

Annex 11
Referred to in Chapter 14 (Investment)

SUBSIDIES

1. With respect to paragraph 7 of Article 14.10 (Investment - Non-Conforming Measures and Exceptions), the treatment of subsidies related to investors of each Party and covered investments may be subject to the review by the Sub-Committee on Investment referred to in Article 14.18 (Investment - Sub-Committee on Investment).

2. In the event that either Party considers that its interests have been adversely affected by a subsidy of the other Party, the Parties shall, on request, enter into consultations with a view to resolving the matter.

3. During the consultations referred to in paragraph 2, the Party granting a subsidy shall, if it deems fit, consider a request of the other Party for information relating to the subsidy program, such as:

- (a) the domestic laws and regulations under which the subsidy is granted;
- (b) the form of the subsidy (e.g. grant, loan, tax concession);
- (c) the policy objective and/or purpose of the subsidy;
- (d) the dates and duration of the subsidy and any other time limits attached to it; and
- (e) the eligibility requirements of the subsidy.

4. The dispute settlement procedures provided for in Chapter 19 (Dispute Settlement) shall not apply to this Annex.