

Chapter 13

Administration of the Agreement

Article 135: The Free Trade Commission

1. The Parties hereby establish the Free Trade Commission, comprising Ministerial level officials of the Parties, as set out in Annex 11 (The Free Trade Commission), or their designees.

2. The Commission shall:

- (a) supervise the operation and implementation of this Agreement;
- (b) evaluate the achieved results in the application of this Agreement;
- (c) oversee the further elaboration of this Agreement;
- (d) seek to resolve disputes that may arise regarding the interpretation or application of this Agreement;
- (e) supervise the work of any committee or working group established under this Agreement and recommend appropriate actions;
- (f) consider and make decisions on issues referred by any committee or working group established under this Agreement or by either Party;
- (g) establish the amount of remuneration and expenses that will be paid to panelists and experts in dispute settlement proceedings; and
- (h) consider and make decisions on any other matter that may affect the operation of this Agreement, or that is entrusted by the Parties.

3. The Commission may:

- (a) establish and delegate responsibilities to committees and working groups;
- (b) modify in fulfilment of the Agreement's objectives:
 - (i) the schedules attached to Annex 2 (Tariff Elimination), with the purpose of adding one or more goods to the tariff elimination schedules;
 - (ii) the schedules attached to Annex 2 (Tariff Elimination), by accelerating tariff elimination;
 - (iii) the rules of origin established in Annex 3 (Product Specific Rules of Origin);

- (iv) Annex 4 (Certificate of Origin);
 - (v) Annex 7 (Schedules of Specific Commitments); and
 - (vi) Annex 9 (Geographical Indications as Referred to in Article 116.1) and Annex 10 (Geographical Indications as Referred to in Article 116.2);
- (c) issue interpretations of the provisions of this Agreement; and
 - (d) take any other action that the Parties may agree.

4. Each Party shall implement, in accordance with its applicable legal procedures, any modification referred to in subparagraph 3(b) within such period as the Parties may agree.

5. The Commission shall establish its rules and procedures.

6. All decisions of the Commission shall be taken by consensus.

7. The Commission shall meet at least once a year, unless the Commission otherwise decides. When special circumstances arise, the Commission shall meet at any time upon request of either Party. Regular sessions of the Commission shall be chaired successively by each Party. The sessions may be held by any technological means available to the Parties.

Article 136: Free Trade Agreement Coordinators

1. Each Party shall appoint a free trade agreement coordinator as set out in Annex 13 (Free Trade Agreement Coordinators).

2. The coordinators shall work jointly to develop agendas and make other preparations for Commission meetings, and shall follow-up on Commission decisions, as appropriate.

Article 137: Administration of Dispute Settlement Proceedings

1. The Commission shall establish the amounts of remuneration and expenses that will be paid to panelists and experts in dispute settlement proceedings.

2. The remuneration of panelists and their assistants, experts, their travel and lodging expenses and all general expenses of panels shall be borne equally by the disputing Parties.

3. Each Party shall:

- (a) designate an office that shall provide administrative assistance to the panels established under Chapter 14 (Dispute Settlement) and

perform such other administrative functions as the Commission may direct; and

(b) notify the Commission of the location of its designated office.

4. Each Party shall be responsible for:

(a) the operation and costs of its designated office; and

(b) its own expenses and legal costs incurred in dispute settlement proceedings.

Article 138: Committees and Working Groups

1. The Parties agree on establishing committees and working groups in the following matters:

(a) trade in goods;

(b) rules of origin;

(c) sanitary and phytosanitary matters;

(d) technical barriers to trade;

(e) working group on temporary entry of business persons; and

(f) cooperation.

2. The Commission may create additional committees or working groups, as needed. Each committee or working group shall establish their rules and procedures.

3. The meetings of the committees and working groups shall be programmed with the periodicity established in the relevant provisions and concurrently with the Commission meetings.

4. Regular sessions of the committees and working groups shall be chaired successively by each Party. The sessions may be held by any technological means available to the Parties.

5. When necessary, the committees and working groups shall consult with each other, in order to address the pertinent issues.

Article 139: Contact Points

1. Each Party shall designate a contact point to facilitate communications between the Parties on any matter covered by this Agreement, and shall notify this designation to the other Party within 60 days of the date of entry into force of this Agreement.

2. On the request of the other Party, the contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communication with the requesting Party.