

- Both Parties agree to establish a Working Group to develop a substitute regime and report back as soon as possible. The Parties shall use their best efforts to develop and implement the substitute regime within the agreed time limit.
- This arrangement would apply only prospectively, after entry into force of the free-trade agreement, to:
 - antidumping and countervailing duty investigations in which a final determination of injury to the domestic industry is made by the relevant investigating authority after January 1, 1989; and
 - Administrative reviews of antidumping and countervailing duty orders or suspension agreements in which a final decision regarding the results of such review is made by the relevant investigating authority after January 1, 1989.

Tab 1

BINATIONAL PANELS

A panel for this purpose would consist of five members, two appointed by each party from an agreed roster of panelists in consultation with the other party. The fifth panelist would be selected by agreement of both parties; in the event that the parties were unable to agree within ___ days, the fifth panelist would be selected by agreement among the other four panelists. If a fifth panelist still has not been selected by this procedure, the fifth panelist shall be chosen by lot from the roster.

In the selection of panelists, each party would be permitted to exercise ___ preemptory strikes, disqualifying from appointment to the panel up to ___ candidates proposed by the other party.