

5. If, following the 60-day period specified in paragraph 4, the Parties fail to resolve the matter, either Party may initiate dispute settlement under Article XIV.

6. If a tribunal established under Article XIV issues an award clarifying whether a product falls within or outside a tariff item or product description in Annex 1A, the award shall govern whether the SLA 2006 applies to the product.

ARTICLE II

Entry into force

1. The SLA 2006 shall enter into force on a date designated by the Parties in an exchange of letters (the "Effective Date"). The exchange of letters shall confirm that:

- (a) the Termination of Litigation Agreement in Annex 2A has been signed:
 - (i) by counsel on behalf of all represented parties and participants to the actions set out in the Termination Agreement, and
 - (ii) by authorized representatives of any unrepresented parties or participants to the actions set out in the Termination Agreement;
- (b) pursuant to Article 3.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*, the United States and Canada have signed and filed the Notification of Mutually Agreed Solution in Annex 2B with the WTO Dispute Settlement Body;
- (c) the CIT has modified the injunctions against liquidation issued in *West Fraser v. United States* (Consol. Ct. No. 05-00079) to permit the United States to fulfill its obligations under Article III or has confirmed that fulfilling those obligations is not inconsistent with those injunctions;
- (d) Canada has certified to the United States that it can administer the Export Charge and issue Export Permits as of the Effective Date;