

CHAPTER 24 - DISPUTE SETTLEMENT

SECTION A - OBJECTIVE AND SCOPE

ARTICLE 24.1 - Objective

The objective of this Chapter is to establish an effective, efficient and transparent mechanism for avoiding and settling any dispute between the Parties concerning the interpretation and application of this Agreement with a view to reaching, where possible, a mutually agreed solution.

ARTICLE 24.2 - Scope

Unless otherwise provided in this Agreement, this Chapter applies with respect to any dispute between the Parties concerning the interpretation and application of the provisions of this Agreement (hereinafter referred to as "covered provisions"), when a Party considers that a measure of the other Party is inconsistent with an obligation under this Agreement.

ARTICLE 24.3 - Definitions

For the purposes of this Chapter, including its Annexes, the following definitions apply:

- (a) "administrative staff", in respect of a panellist or a mediator, means individuals under the direction and control of a panellist or a mediator, other than assistants;
- (b) "adviser" means an individual retained by a Party to advise or assist that Party in connection with the panel proceedings;
- (c) "assistant" means an individual who, under the terms of appointment and under the direction and control of a panellist or a mediator, conducts research or provides assistance to that panellist or mediator;
- (d) "candidate" means an individual whose name is on the list of panellists referred to in Article 24.7 (Lists of panellists) and who is under consideration for selection as a panellist under Article 24.6 (Establishment of a panel);
- (e) "cases of urgency" and "matters of urgency" include cases and matters which concern goods or services that rapidly lose their quality, current condition or commercial value in a short period of time;
- (f) "complaining Party" means any Party that requests the establishment of a panel pursuant to Article 24.5 (Initiation of panel procedures);

- (g) "DSU" means the Understanding on Rules and Procedures Governing the Settlement of Disputes, contained in Annex 2 to the WTO Agreement;
- (h) "mediator" means an individual who has been selected as a mediator in accordance with Section D (Mediation mechanism);
- (i) "panel" means a panel established pursuant to Article 24.6 (Establishment of a panel);
- (j) "panellist" means a member of a panel;
- (k) "Party complained against" means the Party that is alleged to be in violation of the covered provisions; and
- (l) "representative of a Party" means an employee or any individual appointed by a government department, agency or any other public entity of a Party who represents the Party for the purposes of a dispute under this Agreement.