

CHAPTER 8

INSTITUTIONAL PROVISIONS

ARTICLE 8.1

The Joint Committee

1. The Parties hereby establish the Korea-EFTA Joint Committee. It shall be composed of representatives of the Parties, which shall be headed by Ministers or by senior officials delegated by them for this purpose.

2. The Joint Committee shall:

- (a) supervise and review the implementation of this Agreement, *inter alia* by means of a comprehensive review of the application of the provisions of this Agreement, with due regard to any specific reviews contained in this Agreement;
- (b) keep under review the possibility of further removal of barriers to trade and other restrictive measures concerning trade between Korea and the EFTA States;
- (c) oversee the further development of this Agreement;
- (d) supervise the work of all sub-committees and working groups established under this Agreement;
- (e) endeavour to resolve disputes that may arise regarding the interpretation or application of this Agreement; and
- (f) consider any other matter that may affect the operation of this Agreement.

3. The Joint Committee may decide to set up such sub-committees and working groups as it considers necessary to assist it in accomplishing its tasks. Except where otherwise provided for in this Agreement, the sub-committees and working groups shall work under a mandate established by the Joint Committee.

4. The Joint Committee shall take decisions as provided for in this Agreement, and may make recommendations, by consensus.

5. The Joint Committee shall meet within one year of the entry into force of this Agreement. Thereafter, it shall meet whenever necessary upon mutual agreement but normally every two years. Its meetings shall be chaired jointly by Korea and one of the EFTA States. The Joint Committee shall establish its rules of procedure.

6. Each Party may request at any time, through a notice in writing to the other

Parties, that a special meeting of the Joint Committee be held. Such a meeting shall take place within 30 days of receipt of the request, unless the Parties agree otherwise.

7. The Joint Committee may decide to amend the Annexes and Appendices to this Agreement. Subject to paragraph 8, it may set a date for the entry into force of such decisions.

8. If a representative of a Party in the Joint Committee has accepted a decision subject to the fulfilment of constitutional requirements, the decision shall enter into force on the date that the last Party notifies that its internal requirements have been fulfilled, unless the decision itself specifies a later date. The Joint Committee may decide that the decision shall enter into force for those Parties that have fulfilled their internal requirements, provided that Korea is one of those Parties. A Party may apply a decision of the Joint Committee provisionally until it enters into force, subject to the constitutional requirements of this Party.

ARTICLE 8.2

Secretariat

1. The Parties hereby designate the following competent organs to serve as their respective secretariats for purposes of this Agreement:

- (a) in the case of Korea, the Ministry of Foreign Affairs and Trade; and
- (b) in the case of the EFTA States, the EFTA Secretariat.

2. Without prejudice to Article 10.7 and unless otherwise agreed by the Parties or stated in this Agreement, all official communications or notifications to or by a Party for purposes of this Agreement shall be made through its secretariat.