black ink, consisting of a large initial 'M.' followed by a series of wavy, horizontal strokes.

Για την Κυπριακή Δημοκρατία

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Latvijas Republikas vārdā –

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Lietuvos Respublikos vardu



Pour la Grand-Duché de Luxembourg



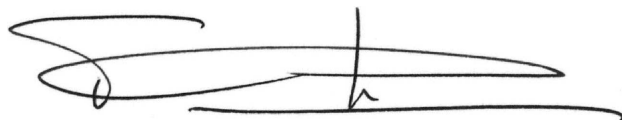
Magyarország részéről



Għar-Repubblika ta' Malta



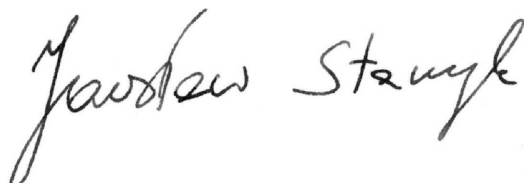
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



Pela República Portuguesa



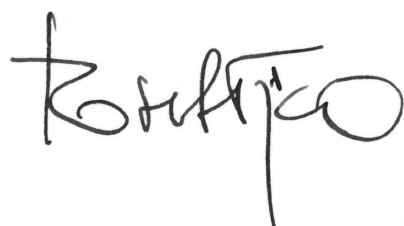
Pentru România



Za Republiko Slovenijo



Za Slovenskú republiku



Suomen tasavallan puolesta

För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Europejsku uniju
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

For Canada
Pour le Canada

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