

Rules of Procedure

2. The Parties shall, no later than one year after the entry into force of this Agreement, establish Model Rules of Procedure, which shall be used for the establishment and conduct of proceedings under Part Three. The Model Rules will include:

- (a) a code of conduct for the purposes of Article 14;
- (b) rules, for the purposes of Article 16, that provide that written submissions may be made only on such terms and conditions as the panel may specify and that persons seeking to present oral information within the meaning of paragraph 2 of Article 16 may do so only if the panel determines that such information may assist the panel in performing its functions; and,
- (c) rules for the protection of information under Article 24.

3. The Parties shall agree on a separate budget for each set of panel proceedings pursuant to Articles 13 to 21. The Parties shall contribute equally to the budget, unless they agree otherwise.

Terms of Reference of Panels

4. Unless the Parties otherwise agree, within 30 days after the Parties convene the panel, the terms of reference shall be:

“To examine, in light of the relevant provisions of this Agreement, whether the Party that was the object of the request has engaged, in a trade-related matter, in a persistent pattern of failure to effectively enforce its labour law or has failed to comply with its obligations under Articles 1 and 2 to the extent that they refer to the ILO 1998 Declaration, and to make findings, determinations and recommendations in accordance with paragraph 2 of Article 17.”