

CHAPTER 21 INSTITUTIONAL PROVISIONS

ARTICLE 21.1: CONTACT POINTS

1. Each Party shall designate a contact point or points to facilitate communications between the Parties. The contact point or points thus designated shall cover any matter arising under this Agreement, except those for which specific contact points or coordinators are designated under other Chapters.

2. On request of the other Party, a Party's contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communications with the other Party.

ARTICLE 21.2: COOPERATION

On request of a Party, the Parties shall consult on any matter arising under this Agreement or that may affect the operation of this Agreement, including the interpretation and application of this Agreement.

ARTICLE 21.3: JOINT COMMITTEE

1. The Parties hereby establish a Joint Committee comprising officials of each Party, which shall be co-chaired by the Minister for Trade of Korea and the Minister for Trade of Australia, or their respective designees.

2. The Joint Committee shall:

- (a) supervise the implementation of this Agreement;
- (b) supervise the work of committees, working groups, and other bodies that are under its auspices referred to in paragraphs 1, 2 and 4 of Annex 21-A; and any other bodies established under this Agreement;
- (c) explore ways to enhance further trade and investment between the Parties;
- (d) seek to resolve disputes regarding any matter arising under this Agreement in accordance with Article 20.7; and
- (e) consider any other matter that may affect the operation of this Agreement.

3. The Joint Committee may:
 - (a) establish and delegate responsibilities to *ad hoc* and standing committees, working groups, or other bodies;
 - (b) consider and decide any amendment or other modification to this Agreement subject to ratification by each Party;
 - (c) as appropriate, issue interpretations of the provisions of this Agreement;
 - (d) adopt its own rules of procedure; and
 - (e) take such other action in the exercise of its functions as the Parties may agree.

4. Unless the Parties otherwise agree, the Joint Committee shall convene within one year of the date of entry into force of this Agreement and then annually for three years and thereafter as mutually determined.

ARTICLE 21.4: COMMITTEES AND WORKING GROUPS

1. The committees and working groups listed in paragraphs 1 and 3 of Annex 21-A are hereby established under the auspices of the Joint Committee.
2. The composition, functions and frequency of meetings of the committees or working groups established are stipulated in the relevant Chapters of this Agreement. The committees and working groups shall be co-chaired by relevant officials of the Parties. Meetings of the committees and working groups shall be held at such venues and dates as mutually agreed by the Parties and may be conducted in person, or by any other means as mutually determined by the Parties.
3. The Joint Committee may decide to establish other committees or working groups or other bodies in order to assist it in the performance of its tasks.
4. The committees and working groups under the auspices of the Joint Committee shall inform the Joint Committee of their schedule and agenda sufficiently in advance of their meetings. They shall report to the Joint Committee on their activities at each regular meeting of the Joint Committee. The creation or existence of a committee, working group or other bodies shall not prevent either Party from bringing any matter directly to the Joint Committee.
5. The Joint Committee may decide to change or undertake the task assigned to a committee, working group or other body, or to dissolve any committee, working group or other body.

Agreed version of the Korea-Australia Free Trade Agreement text as initialled by Chief Negotiators on 10 February 2014

6. The Parties may establish *ad hoc* committees, working groups or other bodies. The composition, functions and frequency of meetings of any *ad hoc* committees, working groups or other bodies shall be determined by the Parties.

ARTICLE 21.5: DECISION-MAKING

All decisions of the Joint Committee and all committees, working groups and other bodies established under this Agreement shall be made by mutual consent of the Parties.

ANNEX 21-A
COMMITTEES AND WORKING GROUPS

1. The Committees established are:
 - (a) the Committee on Trade in Goods in accordance with Article 2.11 (Committee on Trade in Goods);
 - (b) the Committee on Outward Processing Zones on the Korean Peninsula in accordance with Annex 3-B;
 - (c) the Committee on Rules of Origin and Trade Facilitation in accordance with Article 4.12 (Committee on Rules of Origin and Trade Facilitation);
 - (d) the Committee on Financial Services in accordance with Article 8.16 (Committee on Financial Services);
 - (e) the Committee on Telecommunications in accordance with Article 9.25 (Committee on Telecommunications);
 - (f) the Committee on Intellectual Property in accordance with Article 13.12 (Committee on Intellectual Property);
 - (g) the Committee on Agricultural Cooperation in accordance with Article 16.11 (Committee on Agricultural Cooperation); and
 - (h) the Committee on Energy and Mineral Resources Cooperation in accordance with Article 16.19 (Committee on Energy and Mineral Resources Cooperation).
2. The *ad hoc* committees, which may be requested to be established by a Party, are:
 - (a) the *ad hoc* Committee on Labour in accordance with Article 17.3.2; and
 - (b) the *ad hoc* Committee on Environment in accordance with Article 18.6.2.
3. The Working Group established is:
 - (a) the Working Group on Professional Services in accordance with paragraph 3 of Annex 7-A (Professional Services).
4. The *ad hoc* Working Groups, which may be established on request of a Party, are:

Agreed version of the Korea-Australia Free Trade Agreement text as initialled by Chief Negotiators on 10 February 2014

- (a) the *ad hoc* Working Group on Technical Barriers to Trade in accordance with Article 5.9.4; and
- (b) the *ad hoc* Committee on Audiovisual Co-production in accordance with Article 16 (Institutional Mechanism) of Annex 7-B.