

TITLE VII

INSTITUTIONAL, GENERAL AND FINAL PROVISIONS*Article 71***Modalities for the continuation of negotiations**

1. The Parties will continue negotiations according to the provisions of the present Agreement.
2. When negotiations are complete, the resulting draft amendments shall be submitted for approval to the relevant domestic authorities.

*Article 72***Definition of the Parties and fulfilment of obligations**

1. The Contracting Parties of this Agreement shall be the Republic of Ghana, referred to as the 'Ghanaian Party' or 'Ghana', of the one part, and the European Community or its Member States or the European Community and its Member States, within their respective areas of competence as derived from the Treaty establishing the European Community, referred to as the 'EC Party' or the European Community, of the other part.
2. For the purposes of this Agreement, the term 'Party' shall refer to the Ghanaian Party or to the EC Party as the case may be. The term 'Parties' shall refer to the Ghanaian Party and the EC Party.
3. The Parties shall adopt any general or specific measures required for them to fulfil their obligations under this Agreement and shall ensure that they comply with the objectives laid down in this Agreement.

*Article 73***EPA Committee**

1. For the purposes of implementing this Agreement, an EPA Committee will be established within three months from the date of signature of this Agreement.
2. The Parties agree that the composition, organisation and operation of this EPA Committee will respect the principle of equality. The Committee will determine its organisation and functioning rules.
3. The EPA Committee is responsible for the administration in all fields covered by this Agreement and the achievement of all tasks mentioned in this Agreement.
4. In order to ease communication and ensure an effective implementation of the present Agreement, each Party will designate a focal point within the Committee.
5. The EPA Committee meetings may be open to third parties. The ECOWAS Commission may be invited to the EPA Committee meetings, according to its internal procedures.

*Article 74***Outermost regions of the European Community**

1. Taking account of the geographical proximity of the outermost regions of the European Community and Ghana and in order to reinforce economic and social links between these regions and Ghana, the Parties shall endeavour to facilitate cooperation in all areas covered by this Agreement as well as to facilitate trade in goods and services, promote investments and encourage transport and communication links between the outermost regions and Ghana.

2. The objectives enunciated in paragraph 1 shall also be pursued, wherever possible, through fostering the joint participation of Ghana and the outermost regions in framework and specific programmes of the European Community in areas covered by this Agreement.
3. The EC Party shall endeavour to ensure coordination between the different financial instruments of the European Community's cohesion and development policies in order to foster cooperation between Ghana and the outermost regions of the European Community in the areas covered by this Agreement.
4. Nothing in this Agreement shall prevent the EC Party from applying existing measures aimed at addressing the structural social and economic situation of the outermost region pursuant to Article 299(2) of the Treaty establishing the European Community.

Article 75

Entry into force and duration

1. This Agreement shall be signed, ratified or approved according to applicable constitutional rules specific to each Party or, as far as the EC Party is concerned, to internal rules and procedures.
2. This Agreement shall enter into force the first day of the month following that in which the Ghanaian Party and the EC Party have notified each other of the completion of the procedures necessary for this purpose.
3. Notifications shall be sent to the Secretary-General of the Council of the European Union, who shall be the depository of this Agreement.
4. Pending entry into force of the Agreement, the Parties shall agree to apply it provisionally in accordance with their respective laws or by ratification of the Agreement.
5. Provisional application shall be notified to the depository. The Agreement shall be applied provisionally ten days after the latter of the receipt of notification of provisional application by the European Community or the Ghanaian Party.
6. Notwithstanding paragraph 4, the EC Party and Ghana may apply the Agreement, in whole or in part, before provisional application, to the extent that this is possible under their domestic law.
7. Either Party may give written notice to the other of its intention to denounce this Agreement. Denunciation takes effect six months after notification by the other Party.
8. This Agreement will be superseded by a global EPA concluded at regional level with the EC Party at its date of its entry into force. In this case, the Parties will endeavour to ensure that the EPA at regional level preserves most of the benefits obtained by Ghana through this Agreement.

Article 76

Territorial application

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, and, on the other hand, to Ghana.

Article 77

Accession of new EU Member States

1. The EPA Committee shall be advised of any request made by a third State to become a member of the European Union (EU). During the negotiations between the Union and the applicant State, the EC Party shall provide Ghana with any relevant information and it in turn shall convey its concerns to the EC Party so that it can take them fully into account. Ghana shall be notified by the EC Party of any accession to the EU.

2. Any new Member State of the EU shall accede to this Agreement from the date of its accession to the EU by means of a clause to that effect in the act of accession. If the act of accession to the Union does not provide for such automatic accession of the EU Member State to this Agreement, the EU Member State concerned shall accede by depositing an act of accession with the General Secretariat of the Council of the European Union, which shall send certified copies to the Ghanaian Party.

3. The Parties shall review the effects of the accession of new EU Member States on this Agreement. The EPA Committee may decide on any transitional or amending measures that might be necessary.

Article 78

Dialogue on finance issues

The Parties agree to foster dialogue, transparency and to share best practices in the area of tax policy and administration.

Article 79

Collaboration in the fight against illegal financial activities

The EC Party and Ghana are committed to prevent and fight against illegal, fraudulent and corrupt activities, money laundering and terrorist financing and shall take the necessary legislative and administrative measures to comply with international standards, including those laid down in the United Nations Convention against Corruption, the United Nations Convention against Transnational Organised Crime and its Protocols, the United Nations Convention for the Suppression of Terrorist Financing and the Financial Action Task Force recommendations. The EC Party and Ghana agree to exchange information and cooperate in these areas.

Article 80

Relations with other agreements

1. With the exception of development cooperation provided for in Title II of Part 3 of the Cotonou Agreement, in case of any inconsistency between the provisions of this Agreement and the provisions of Title II of Part 3 of the Cotonou Agreement the provisions of this Agreement shall prevail.

2. Nothing in this Agreement shall be construed so as to prevent the adoption by the European Community or by Ghana of any measures, including trade and trade-related measures, deemed appropriate as provided for under Articles 11b, 96 and 97 of the Cotonou Agreement.

3. The Parties agree that nothing in this Agreement requires them to act in a manner inconsistent with their WTO obligations.

Article 81

Authentic texts

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

Article 82

Annexes

The Annexes and Protocol to this Agreement shall form an integral part thereof.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.