

ARTICLE 4

Bid Challenge Procedures

With respect to procurement by the entities, the Parties shall provide non-discriminatory, timely, transparent and effective procedures enabling suppliers and service providers to challenge alleged breaches of this Agreement arising in the context of procurement in which they have, or have had, an interest. Consultation and challenge procedures involving the entities and bodies reviewing bid challenges shall include, as a minimum, those procedures set out in Article XX of the AGP, *mutatis mutandis*. The entities shall normally follow the recommendations of their respective review bodies.

ARTICLE 5

Consultations and Dispute Settlement

1. Unless otherwise mutually agreed, the Parties shall meet no less than once a year to discuss any matter affecting the operation and implementation of this Agreement, including a review of the Annexes to this Agreement, with a view to updating the Annexes to reflect changes in the Parties' telecommunications services and equipment markets, as well as any other issue relating to this Agreement.
2. Where necessary, either Party may request a consultation to discuss any aspect of this Agreement. When a Party requests consultations on any matter affecting the operation of this Agreement, such consultations shall be held not later than 30 days following the date on which the request is received, unless otherwise mutually agreed by the Parties.
3. To the extent necessary to ensure effective implementation of this Agreement, the Parties shall, upon the request of either Party, exchange information on legislation, other measures or imminent changes affecting or likely to affect procurement policies or practices of entities covered by this Agreement.
4. Each Party shall give sympathetic consideration to the concern of the other Party and work to reach a mutually acceptable resolution of any issue arising in connection with the interpretation or application of this Agreement.
5. If either Party considers that any benefit accruing to it, directly or indirectly, under this Agreement is being nullified or impaired, it may request consultations under this Article.
6. In the event of a dispute under this Agreement, the Parties shall endeavour to resolve the dispute by means of consultations within 90 days of the date of the initial request for consultations. The consultation period can be extended upon the mutual agreement of the Parties.
7. If a dispute is not resolved through consultations between the Parties within 90 days of the date of the initial request for consultations or such other period of time as may be mutually agreed upon, either Party may initiate an arbitration proceeding. The arbitration proceeding shall be initiated and governed according to the Arbitration Procedures set forth in Annex 2 to this Agreement.