

procedures. No Party shall be obligated to pay more than any other Party in respect of an annual budget.

Article 48: Privileges and Immunities

The Executive Director and staff of the Secretariat shall enjoy in the territory of each of the Parties such privileges and immunities as are necessary for the exercise of their functions.

Article 49: Definitions

1. For purposes of this Agreement:

A. Party has not failed to "effectively enforce its occupational safety and health, child labor or minimum wage technical labor standards" or comply with Article 3(1) in a particular case where the action or inaction by agencies or officials of that Party:

- (a) reflects a reasonable exercise of the agency's or the official's discretion with respect to investigatory, prosecutorial, regulatory or compliance matters; or
- (b) results from *bona fide* decisions to allocate resources to enforcement in respect of other labor matters determined to have higher priorities;

"labor law" means laws and regulations, or provisions thereof, that are directly related to:

- (a) freedom of association and protection of the right to organize;
- (b) the right to bargain collectively;
- (c) the right to strike;
- (d) prohibition of forced labor;
- (e) labor protections for children and young persons;
- (f) minimum employment standards, such as minimum wages and overtime pay, covering wage earners, including those not covered by collective agreements;
- (g) elimination of employment discrimination on the basis of grounds such as race, religion, age, sex, or other grounds as determined by each Party's domestic laws;
- (h) equal pay for men and women;
- (i) prevention of occupational injuries and illnesses;