

petition, complaint or application) permitted by statute for the competent investigating authority in question to make a final determination in an investigation. If review of the action taken by the competent investigating authority on remand is needed, such review shall be before the same panel, which shall issue a final decision within 90 days of the date on which such remand action is submitted to it.

9. The decision of a panel under this Article shall be binding on the Parties with respect to the particular matter between the Parties that is before the panel.

10. This Agreement shall not affect:

- a) the judicial review procedures of either Party, or
- b) cases appealed under those procedures,

with respect to determinations other than final determinations.

11. A final determination shall not be reviewed under any judicial review procedures of the importing Party if either Party requests a panel with respect to that determination within the time limits set forth in this Article. Neither Party shall provide in its domestic legislation for an appeal from a panel decision to its domestic courts.

12. The provisions of this Article shall not apply where:

- a) neither Party seeks panel review of a final determination;
- b) a revised final determination is issued as a direct result of judicial review of the original final determination by a court of the importing Party in cases where neither Party sought panel review of that original final determination; or
- c) a final determination is issued as a direct result of judicial review that was commenced in a court of the importing Party before the entry into force of this Agreement.

13. Where, within a reasonable time after the panel decision is issued, a Party alleges that: