

ANNEX 20-A

RULES OF PROCEDURE

Panel Proceedings

1. The chair of the panel shall preside at all of its meetings. A panel may delegate to the chair authority to make administrative and procedural decisions.
2. Unless otherwise provided in this Annex, the panel may conduct its business by any means, including by telephone, electronic mail, video conference or any other means of electronic communication.
3. The panel may, in consultation with the Parties, retain such number of assistants or staff, including interpreters, translators or designated note takers, as may be required for the proceeding and permit them to be present during its deliberations. For greater certainty, any such arrangements established by the panel may be modified by the agreement of the Parties.

Written submissions, communications and other documents

4. Unless the panel otherwise decides, the Complaining Party shall deliver its first written submission to the panel and the Responding Party no later than 30 days after the date of appointment of the final panellist. The Responding Party shall deliver its first written submission to the panel and the Complaining Party no later than 30 days after the date of delivery of the Complaining Party's first written submission. Each Party shall have an opportunity to submit written rebuttal submissions after both Parties have submitted first submissions.
5. Within 20 days of the date of conclusion of the hearing, each Party may deliver to the panel and the other Party a supplementary written submission responding to any matter that arose during the hearing.
6. Each Party shall also provide a copy of its first written submission, and any subsequent submissions, to the other Party at the same time as it is delivered to the panel.
7. If an original version of an exhibit is not in English, the Party submitting the exhibit shall submit the exhibit in its original language with an English translation.
8. Written submissions, communications and other documents shall be delivered by electronic means wherever practicable.
9. A Party may at any time correct minor errors of a clerical nature in any written submission, communication or other document related to the panel proceeding by delivering a new document to the panel and the other Party clearly indicating the changes.

The panel shall, after consulting the Parties, resolve any difference of views as to whether or not the correction is of a clerical nature.

Hearings

10. The hearing shall be conducted by the panel in a manner ensuring that the Complaining Party and the Responding Party are afforded equal time to present their case. The Chair may set time limits for oral arguments to ensure that each Party is afforded equal time.

11. The Parties shall make available to the panel written versions of their oral statements and responses to questions made in hearings with the panel.

12. The panel may direct questions to either Party at any time during the proceedings. If the question is in writing, each Party shall also provide a copy of its response to such questions to the other Party at the same time as it is delivered to the panel. Each Party shall be given the opportunity to provide written comments on the response of the other Party.

13. All panellists shall be present at each hearing.

Expenses

14. The panel shall keep a record and render a final account of all general expenses incurred in connection with the proceedings, including those paid to its assistants or staff that it retains in accordance with Rule 3.