

CHAPTER 11 INSTITUTIONAL PROVISIONS

Article 11.1 Joint Economic and Trade Council

A Joint Economic and Trade Council is hereby established which shall be co-chaired by Ministers in charge of foreign trade and meet at least once in every two years in accordance with the conditions laid down in its rules of procedure.

Article 11.2 Duties of the Joint Economic and Trade Council

The Joint Economic and Trade Council shall review the progress made in the implementation of this Agreement. It shall also examine any major issues arising within the framework of this Agreement including its economic and social impact and any other bilateral or international issues of mutual interest.

Article 11.3 Procedures of the Joint Economic and Trade Council

1. The Joint Economic and Trade Council shall consist of senior officials of the Parties. The Joint Economic and Trade Council may invite private sector representatives to its meetings upon its approval.
2. The Joint Economic and Trade Council shall establish its rules of procedures and financial arrangements.
3. The Joint Economic and Trade Council may take decisions on any matter related to this Agreement subject to the respective internal legal procedures of the Parties. The Joint Economic and Trade Council may also make recommendations on matters related to this Agreement.
4. The Joint Economic and Trade Council shall take decisions and make recommendations by the consensus of the Parties.

Article 11.4 Joint Committee

1. Subject to the powers of the Joint Economic and Trade Council, a Joint Committee is hereby established, in which each Party shall be represented by its senior officials. The Joint Economic and Trade Council may delegate to the Joint Committee, in full or in part, any of its powers.
2. For the objective of the proper implementation of this Agreement, the functions of the Joint Committee shall include, but not be limited to:
 - (a) review the implementation and operation of this Agreement;
 - (b) explore ways to enhance trade between the Parties and to further the objectives of this Agreement, including the possibility of further removal of restrictions to trade;

- (c) establish sub-committees or working groups as it considers necessary to assist it in accomplishing its tasks and address specific issues;
- (d) review, consider and, as appropriate, decide on specific matters related to the operation and implementation of this Agreement, including matters reported by sub-committees and working groups;
- (e) supervise and coordinate the work of sub-committees and working groups established under this Agreement and call on technical experts on any matter falling within its functions;
- (f) take decisions in the matters related to this Agreement, including decisions to adopt any amendment to this Agreement. The Joint Committee may also make recommendations to matters related to this Agreement. The Joint Committee shall take decisions and make recommendations by the consensus of the Parties. The decisions taken by the Joint Committee, including on any amendment to this Agreement shall be subject to the completion of the respective internal legal ratification procedures of the Parties;
- (g) adopt any decisions and recommendations of the sub-committees where necessary;
- (h) facilitate, as appropriate, the avoidance and settlement of disputes arising under this Agreement; and
- (i) carry out any other functions as the Parties may agree.

3. The Joint Committee shall establish its rules and procedures.

4. The Joint Committee shall convene its inaugural meeting within one year after the entry into force of this Agreement. Its subsequent meetings shall be held at such frequency as the Parties may agree upon. Special meetings of the Joint Committee may be convened, as mutually agreed by both Parties, within 30 days upon the request of either Party. The Joint Committee shall convene alternately in Malaysia and Turkey, unless the Parties agree otherwise.

Article 11.5 Sub-Committees

1. The following sub-committees established under this Agreement are subject to the powers of the Joint Committee:

- (a) Sub-Committee on Trade in Goods;
- (b) Sub-Committee on Rules of Origin;
- (c) Sub-Committee on Sanitary and Phytosanitary Measures;

(d) Sub-Committee on Standards, Technical Regulations and Conformity Assessment Procedures; and

(e) Sub-Committee on Economic and Technical Cooperation.

2. The sub-committees may set up *ad hoc* working groups to deal with specific issues referred to them by the Joint Committee. Other procedures and functions of the sub-committees are to be specified in the individual Chapters where they are established.