

CHAPTER IV

INSTITUTIONAL PROVISIONS

ARTICLE 25

Establishment of the Joint Committee

1. A Joint Committee is hereby established in which each Party shall be represented by its senior officials. The Joint Committee shall be responsible for the administration of this Agreement and shall ensure its proper implementation.
2. The Joint Committee shall:
 - a) review the general functioning of this Agreement including improving market access;
 - b) set up sub-committees and working groups as it considers necessary to assist it in accomplishing its tasks;
 - c) review, consider and, as appropriate, decide on specific matters related to the operation and implementation of this Agreement, including matters reported by sub-committees or working groups;
 - d) supervise the work of sub-committees, working groups and contact points established or to be established under this Agreement;
 - e) facilitate, as appropriate, the avoidance and settlement of disputes arising under this Agreement, including through consultations pursuant to Article 32;
 - f) consider and take decisions to make any amendment to this Agreement or other modification or rectification to the commitments therein pursuant to Article 34;
 - g) as appropriate, issue interpretation to be given to the provisions of this Agreement;
 - h) review the possibility of further removal of the obstacles to trade between the Parties and the further development of the trade relationship;
 - i) explore ways to enhance further trade and investment between the Parties and to further the objectives of this Agreement; and
 - j) take such other actions as the Parties may agree.

ARTICLE 26
Procedures of the Joint Committee

1. The Joint Committee shall meet whenever necessary upon request, but normally at least once a year. Either Party may request a meeting to be held.
2. All decisions of the Joint Committee shall be taken by mutual agreement.
3. The Joint Committee shall adopt its rules of procedure.

ARTICLE 27
**Notifications and Consultations Procedure
for the Application of Measures**

1. Before initiating the procedure for the application of any measures set out in Articles 8 and 31, the Parties to this Agreement shall endeavour to solve any differences between themselves through direct consultations, and shall inform the other Party thereof.
2. A Party, which is considering to resort to measures shall promptly notify the Joint Committee thereof. The Party concerned shall provide the Joint Committee with all relevant information and the assistance required to examine the case. Consultations between the Parties shall take place without delay in the Joint Committee with a view to finding a commonly acceptable solution.
3. If, within one month of the matter being referred to the Joint Committee, the Party in question fails to put an end to the practice objected to or to the difficulties notified and in the absence of a decision by the Joint Committee in the matter, the aggrieved Party may adopt the measures it considers necessary to remedy the situation.
4. The measures taken shall be notified immediately to the Joint Committee. They shall be restricted, with regard to their extent and to their duration, to what is strictly necessary in order to rectify the situation, giving rise to their application and shall not be in excess of the damage caused by the practice or the difficulty in question. Priority shall be given to such measures that will least disturb the functioning of this Agreement.
5. The measures taken shall be the subject of regular consultations within the Joint Committee with a view to their relaxation or abolition when conditions no longer justify their maintenance.

6. Notwithstanding paragraphs 1 to 5, where exceptional circumstances requiring immediate action make prior examination impossible, the Party concerned may, in the cases of Articles 8 and 31 apply forthwith the precautionary measures strictly necessary to remedy the situation. The measures imposed shall thereafter be notified without delay to the Joint Committee and consultations between the Parties to this Agreement shall take place within the Joint Committee.

CHAPTER V

FINAL PROVISIONS

ARTICLE 28 **General Exceptions**

For the purpose of this Agreement, Article XX of GATT 1994 and its interpretative notes are incorporated into and made part of this Agreement, *mutatis mutandis*.

ARTICLE 29 **Security Exceptions**

1. Nothing in this Agreement shall be construed as:
 - a) requiring a Party to furnish any information the disclosure of which it considers contrary to its essential security interests;
 - b) preventing a Party from taking any action, which it considers necessary for the protection of its essential security interests.
 - i. relating to fissionable materials or the materials from which they are derived;
 - ii. relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials, as is carried on directly or indirectly for the purpose of supplying a military establishment;
 - iii. taken in time of war or other emergency in international relations; or
 - c) preventing a Party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security.
2. A Party taking action under sub-paragraphs (b) and (c) of paragraph 1, shall inform the Joint Committee to the fullest extent possible of measures taken and of their termination.

ARTICLE 30 **Evolutionary Clause**