

- (d) makes recommendations for the resolution of non-compliance determined under subparagraph (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 non-compliance.

2. The Review Panel shall present its initial report to the Parties within 120 days after the date the last panellist is selected, unless the Review Panel extends the time period by up to a further 60 days, or unless the Model Rules of Procedure otherwise provide. If the Review 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.

3. Each Party may submit written comments to the Review Panel on its initial report within 30 days of presentation of the initial report or within any other period as decided by the Parties. After considering the written comments, the Review 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.

4. The Review Panel shall present to the Parties a final report within 60 days of the presentation of the initial report, unless the Parties otherwise decide. The final report shall be made public within 60 days of its receipt by the Parties.

5. If, in the final report, the Review Panel determines that there has been non-compliance within the meaning of subparagraph 1(c), the Parties may develop, within the following 90 days or such longer period as they may decide, a mutually satisfactory action plan to implement the Review Panel's recommendations.

6. Following the expiry of the period set out in paragraph 5 if the Parties are unable to decide on an action plan or the Party subject to review is failing to implement the action plan according to its terms, the requesting Party may request in writing that the Review Panel be reconvened with a view to determining whether or not a monetary assessment needs to be set and paid in accordance with Annex 3 (Monetary Assessments).