

Annex 22.2

Nullification or Impairment

1. If either Party considers that any benefit it could reasonably have expected to accrue to it under any provision of:

(a) Chapters Three through Five (National Treatment and Market Access for Goods, Rules of Origin and Origin Procedures, and Customs Administration);

(b) Chapter Seven (Technical Barriers to Trade);

(c) Chapter Nine (Government Procurement);

(d) Chapter Eleven (Cross-Border Trade in Services); or

(e) Chapter Seventeen (Intellectual Property Rights), is being nullified or impaired as a result of the application of any measure that is not inconsistent with this Agreement, the Party may have recourse to dispute settlement under this Chapter.

2. Neither Party may invoke paragraph 1(d) or (e) with respect to any measure subject to an exception under Article 23.1 (General Exceptions).