

- (b) addresses all facts, views and arguments submitted by the Parties and any relevant information before it pursuant to subparagraph (1)(c);
- (c) determines whether the Party that is the object of the review has engaged in non-compliance through a persistent pattern of failure to effectively enforce its labour law or failure to comply with its obligations under Articles 1 and 2 to the extent that they refer to the ILO 1998 Declaration, or any other determination requested in the terms of reference; and
- (d) makes recommendations for resolution of any non-compliance determined under subparagraph (2)(c), which normally shall be that the Party that is the object of the review adopt and implement an action plan sufficient to remedy the pattern of non-compliance.

3. The panel shall present its initial report to the Parties within 120 days after the last panelist is selected unless the panel extends the time period by up to a further 60 days or the Model Rules of Procedure otherwise provide. If the panel extends the time period, it shall first give written notice to both Parties setting out the reasons for the extension of time. The initial report shall remain confidential.

4. Either Party may submit written comments to the panel on its initial report within 30 days of presentation of the report or within such other period as the Parties may agree. After considering such written comments, the panel, on its own initiative or on the request of either Party, may reconsider its report and make any further examination that it considers appropriate.

5. The panel shall present to the Parties a final report within 60 days of the presentation of the initial report, unless the Parties otherwise agree.

6. If, in its final report, a review panel determines that there has been non-compliance within the meaning of subparagraph (2)(c) of Article 13, the Parties may agree on a mutually satisfactory action plan to implement the panel's recommendations.