

ARTICLE XII**Amendments to Chapter N (Institutional Arrangements
and Dispute Settlement Procedures)**

1. Article N-02(3)(b) of the CCFTA is amended by replacing the reference to "Article N-12" with a reference to "Article N-11".

2. Article N-09 of the CCFTA is deleted and replaced with the following:

"Article N-09: Panel Selection

1. The panel shall comprise three panelists.

2. Each Party shall, within 30 days of the request for the establishment of a panel, appoint one panelist, and propose up to four candidates to serve as chair. Each Party shall then notify the other Party in writing of the panelist appointment and its candidates to serve as chair. If a Party fails to appoint a panelist in accordance with this paragraph, the panelist shall be selected by the other Party from the chair candidates.

3. The Parties shall endeavour to agree on and appoint the chair from among the chair candidates within 45 days of the request for the establishment of a panel. If the Parties are unable to agree on the chair within this time period, within a further 7 days the chair shall be selected by lot from the chair candidates.

4. If a panelist withdraws, is removed, or becomes unable to serve, a successor shall be appointed within 15 days in accordance with the procedure prescribed for the appointment of the original panelist in paragraph 2 or 3 applied respectively *mutatis mutandis*. If the appointment would require selecting from the chair candidates and there are no remaining chair candidates, each Party shall propose up to three additional candidates within a further 30 days. All time periods applicable to a panel's proceedings shall be suspended until a replacement is appointed."

3. Article N-10 of the CCFTA is deleted and replaced with the following:

"Article N-10: Qualifications of Panelists

1. Each panelist shall:

- (a) have expertise or experience in law, international trade, other matters covered by this Agreement, or in the settlement of disputes arising under international trade agreements;
- (b) be chosen strictly on the basis of objectivity, reliability, and sound judgment;
- (c) be independent of either Party;
- (d) not have dealt with the matter at issue in any capacity; and