

ARTICLE XIV:

Safeguards

1. The appropriate Regulatory Authorities of each Party retain all authority under the applicable law of that Party, to interpret and, as set out in paragraph 2 below, enforce their respective legislative and regulatory provisions. A Regulatory Authority of the importing Party is not the legal representative of the exporting Party.
2. When a Party or one of its Regulatory Authorities has reasons to believe that a product from the other Party, covered under a Sectoral Annex, may compromise the health or safety of persons in its territory, or otherwise fails to satisfy a requirement of the applicable Sectoral Annex, the Party in the receiving territory retains all powers under its applicable domestic law to take all appropriate and immediate measures to withdraw such products from the market, prohibit their placement on the market, restrict their free movement, or initiate a product recall. The Regulatory Authority in whose territory the action has been taken shall inform its counterparts and the Joint Committee immediately after taking such action, giving its reasons.
3. The Parties agree that border inspections and checks of products certified to the importing Party's requirements shall be completed as expeditiously as possible. With regard to any inspections related to internal movement within their respective territories, the Parties agree that these shall be completed in a manner no less favourable than for like domestic goods.

ARTICLE XV:

Market Access

1. Each Party's obligation to accord mutual recognition within the terms of a Sectoral Annex to this Agreement is conditional upon the other Party continuing:
 - a) to provide access to its market for products that, having been subjected to conformity assessment procedures, can be demonstrated to meet the applicable technical requirements; and
 - b) to maintain in existence Legal and Regulatory Authorities capable of implementing the provisions of this Agreement.
2. Where a Party introduces new or additional conformity assessment procedures affecting a sector covered by a Sectoral Annex the Joint Committee shall, unless the Parties agree otherwise, bring such procedures within the scope of this Agreement and the relevant Annex.
3. If, upon implementation of such new or additional requirements, Conformity Assessment Bodies designated by the other Party in order to meet such requirements have not been recognized by the Party implementing the requirements, the other Party may suspend its obligations under the Sectoral Annex in question.