

5. If, following the 60-day period specified in paragraph 4, the Parties fail to resolve the matter, either Party may initiate dispute settlement under Article XIV.

6. If a tribunal established under Article XIV issues an award clarifying whether a product falls within or outside a tariff item or product description in Annex 1A, the award shall govern whether the SLA 2006 applies to the product.

## ARTICLE II

### Entry into force

1. The SLA 2006 shall enter into force on a date designated by the Parties in an exchange of letters (the "Effective Date"). The exchange of letters shall confirm that:

- (a) the Termination of Litigation Agreement in Annex 2A has been signed:
  - (i) by counsel on behalf of all represented parties and participants to the actions set out in the Termination Agreement, and
  - (ii) by authorized representatives of any unrepresented parties or participants to the actions set out in the Termination Agreement;
- (b) pursuant to Article 3.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*, the United States and Canada have signed and filed the Notification of Mutually Agreed Solution in Annex 2B with the WTO Dispute Settlement Body;
- (c) the CIT has modified the injunctions against liquidation issued in *West Fraser v. United States* (Consol. Ct. No. 05-00079) to permit the United States to fulfill its obligations under Article III or has confirmed that fulfilling those obligations is not inconsistent with those injunctions;
- (d) Canada has certified to the United States that it can administer the Export Charge and issue Export Permits as of the Effective Date;