

ANNEX 2

PROCEDURES RELATED TO REVIEW PANELS

Qualifications of Panellists

1. Each Panellist shall:
 - (a) be chosen on the basis of expertise in labour matters or other appropriate disciplines, objectivity, reliability and sound judgment;
 - (b) be independent of, and not be affiliated with, or take instructions from, a Party; and
 - (c) comply with a code of conduct to be established by the Parties.
2. If a Party believes that a panellist is in violation of the code of conduct, the Parties shall consult and, if they so decide, remove the panellist and select a new panellist in accordance with the procedures set out in paragraph 4. The time limits shall run from the date of their decision to remove the panellist. The Model Rules of Procedure may provide procedures for resolving the situation if the Parties do not agree.
3. Individuals may not serve as panellists with respect to a review in which they have, or a person or organization with which they are affiliated has an interest.

Review Panel Selection Procedures

4. For the purposes of selecting a Review Panel, the following procedures apply:
 - (a) within 20 days of the receipt of the request for the establishment of a Review Panel, each Party shall select one panellist;
 - (b) if a Party fails to select its panellist within that period, the other Party shall select the panellist from among qualified individuals who are nationals of the Party that has failed to select its panellist; and
 - (c) the following procedures shall apply to the selection of the chairperson of the Review Panel:
 - (i) the Party that is the object of the review shall provide the Party that made the request with the names of 3 individuals whom it considers to be qualified to be the chairperson. The names shall be provided within 20 days after the receipt of the request for the establishment of the Review Panel,