

3. Either Party may submit written comments to the panel on its initial report within 30 days of presentation of the report or within such other period as the Parties may decide. After considering such written comments, the panel, on its own initiative or on the request of either Party, may reconsider its report and make any further examination that it considers appropriate.
4. The panel shall present to the Parties a final report within 60 days of the presentation of the initial report, unless the Parties otherwise decide. The final report shall be made public within 60 days of its receipt by the Parties.
5. If, in the final report, a panel determines that there has been non-compliance within the meaning of subparagraph 1(c), the Parties may develop, within the following 90 days or such longer period as they may decide, a mutually satisfactory action plan to implement the panel's recommendations.
6. Following the expiry of the period set out in paragraph 5, if the Parties were unable to decide on an action plan or the Party subject to review is failing to implement the action plan according to its terms, the requesting Party may request in writing that the panel be reconvened with a view to determining whether or not a monetary assessment needs to be set and paid in accordance with Annex 3.