

- (b) a determination by a panel under Article 35(5)(b) that provides that the Party complained against shall fully implement an action plan where the panel:
 - (i) has previously established an action plan under Article 35(4)(a)(ii) or imposed a monetary enforcement assessment under Article 35(4)(b); or
 - (ii) has subsequently determined under Article 36 that the Party complained against is not fully implementing an action plan.

2. In Canada, the procedures shall be the following:

- (a) subject to subparagraph (b), the National Secretariat of Chile, acting on behalf of the Commission, may in the name of the Commission file in a court of competent jurisdiction a certified copy of a panel determination;
- (b) the National Secretariat of Chile, acting on behalf of the Commission, may file in court a panel determination that is a panel determination described in paragraph 1(a) only if the Party complained against has failed to comply with the determination within 180 days of when the determination was made;
- (c) when filed, the panel determination, for purposes of enforcement, shall become an order of the court;
- (d) the National Secretariat of Chile, acting on behalf of the Commission, may take proceedings for enforcement of a panel determination that is made an order of the court, in that court, against the person in Canada against whom the panel determination is addressed in accordance with paragraph 6 of Annex 43;
- (e) proceedings to enforce a panel determination that has been made an order of the court shall be conducted in Canada by way of summary proceedings;
- (f) in proceedings to enforce a panel determination that is a panel determination described in paragraph 1(b) and that has been made an order of the court, the court shall promptly refer any question of fact or any question of interpretation of the panel determination to the panel that made the panel determination, and the decision of the panel shall be binding on the court;
- (g) a panel determination that has been made an order of the court shall not be subject to domestic review or appeal; and
- (h) an order made by the court in proceedings to enforce a panel determination that has been made an order of the court shall not be subject to review or appeal.

3. In Chile, the procedures shall be the following:

- (a) subject to subparagraph (b), the National Secretariat of Canada, acting on behalf of the Commission, may in the name of the Commission file in a court of competent jurisdiction a certified copy of a panel determination;