

CHAPTER 6

TRADE REMEDIES

Article 1

General Provisions

1. The Parties agree not to take any trade remedy action pursuant to Article VI of *GATT 1994*, the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*, the *WTO Agreement on Subsidies and Countervailing Measures*, Article XIX of *GATT 1994* and the *WTO Agreement on Safeguards* in an arbitrary or protectionist manner.
2. Each Party shall carry out trade remedy actions in accordance with the principle of procedural fairness and accepted WTO standards of best practice.
3. The Parties agree to carry out trade remedy actions in a transparent manner.

Article 2

Subsidies and Countervailing Measures

1. The Parties agree to prohibit export subsidies³ on all goods including agricultural products.
2. The Parties maintain their rights and obligations under Article VI of *GATT 1994* and the *WTO Agreement on Subsidies and Countervailing Measures*.

³ “Export subsidies” means subsidies as defined by Article 3 of the *WTO Agreement on Subsidies and Countervailing Measures* and Article 1(e) of the *WTO Agreement on Agriculture*.

Article 3

Safeguard Measures

1. The Parties maintain their rights and obligations under Article XIX of *GATT 1994* and the *WTO Agreement on Safeguards*.
2. A Party taking any measure pursuant to Article XIX of *GATT 1994* and the *WTO Agreement on Safeguards* shall exclude imports of an originating good from the other Party from the action if such imports do not in and of themselves cause or threaten to cause serious injury.
3. Each Party shall promptly advise the contact point of the other Party of the initiation of any global safeguard investigation and the reasons for initiation.

Article 4

Anti-Dumping Measures

1. The Parties maintain their rights and obligations under Article VI of *GATT 1994* and the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*.
2. Pursuant to Article 5(5) of the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*, a Party that has received a properly documented application from an industry in its Area for the initiation of an anti-dumping investigation in respect of products from the other Party shall, as soon as possible but no later than seven days following receipt, give written notice to the other Party through the contact point designated pursuant to Article 5.

Article 5 Consultations

1. Each Party shall designate one or more contact points for the purposes of this Chapter and provide details of such contact points to the other Party. The Parties shall notify each other promptly of any amendments to the details of their contact points.
2. A Party may at any time request consultations with the other Party on any matter arising from the operation or implementation of this Chapter. Such consultations shall be conducted through the relevant contact points and shall take place within 30 days of the receipt of the request, unless the Parties mutually determine otherwise.
3. Any action taken pursuant to this Article shall be without prejudice to the rights and obligations of the Parties under Chapter 16 (Dispute Settlement) or under the *WTO Dispute Settlement Understanding*.