

## ARTICLE XII

### *Taxation Measures*

- (1) *Except as set out in this Article and Article VIII, nothing in this Agreement shall apply to taxation measures.*
- (2) *Nothing in this Agreement shall affect the rights and obligations of the Contracting Parties under any tax convention. In the event of any inconsistency between the provisions of this Agreement and any such convention, the provisions of that convention apply to the extent of the inconsistency.*

## ARTICLE XIII

### *Settlement of Disputes between an Investor and the Host Contracting Party*

- (1) *Any dispute between one Contracting Party and an investor of the other Contracting Party, relating to a claim by the investor that a measure taken or not taken by the former Contracting Party is in breach of this Agreement, and that the investor has incurred loss or damage by reason of, or arising out of, that breach, shall, to the extent possible, be settled amicably through consultations between them.*
- (2) *If a dispute has not been settled amicably within a period of six months from the date on which it was initiated, it may be submitted by the investor to arbitration in accordance with paragraph (4). For the purposes of this paragraph, a dispute is considered to be initiated when the investor of one Contracting Party has delivered notice in writing to the other Contracting Party alleging that a measure taken or not taken by the latter Contracting Party is in breach of this Agreement, and that the investor has incurred loss or damage by reason of, or arising out of, that breach.*
- (3) *An investor may submit a dispute as referred to in paragraph (1) to arbitration in accordance with paragraph (4) only if:*
  - (a) *the investor has consented in writing thereto; and*
  - (b) *the investor has waived its right to initiate or continue any other proceedings in relation to the measure that is alleged to be in breach of this Agreement before the courts or tribunals of the Contracting Party concerned or in a dispute settlement procedure of any kind.*

*The investor has a maximum of three years to submit a dispute to arbitration under this Article from the time it first acquired, or should have first acquired, knowledge of the alleged breach and loss or damage incurred.*

- (4) *The dispute may, at the election of the investor concerned, be submitted to arbitration under:*