

3. A Party may request consultations with the other Party through the Committee on the Environment regarding any matter arising under this Agreement by delivering a request in writing to the National Coordinating Officer of the other Party. Upon receipt, the National Coordinating Officer shall forward the request for consultations to the Committee.

4. If the Parties fail to resolve the matter through the Committee, the requesting Party may request in writing consultations with the other Party at a Ministerial level regarding any obligation under this Agreement. The Party receiving the request shall respond expeditiously. Ministerial consultations shall be concluded within 120 days of receiving the request unless the Parties decide otherwise.

5. Following the conclusion of the Ministerial consultations, the requesting Party may request that a Review Panel be convened if it considers the consultations have not satisfactorily addressed the matter and that:

- (a) there is a persistent pattern of failure by the other Party to effectively enforce its environmental laws; or
- (b) there is a breach of Article 5.

6. A Party shall not request a Review Panel in the three-year period following the date of entry into force of this Agreement.

7. The Review Panel shall be established with specific terms of reference provided by the Parties, and function in accordance with Annex I and the Model Rules of Procedure.

8. If the Review Panel determines that there has been a persistent pattern of failure by the Party that was the object of the request to effectively enforce its environmental laws or that there has been a breach of the obligation set out in Article 5, the Parties may decide on a mutually satisfactory action plan to implement the Panel's recommendations. Any action plan decided by the Parties shall be made public without delay.