

CHAPTER 15

INSTITUTIONAL PROVISIONS

Article 1

Establishment of the FTA Joint Commission

1. The Parties hereby establish the Hong Kong, China - Georgia Joint Commission ("FTA Joint Commission") comprising representatives of each Party. The Parties shall be represented by senior officials designated by them for this purpose.

Article 2

Functions of the FTA Joint Commission

1. The FTA Joint Commission shall:
 - (a) consider matters relating to the implementation of this Agreement;
 - (b) consider issues referred to it by either Party or by the committees or working groups established under this Agreement;
 - (c) in accordance with the objectives of this Agreement, explore opportunities for the further expansion of trade and promotion of investment between the Parties;
 - (d) consider any proposal to amend this Agreement and make recommendations to the Parties; and
 - (e) consider any other matter that may affect the operation of this Agreement.

2. The FTA Joint Commission may:
 - (a) establish additional committees or *ad hoc* working groups as necessary and refer matters to any committee or working group for advice;
 - (b) further the implementation of this Agreement through implementing arrangements;
 - (c) seek to resolve any differences that may arise regarding the interpretation or application of this Agreement, without prejudice to the dispute settlement mechanism in accordance with Chapter 16 (Dispute Settlement);
 - (d) seek the advice of non-governmental persons or groups on any matter falling within its responsibilities where this would assist the FTA Joint Commission in discharging its responsibilities; and
 - (e) take such other action in the exercise of its functions as the Parties may agree.

Article 3

Rules of Procedure of the FTA Joint Commission

1. The FTA Joint Commission shall, by mutual agreement, take decisions and make recommendations on any matter within its functions, as set out in Article 2 (Functions of the FTA Joint Commission). If a representative of a Party in the FTA Joint Commission has accepted a decision subject to the fulfilment of the Party's internal legal requirements, the decision shall enter into force on the date which the Party notifies that its internal legal requirements have been fulfilled, unless the decision itself specifies a later date for its entry into force. A Party may apply a decision of the FTA Joint

Commission provisionally until such decision enters into force for it, subject to its internal legal requirements.

2. The FTA Joint Commission shall meet within one year from the entry into force of this Agreement. Thereafter, it shall meet whenever necessary but normally once every two years. Its meetings shall be chaired successively by each Party. The FTA Joint Commission shall establish its rules of procedure.

3. Each Party may request at any time, through a notice in writing to the other Party, that a special meeting of the FTA Joint Commission be held. Such a meeting shall take place within 30 days from the date of receipt of the request, unless the Parties otherwise agree.

4. The FTA Joint Commission shall ordinarily meet at the level of senior officials, unless there is a request by either Party to convene the meeting at a higher level.

5. Subject to paragraph 4, each Party shall be responsible for the composition of its delegation to the FTA Joint Commission.

6. The Party chairing a session of the FTA Joint Commission shall provide any necessary administrative support for such session, and shall record any decision taken by the FTA Joint Commission, copies of which shall be provided to the other Party.

Article 4

Contact Point

For the purpose of facilitating communication between the Parties on any matter covered by this Agreement, the following contact points are designated:

- (a) for Hong Kong, China: Trade and Industry Department;
and

(b) for Georgia: Ministry of Economy and Sustainable Development.