

Article 9.4: Administration of Emergency Action Proceedings

1. Each Party shall ensure the consistent, impartial and reasonable administration of its laws, regulations, decisions, and rulings governing emergency action proceedings.
2. Each Party shall:
 - (a) entrust a determination of serious injury, or threat of serious injury, in an emergency action proceeding to a competent investigating authority empowered under domestic law to conduct proceedings;
 - (b) ensure that these determinations are subject to review by judicial or administrative tribunals, to the extent provided by domestic law;
 - (c) ensure that negative injury determinations are not subject to modification, except through a review referred to in subparagraph (b).
3. Each Party should provide its competent investigating authority with the resources necessary to enable it to fulfill its duties.
4. Each Party shall adopt or maintain equitable, timely, transparent and effective procedures for emergency action proceedings, in accordance with the requirements set out in Annex 9.4.

Article 9.5: Relation to Textile and Apparel Annex

This Chapter does not apply to an emergency action taken under Annex 3.1 (National Treatment and Market Access for Goods – Textile and Apparel Goods).