

5. The complaining Party may request the establishment of a panel if the Party complained against:

- (a) does not respond to a request for consultations within 10 days of receiving the request for consultations;
- (b) does not enter into consultations within 25 days of receiving the request for consultations, or a period otherwise decided by the Parties; or
- (c) does not enter into consultations within 15 days of receiving the request for consultations regarding a matter referred to in paragraph 4.

6. The Parties shall make every attempt to arrive at a mutually satisfactory resolution of a matter through consultations under this Article, or through any other consultative provisions of this Agreement. To this end, each Party shall:

- (a) provide sufficient information to enable a full examination of how the actual or proposed measure or other matter might affect the operation of this Agreement; and
- (b) treat any confidential or proprietary information exchanged in the course of consultations on the same basis as the Party providing the information.

7. Consultations are confidential and without prejudice to the rights of either Party in the other stages of dispute settlement established in this Chapter.

8. Consultations may be held in person or by any other means decided by the Parties.

Article 21.9: Good Offices, Conciliation and Mediation

The Parties may decide to undertake voluntarily an alternative method of dispute resolution, such as good offices, conciliation, or mediation.

Article 21.10: Establishment of a Panel

1. Subject to any decision by agreement of the Parties to have recourse to an alternative method of dispute resolution, the complaining Party may request the establishment of a dispute settlement panel if the Parties fail to resolve a matter under Article 21.8:

- (a) within 35 days of the date of receipt of the request for consultations; or