

unless it is not practicable or effective to suspend the application of concessions or obligations in such sector or sectors.

7. If the Country complained against considers that the requirements for the suspension of the application to it of concessions or other obligations under this Agreement by the complaining Country set out in paragraph 3, 5 or 6 of this Article have not been met, it may request consultations with the complaining Country. The complaining Country shall enter into consultations within 10 days after the date of receipt of the request. If the Countries fail to resolve the matter within 30 days after the date of receipt of the request for consultations pursuant to this paragraph, the Country complained against may refer the matter to an arbitral tribunal.

8. The arbitral tribunal that is established for the purposes of this Article shall, wherever possible, have as its arbitrators, the arbitrators of the original arbitral tribunal. If this is not possible, then the arbitrators to the arbitral tribunal that is established for the purposes of this Article shall be appointed pursuant to paragraphs 3 and 4 of Article 148. Unless the Countries agree to a different period, such arbitral tribunal shall issue its award within 60 days after the date when the matter is referred to it. The award of the arbitral tribunal established under this Article shall be binding on the Countries.

Article 153

Expenses

Unless the Countries agree otherwise, the expenses of the arbitral tribunal, including the remuneration of its arbitrators, shall be borne by the Countries in equal shares.

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Chapter 14

Final Provisions

Article 154

Table of Contents and Headings

The table of contents and headings of the Chapters and the Articles of this Agreement are inserted for convenience of reference only and shall not affect the interpretation of this Agreement.

Article 155

General Review

The Countries shall undertake a general review of the implementation and operation of this Agreement in the fifth calendar year following the calendar year in which this Agreement enters into force, and every five years thereafter, unless otherwise agreed by both Countries.

Article 156

Annexes and Notes

The Annexes and Notes to this Agreement shall form an integral part of this Agreement.

Article 157

Amendment

1. This Agreement may be amended by agreement between the Countries.
2. Such amendment shall be approved by the Countries in accordance with their respective legal procedures, and shall enter into force on the date to be agreed upon by the Countries.
3. Notwithstanding paragraph 2 of this Article, amendments relating only to Annex 2 or 3 may be made by diplomatic notes exchanged between the Governments.
4. Amendments shall not affect the rights and obligations of the Countries provided for under this Agreement until the amendments enter into force.

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Article 158

Entry into Force

This Agreement shall enter into force on the thirtieth day after the date on which the Governments exchange diplomatic notes informing each other that the legal procedures of their respective Countries necessary for entry into force of this Agreement have been completed. It shall remain in force unless terminated as provided for in Article 159.

Article 159

Termination

1. Either Country may terminate this Agreement by giving one year's advance notice in writing to the other Country.
2. The other Country may request in writing consultations concerning any matter that would arise from the termination within 45 days after the date of receipt of the notice referred to in paragraph 1 of this Article.
3. The requested Country shall enter into consultations in good faith with a view to reaching an equitable agreement within 30 days after the date of receipt of the request referred to in paragraph 2 of this Article.

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

DONE at Kuala Lumpur, on this thirteenth day of December in the year 2005 in duplicate in the English language.

For the Government
of Japan:

For the Government
of Malaysia: