

for such time as may be necessary to prevent or remedy such injury, bearing in mind the objectives of this Agreement.

9. Before taking action pursuant to paragraph 8 of this Article the Government of New Zealand shall give notice in writing to the Director who shall inform the other Parties of the action proposed. The Government of New Zealand shall afford those Governments of Forum Island countries which have an interest as exporters of the product concerned an opportunity to consult with respect to the proposed action. Such consultations shall be held within a period of 90 days of the receipt by the Director of the notification by the Government of New Zealand of the proposed action.

10. (a) If a mutually satisfactory solution is reached through the application of the procedures provided for in paragraph 9 of this Article the Director shall notify the Parties of any decision to modify Schedule 3 to this Agreement and the date on which that modification shall take effect.

(b) If a mutually satisfactory solution of the matter is not reached following the application of the procedures provided for in paragraph 9 of this Article the Government of New Zealand shall advise the Director of the action it proposes to take and the date from which such action shall take effect. The Director shall notify the Parties of any modification of Schedule 3 and the date on which that modification shall take effect.

11. Notwithstanding the provisions of paragraph 9 of this Article the Government of New Zealand may take the action referred to in paragraph 8 of this Article without prior consultation where, in its opinion, the circumstances are so critical that delay would cause injury to a domestic industry which would be difficult to repair. If provisional action is taken under this paragraph the Government of New Zealand shall provide urgent written advice of the action taken to the Director who shall notify the Parties.

12. Any action taken under the provisions of paragraph 11 of this Article shall cease to have effect 90 days after the implementation of the action unless, within that period, the Government of New Zealand has afforded the Governments of interested Forum Island countries the opportunity to consult with it on the matter.

Article VIII

Economic, commercial and technical cooperation

1. In furtherance of the objectives of this Agreement the Parties shall facilitate cooperation between their commercial and industrial organisations and firms, encourage administrative cooperation and take steps to simplify, as far as practicable, procedures and formalities affecting trade.

2. The Parties shall also take appropriate measures to encourage and facilitate the development of economic and technical cooperation between relevant organisations and firms of the countries concerned.

3. In addition, the Government of Australia and the Government of New Zealand shall consider appropriate forms of assistance within their bilateral and regional development assistance programs in the South Pacific, in accordance with the developmental priorities of individual Forum Island countries. Within these priorities such assistance shall be considered in response to specific requests relating to measures and programs in the fields of export development and trade promotion, industrial development and the development of agriculture, forestry and fisheries.

4. The Government of Australia and the Government of New Zealand shall also give appropriate support to approaches which may be made by the Governments of Forum Island countries, either individually or collectively, to United Nations, Commonwealth or other international technical assistance agencies for training, research or funding support.

Export development and trade promotion

5. The measures and programs within the fields of export development and trade promotion referred to in paragraph 3 of this Article may include those which contribute to:

- (a) the establishment or the improvement of the structure of organisations and firms in Forum Island countries which contribute to the development of those countries, with particular emphasis on staffing requirements, financial management and working methods;
- (b) basic training, management training, and vocational training of technicians in fields related to the development and promotion of domestic and international trade;
- (c) product research, processing, quality guarantee and control, packaging and presentation;
- (d) the development of supportive infrastructure, including transport and storage facilities, in order to facilitate the flow of exports from Forum Island countries;
- (e) the development of effective marketing and promotion techniques, based on research, marketing studies and advertising;
- (f) cooperation between relevant organisations and firms in the establishment of schemes to promote the transfer and application of technology, the development of research, and the training of personnel;
- (g) the collection, analysis and dissemination of trade information and access, where appropriate, to existing or future information systems of bodies in Australia or New Zealand; and
- (h) participation by the Forum Island countries in trade fairs and exhibitions.

Industrial and agricultural development

6. The measures and programs within the fields of industrial development and the development of agriculture, forestry and fisheries referred to in paragraph 3 of this Article, may include those which contribute to:

- (a) investment in industries, including agro-based industries, with particular emphasis on those of a smaller or medium size;
- (b) the transfer of resources from Australia and New Zealand to the Forum Island countries through joint ventures and other commercial arrangements;
- (c) a greater degree of processing of raw materials produced in, and exported from, the Forum Island countries;
- (d) scientific and technological cooperation and training directed towards the acquisition, adaption and development by the Forum Island countries of skills essential to their industrial and agricultural development;
- (e) improvement of transport and communications, and other infrastructure associated with industrial and agricultural development; and
- (f) closer cooperation, including the exchange of information, between firms and organisations contributing to the improvement and expansion of industrial and agricultural production.

Article IX

Special treatment for Smaller Forum Island countries

In implementing this Agreement the particular trade problems and interests of Smaller Forum Island countries shall be taken into account and special treatment and special measures may be provided by the Government of Australia and the Government of New Zealand to enable individual Smaller Forum Island countries to overcome the specific difficulties and obstacles resulting from the exceptional nature of their needs and characteristics and to take full advantage of the opportunities offered by this Agreement. This shall not be deemed to exclude the eligibility of other Forum Island countries to receive special treatment as provided for in this Agreement to enable them to overcome special problems.

Article X

Consultations

1. In addition to the procedures for consultation provided for elsewhere in this Agreement a Party may at any time request consultations on any matter related to the implementation of this Agreement.