

ARTICLE IV:

Transitional Arrangements

1. The Parties agree to implement the transition commitments on confidence building where included in the Sectoral Annexes.
2. The Parties agree that each Sectoral Transition Plan shall specify a time period for completion.
3. The Parties may amend any transition period by mutual agreement through the Joint Committee established under this Agreement, taking account of recommendations made by the relevant Joint Sectoral Groups.
4. Passage from the transitional phase to conditions of full mutual recognition shall proceed unless there is documented evidence demonstrating a lack of technical competence in a Party's conformity assessment.

ARTICLE V:

Civil Liability

1. Nothing in this Agreement is intended to change or modify the law in the territory of either Party applicable to civil liability of manufacturers, distributors, suppliers, Conformity Assessment Bodies, Designating Bodies, Regulatory Authorities or governments, to consumers or among each other, in respect of the design, manufacture, testing, inspection, distribution or sale of products that have undergone conformity assessment pursuant to this Agreement.
2. The Parties agree that their respective Conformity Assessment Bodies are required to make adequate arrangements for liabilities arising from their operations and activities under this Agreement. The Parties, through the Joint Committee, shall from time to time consider whether their respective Conformity Assessment Bodies continue to meet that requirement and whether the interests of the Parties are adequately protected.
3. Each Party shall promptly notify the other Party of any suit or other proceedings threatened or commenced in the territory of such Party arising from or in connection with conformity assessment performed by a Conformity Assessment Body of the other Party.
4. Each Party shall cooperate with the other Party in the investigation and defence of any suit or proceeding where the interests of either Party are at risk. In particular, the Parties shall render reasonable assistance in obtaining relevant documents and access to material witnesses required in the investigation and defence of such suits or proceedings.