

4. (a) In the event of an inconsistency between this Agreement and the Protocol on Ireland/Northern Ireland to the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, signed in London and Brussels on 24 January 2020, this Agreement shall not prevent a Party from taking a particular measure not consistent with the obligations under this Agreement and relating to the inconsistency between this Agreement and that Protocol, provided that such a measure is not applied in a manner that would constitute a means of arbitrary or unjustified discrimination against the other Party or a disguised restriction on trade.
- (b) In that event, a Party shall notify the other Party of such a measure and promptly provide, on request of the other Party, supplementary information or clarification thereon, and the Parties shall hold consultations, on request of either Party, in relation to the effects of the measure on this Agreement, and seek a mutually acceptable solution.

ARTICLE 2

Incorporation of the EU-Viet Nam FTA

1. The provisions of the EU-Viet Nam FTA in effect immediately before they cease to apply to the United Kingdom are incorporated into and made part of this Agreement, *mutatis mutandis*, subject to the provisions of this instrument, including the Annex and Protocol.
2. Articles 1.3, 17.1.5, 17.16, 17.18.2, 17.22.2, 17.23, 17.24.1(a) and 17.25 of the EU-Viet Nam FTA shall not be incorporated into this Agreement.

ARTICLE 3

Objectives

The overriding objectives of this Agreement are as set out in incorporated Article 1.2.

ARTICLE 4

Territorial application

1. This Agreement shall apply in respect of the United Kingdom, to the extent that and under the conditions which the EU-Viet Nam FTA applied immediately before it ceased to apply to the United Kingdom.

2. Reference in paragraph 1 to the extent that and under the conditions which the EU-Viet Nam FTA applied shall not include any areas covered by paragraph 2 of Article 17.24 of the EU-Viet Nam FTA.

ARTICLE 5

References to the euro

Notwithstanding Article 2, references to the euro (including “EUR” and “€”) in the Incorporated Agreement shall continue to be read as such in this Agreement.

ARTICLE 6

Continuation of time periods

1. Unless this instrument provides otherwise:
 - (a) if a time period in the EU-Viet Nam FTA has not yet ended, the remainder of that time period shall be incorporated into this Agreement; and
 - (b) if a time period in the EU-Viet Nam FTA has ended, any ongoing rights or obligations in the EU-Viet Nam FTA shall apply between the Parties, and that time period shall not be incorporated into this Agreement.
2. Notwithstanding paragraph 1, a reference in the Incorporated Agreement to a time period relating to a procedure or other administrative matter, such as a review, committee procedure or notification, shall not be affected.

ARTICLE 7

Further provision in relation to the Trade Committee

1. The Trade Committee which the Parties establish under paragraph 1 of incorporated Article 17.1 shall, in particular, ensure that this Agreement operates properly.
2. Unless the Parties agree otherwise, any decisions adopted by the Trade Committee or the Specialised Committees¹ established by the EU-Viet Nam FTA before the EU-Viet Nam FTA ceased to apply to the United Kingdom shall, to the

¹ The term “Specialised Committees” here means the Committee on Trade in Goods, the Committee on Customs, the Committee on Sanitary and Phytosanitary Measures, the Committee on Investment, Trade in Services, Electronic Commerce and Government Procurement, the Committee on Trade and Sustainable Development and any other specialised committee established by the Trade Committee under paragraph 4 of Article 17.1 of the EU-Viet Nam FTA.