

MODULE 12

JOINT COMMITTEE AND CONTACT POINTS

Article 12.1: Establishment of the Joint Committee

The Parties hereby establish a Joint Committee consisting of government representatives of each Party. Each Party shall be responsible for the composition of its delegation.

Article 12.2: Functions of the Joint Committee

The Joint Committee shall:

- (a) consider any matter relating to the implementation or operation of this Agreement, including the establishment of subsidiary bodies and the terms of accession;
- (b) consider any proposal to amend or modify this Agreement;
- (c) consider ways to further enhance digital economy partnership between the Parties;
- (d) develop arrangements for implementing this Agreement;¹⁴
- (e) establish the Rules of Procedure referred to in Module 14 (Dispute Settlement), and, where appropriate, amend those rules; and
- (f) take any other action as the Parties may agree.

Article 12.3: Decision-Making

The Joint Committee shall take decisions on matters within their functions by consensus, except as otherwise provided in this Agreement, or as otherwise decided by the Parties.¹⁵ Except as otherwise provided in this Agreement, the Joint Committee or any subsidiary body shall be deemed to have taken a decision by consensus if no Party present at any meeting when a decision is taken objects to the proposed decision.

¹⁴ In the case of Chile, whenever such arrangements are adopted to comply with this Agreement, they shall be considered, whenever applicable, as agreements for the implementation of a treaty in accordance with Chilean law.

¹⁵ For greater certainty, any such decision on alternative decision-making by the Parties shall itself be taken by consensus.

Article 12.4: Rules of Procedure of the Joint Committee

1. The Joint Committee shall meet within one year of the date of entry into force of this Agreement and thereafter as the Parties may decide, including as necessary to fulfil its functions under Article 12.2 (Functions of the Joint Committee). Meetings of the Joint Committee shall be chaired successively by each Party.
2. The Party chairing a session of the Joint Committee shall provide any necessary administrative support for such session, and shall notify the other Parties of any decision of the Joint Committee.
3. Except as otherwise provided in this Agreement, the Joint Committee and any subsidiary body established under this Agreement shall carry out its work through whatever means are appropriate, which may include electronic mail or videoconferencing.
4. The Joint Committee and any subsidiary body established under this Agreement may establish rules of procedure for the conduct of its work.

Article 12.5: Cooperation and Implementation of this Agreement

1. The Parties shall cooperate in order to facilitate the implementation of this Agreement and to maximise the benefits arising from it. Cooperation activities shall take into consideration each Party's needs, and may include:
 - (a) information exchanges, dialogues or meetings between policy officials in regulatory agencies, agencies responsible for regulatory management or regulators of the Parties;
 - (b) formal cooperation, such as mutual recognition, equivalence or harmonisation; and
 - (c) other activities that the Parties may agree to.
2. The Parties may set out the detailed arrangements of cooperation activities in separate memoranda.
3. At each meeting of the Joint Committee, each Party shall report on its plans for, and progress towards, implementing this Agreement.
4. For greater certainty, in respect of all cooperation under this Agreement, the Parties commit themselves to providing, within the limits of their own capacities and through their own channels, the appropriate resources, including financial resources.

Article 12.6: Contact Points

1. Each Party shall designate an overall contact point to facilitate communications between the Parties on any matter covered by this Agreement, as well as other contact points as required by this Agreement.
2. Except as otherwise provided in this Agreement, each Party shall notify the other Parties in writing of its designated contact points no later than 60 days after the date of entry into force of this Agreement for that Party. A Party shall notify its designated contact points to another Party for which this Agreement enters into force at a later date, no later than 30 days after the date of entry into force of this Agreement for that other Party.
3. Each Party shall notify the other Parties of any changes to its designated contact points.