

- (b) the National Secretariat of Canada, acting on behalf of the Commission, may file in court a panel determination that is a panel determination described in paragraph 1(a) only if the Party complained against has failed to comply with the determination within 180 days of when the determination was made;
- (c) the court of competent jurisdiction is the Supreme Court;
- (d) the National Secretariat of Canada, acting on behalf of the Commission, shall certify that the panel determination is final and not subject to appeal;
- (e) the Supreme Court shall issue a resolution ordering the enforcement of the panel determination within 10 days of when the petition was filed;
- (f) the resolution of the Supreme Court shall be addressed to the competent administrative authority for its prompt compliance.

4. Any change by the Parties to the procedures adopted and maintained by each of them pursuant to this Article that has the effect of undermining the provisions of this Article shall be considered a breach of this Agreement.

Article 38: Funding of Panel Proceedings

The Parties shall agree on a separate budget for each set of panel proceedings pursuant to Articles 26 to 36. The Parties shall contribute equally to this budget.

PART SIX

GENERAL PROVISIONS

Article 39: Enforcement Principle

Nothing in this Agreement shall be construed to empower a Party's authorities to undertake labour law enforcement activities in the territory of the other Party.

Article 40: Private Rights

Neither Party may provide for a right of action under its domestic law against the other Party on the ground that the other Party has acted in a manner inconsistent with this Agreement.

Article 41: Protection of Information

1. If a Party provides confidential or proprietary information to the other Party, including its National Secretariat, or the Council, the recipient shall treat the information on the same basis as the Party providing the information.
2. Confidential or proprietary information provided by a Party to an ECE or a panel under this Agreement shall be treated in accordance with the rules of procedure established under Articles 22 and 30.