

CHAPTER 8

TRADE REMEDIES

Article 8.1

Countervailing Measures

1. The Parties maintain their rights and obligations regarding countervailing measures under Article VI of *GATT 1994* and the *SCM Agreement*.
2. Except as otherwise provided in paragraph 3, this Agreement does not confer any additional rights or obligations on the Parties with regard to actions taken pursuant to Article VI of *GATT 1994* and the *SCM Agreement* with regard to the application of countervailing measures.
3. Before an investigation is initiated by a Party to determine the existence, degree and effect of any alleged subsidy in the other Party, as provided for in Article 11 of the *SCM Agreement*, the Party considering the initiation of an investigation shall notify in writing the other Party whose products may be subject to such investigation and invite the other Party for consultations with a view to finding a mutually acceptable solution. Consultations must be held as soon as possible but no later than 30 days from the date of receipt of the notification by the other Party, unless the Parties agree to a longer period.⁵

Article 8.2

Global Safeguard Measures

1. The Parties maintain their rights and obligations under Article XIX of *GATT 1994* and the *WTO Agreement on Safeguards* (“*Safeguards Agreement*”).
2. Except as otherwise provided in paragraph 3, this Agreement does not confer additional rights or obligations on the Parties with regard to actions taken pursuant to Article XIX of *GATT 1994* and the *Safeguards Agreement*.

⁵ It is understood that: (a) consultations held pursuant to paragraph 3 shall be without prejudice to the rights and obligations of the Parties under Chapter 17 (Dispute Settlement) or under the *WTO Dispute Settlement Understanding*; and (b) a Party can initiate an investigation before the consultations have been completed.

3. A Party shall promptly notify the other Party of the initiation of any global safeguard investigation and the reasons for initiation. Such notification shall be made in no case later than 7 days upon such initiation.

Article 8.3

Anti-dumping Measures

1. The Parties maintain their rights and obligations regarding anti-dumping measures under Article VI of *GATT 1994* and the *WTO Agreement on Implementation of Article VI of the GATT 1994* (“*AD Agreement*”).

2. Except as otherwise provided in paragraph 3, this Agreement does not confer any additional rights or obligations on the Parties with regard to actions taken pursuant to Article VI of *GATT 1994* and the *AD Agreement* with regard to the application of anti-dumping measures.

3. Pursuant to Article 5.5 of the *AD Agreement*, a Party that has received a properly documented application from an industry in its Area for the initiation of an anti-dumping investigation in respect of goods from the other Party shall, as soon as possible but no later than 7 days following receipt, give written notice to the other Party.