

Article 42: Cooperation with the ILO

The Parties shall seek to establish cooperative arrangements with the ILO to enable the Council and Parties to draw on the expertise and experience of the ILO for purposes of implementing Article 22(1).

Article 43: Extent of Obligations

Annex 43 applies to the Parties specified in that Annex.

Article 44: Definitions

For purposes of this Agreement:

A Party has not failed to **"effectively enforce its occupational safety and health, child labour or minimum wage technical labour standards"** or comply with Article 3(1) in a particular case where the action or inaction by agencies or officials of that Party:

- (a) reflects a reasonable exercise of the agency's or the official's discretion with respect to investigatory, prosecutorial, regulatory or compliance matters; or
- (b) results from *bona fide* decisions to allocate resources to enforcement in respect of other labour matters determined to have higher priorities;

"citizen" means a citizen as defined in Annex 44 for the Party specified in that Annex;

"labour law" means laws and regulations, or provisions thereof, that are directly related to:

- (a) freedom of association and protection of the right to organize;
- (b) the right to bargain collectively;
- (c) the right to strike;
- (d) prohibition of forced labour;
- (e) labour protections for children and young persons;
- (f) minimum employment standards, such as minimum wages and overtime pay, covering wage earners, including those not covered by collective agreements;
- (g) elimination of employment discrimination on the basis of grounds such as race, religion, age, sex, or other grounds as determined by each Party's domestic laws;
- (h) equal pay for men and women;
- (i) prevention of occupational injuries and illnesses;
- (j) compensation in cases of occupational injuries and illnesses; or
- (k) protection of migrant workers;