

2. Under the conditions and procedures specified in the Phase I Procedures or Phase II Procedures, the Regulatory Authority of a Party shall recognize the Conformity Assessment Bodies designated by the other Party's Designating Authority.

ARTICLE 8

Verification of Designated Conformity Assessment Bodies

1. Even after a Party has recognized a Conformity Assessment Body, that Party has the right to contest its technical competence, as well as its conformity with Appendix A, B or C. This right shall be exercised in exceptional circumstances only.

2. The contesting Party shall provide prompt notice of its contestation in writing to the other Party's Designating Authority, accreditation body and designated Conformity Assessment Body. The notice shall include an objective and detailed description of the basis for the contestation, including a description of the available evidence and opinions supporting the contestation. The other Party shall, within 60 days of receipt of the notice, submit information to the contesting Party to refute the contestation or remedy the deficiencies raised in the contestation.

3. The Parties shall, in a timely manner, carry out a joint verification of the Designated Conformity Assessment Body's technical competence or conformity with Appendix A, B or C, as required to resolve the contest. The relevant accreditation body shall participate in this verification.

4. The Parties shall ensure that their Designated Conformity Assessment Bodies are available for verification of their technical competence and their conformity with Appendix A, B or C.

5. The Parties, the relevant accreditation body, and the Designated Conformity Assessment Body concerned, shall discuss the results of this verification with a view to resolving the contestation as soon as possible. Where, as a result of the verification it is determined that the Designated Conformity Assessment Body is not in conformity with Appendix A, B or C, the contesting Party shall promptly notify the Designated Conformity Assessment Body. That Designated Conformity Assessment Body shall, within 60 days of the receipt of the notice, submit information to refute the findings of the verification or remedy the deficiencies raised in the contestation.