

## **CHAPTER 16**

### **ADMINISTRATION**

#### **Article 16.1**

##### **Free Trade Commission**

1. The Parties hereby establish a Free Trade Commission.
2. The Commission shall be comprised of government officials of each Party and shall be co-chaired by senior government officials of the Parties.
3. The Commission shall:
  - (a) review the general functioning of this Agreement;
  - (b) review, consider and, as appropriate, decide on specific matters related to the operation, application and implementation of this Agreement, including matters reported by committees or working groups established under this Agreement;
  - (c) supervise and coordinate the work of committees, working groups and contact points established under this Agreement; and
  - (d) take such other action as the Parties may agree.
4. The Commission may:
  - (a) establish, refer matters and delegate responsibilities to any committee or working group;
  - (b) consider and adopt any amendment to this Agreement on:
    - (i) the Tariff Schedules in Annex 3.4, to accelerate tariff elimination;
    - (ii) the Product Specific Rules of Origin in Annex 4.2;
    - (iii) the Annexes to Chapter 7 (Technical Barriers to Trade); and
    - (iv) the entities listed in Annex 9.1,

subject to completion of necessary domestic legal procedures by each Party;<sup>34</sup>

- (c) seek to resolve disputes that may arise regarding the interpretation, implementation or application of this Agreement, without prejudice to the dispute settlement mechanism in accordance with Chapter 17 (Dispute Settlement);
- (d) issue interpretations of this Agreement; and
- (e) seek the advice of non-governmental persons or groups on matters covered by this Agreement.

## **Article 16.2**

### **Procedures of the Commission**

1. The Commission shall meet within the first year of entry into force of this Agreement and thereafter at such interval as the Parties may agree. The Commission shall meet alternately in the Area of each Party, unless the Parties otherwise agree.
2. The Commission shall also meet in special session within 30 days from the date of receipt of the request of a Party or as otherwise mutually determined by the Parties, with such sessions to be held in the Area of the other Party or at such location as may be agreed by the Parties.
3. All decisions of the Commission shall be taken by mutual agreement.
4. The Commission shall establish its rules and procedures.

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<sup>34</sup> Chile shall implement any amendment adopted by the Commission pursuant to paragraph 4(b) through executive agreements in accordance with Article 54, number 1, paragraph 4 of the *Constitución Política de la República de Chile*.