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CHAPTER 34

FINAL PROVISIONS

Article 34.1: Transitional Provision from NAFTA 1994

Article 34.2: Annexes, Appendices, and Footnotes

The annexes, appendices, and footnotes to this Agreement constitute an integral part of this Agreement.

Article 34.3: Amendments

1. The Parties may agree, in writing, to amend this Agreement.
2. An amendment shall enter into force 60 days after the date on which the last Party has provided written notice to the other Parties of the approval of the amendment in accordance with its applicable legal procedures, or such other date as the Parties may agree.

Article 34.4: Amendment of the WTO Agreement

In the event of an amendment of the WTO Agreement that amends a provision that the Parties have incorporated into this Agreement, the Parties shall, unless otherwise provided in this Agreement, consult on whether to amend this Agreement.

Article 34.5: Entry into Force

Each Party shall notify the other Parties, in writing, once it has completed the internal procedures required for the entry into force of this Agreement. This Agreement enters into force on the first day of the third month following the last notification.

Article 34.6: Withdrawal

1. A Party may withdraw from this Agreement by providing written notice of withdrawal to the other Parties. A withdrawal shall take effect six months after a Party provides written notice to the other Parties. If a Party withdraws, the Agreement shall remain in force for the remaining Parties.

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Article 34.7: Review and Term Extension

1. This Agreement shall terminate 16 years after the date of its entry into force, unless each Party confirms it wishes to continue the Agreement for a new 16-year term, in accordance with the procedures set forth in paragraphs 2 through 6.
2. No later than the sixth anniversary of the entry into force of this Agreement, the Commission shall meet to conduct a “joint review” of the operation of the Agreement, review any recommendations for action submitted by a Party, and decide on any appropriate actions. Each Party may provide recommendations for the Commission to take action at least one month before the Commission’s joint review meeting takes place.
3. As part of the Commission’s joint review, each Party shall confirm, in writing, through its head of government, if it wishes to extend the term of the Agreement for another 16-year period. If each Party confirms its desire to extend the Agreement, the term of the Agreement shall be automatically extended for another 16 years and the Commission shall conduct a joint review and consider extension of the Agreement term no later than at the end of the next six-year period.
4. If, as part of a six-year review, a Party does not confirm its wish to extend the term of the Agreement for another 16-year period, the Commission shall meet to conduct a joint review every year for the remainder of the term of the Agreement. If one or more Parties did not confirm their desire to extend the Agreement for another 16-year term at the conclusion of a given joint review, at any time between the conclusion of that review and expiry of the Agreement, the Parties may automatically extend the term of the Agreement for another 16 years by confirming in writing, through their respective head of government, their wish to extend the Agreement for another 16-year period.
5. At any point when the Parties decide to extend the term of the Agreement for another 16-year period, the Commission shall conduct joint reviews every six years thereafter, and the Parties shall have the ability to extend the Agreement after each joint review pursuant to the procedures set forth in paragraphs 3 and 4.
6. At any point in which the Parties do not all confirm their wish to extend the term of the Agreement, paragraph 4 shall apply.

Article 34.8: Authentic Texts

The English, French, and Spanish texts of this Agreement are equally authentic.

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IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.