

Article 9.2: Global Safeguard Measures

Each Party retains its rights and obligations under Article XIX of the GATT 1994 and the Agreement on Safeguards.

Article 9.3: Bilateral Emergency Actions

1. A Party may, during the transition period only, adopt an emergency action described in paragraph 2 if, as a result of the reduction or elimination of a duty provided for in this Agreement, an originating good is being imported into the Party's territory in such increased quantities and under such conditions as to constitute a substantial cause of serious injury or threat of serious injury to a domestic industry.
2. If the conditions set out in paragraphs 1, and 3 through 9 are met, a Party may, to the extent necessary to remedy or prevent serious injury or threat of serious injury to a domestic industry:
 - (a) suspend the further reduction of a rate of duty provided for under this Agreement on the good;
 - (b) increase the rate of duty on the good to a level not exceeding the lesser of:
 - (i) the most-favoured-nation (MFN) applied rate of duty in effect at the time the emergency action is taken, and
 - (ii) the MFN applied rate of duty in effect on the day immediately preceding the date of entry into force of this Agreement; or
 - (c) in the case of a duty applied to a good on a seasonal basis, increase the rate of duty to a level not exceeding the MFN applied rate of duty that was in effect on the good for the corresponding season immediately preceding the date of entry into force of this Agreement.
3. A Party shall, in writing and without delay, notify the other Party and request discussions regarding the institution of a proceeding that could result in the application of an emergency action against an originating good.
4. An emergency action shall be adopted no later than 1 year after the date the proceeding is instituted.
5. A Party may not maintain an emergency action:
 - (a) for a period exceeding 3 years; or
 - (b) beyond the expiration of the transition period, unless the Party whose good is subject to the emergency action consents.
6. During the transition period, a Party may not apply an emergency action to the same good more than twice.