

SECTION E – FINAL PROVISIONS

ARTICLE 40

Consultations, Amendments and Other Actions

1. A Party may request in writing consultations with the other Party regarding an actual or proposed measure or any other matter that it considers might affect the operation of this Agreement.
2. The consultations under paragraph 1 may address, *inter alia*, matters relating to:
 - (a) the implementation of this Agreement;
 - (b) the interpretation or application of this Agreement; or
 - (c) the proposed amendments to this Agreement.
3. Further to consultations under this Article, the Parties may take an action as they may agree, including making and adopting rules supplementing the applicable arbitral rules under Section C (Settlement of Disputes between an Investor and the Host Party) of this Agreement.
4. The Parties generally meet once every five years, or by any technological means available, after the entry into force of this Agreement, in order to examine the application and effectiveness of this Agreement.
5. Each Party shall notify the other Party in writing of the completion of the formalities required in its territory for the entry into force of any amendment to this Agreement. The amendment shall come into force on the date of the last of these notifications and shall constitute an integral part of this Agreement.

ARTICLE 41

Extent of Obligations

Each Party shall ensure that it takes all necessary measures to give effect to the provisions of this Agreement, including their observance, except as otherwise provided in this Agreement, by its sub-national governments.

ARTICLE 42

Exclusions

Sections C (Settlement of Disputes between an Investor and the Host Party) and D (State-to-State Dispute Settlement Procedures) of this Agreement do not apply to the matters set out in Annex V (Exclusions from Dispute Settlement).