

CHAPTER 27**ADMINISTRATIVE AND INSTITUTIONAL PROVISIONS****Article 27.1: Establishment of the Trans-Pacific Partnership Commission**

The Parties hereby establish a Trans-Pacific Partnership Commission (Commission), composed of government representatives of each Party at the level of Ministers or senior officials. Each Party shall be responsible for the composition of its delegation.

Article 27.2: Functions of the Commission

1. The Commission shall:
 - (a) consider any matter relating to the implementation or operation of this Agreement;
 - (b) review, within three years of the date of entry into force of this Agreement and at least every five years thereafter, the economic relationship and partnership among the Parties;
 - (c) consider any proposal to amend or modify this Agreement;
 - (d) supervise the work of all committees, working groups and any other subsidiary bodies established under this Agreement;
 - (e) consider ways to further enhance trade and investment between the Parties;
 - (f) establish the Rules of Procedure referred to in Article 28.13 (Rules of Procedure for Panels), and, where appropriate, amend those Rules;
 - (g) review the roster of panel chairs established under Article 28.11 (Roster of Panel Chairs and Party Specific Lists) every three years and, when appropriate, constitute a new roster; and
 - (h) determine whether this Agreement may enter into force for an original signatory notifying pursuant to Article 30.5.4 (Entry into Force).

第 27 章

管理和机构条款

第 27.1 条 跨太平洋伙伴关系委员会的设立

缔约方特此设立跨太平洋伙伴关系委员会(自贸协定委员会)，由每一缔约方部长级或高级官员级别的政府代表组成。每一缔约方应负责组成各自的代表团。

第 27.2 条 自贸协定委员会的职能

1. 自贸协定委员会应：
 - (a) 审议与本协定实施或运用相关的任何事项；
 - (b) 在本协定生效之日起 3 年内及此后至少每 5 年审议缔约方之间的经济关系和伙伴关系；
 - (c) 审议对本协定进行修正或修改的任何提案；
 - (d) 监督根据本协定设立的所有委员会、工作组和任何其他下属机构的工作；
 - (e) 审议进一步增加缔约方之间贸易和投资的途径；
 - (f) 制定第 28.13 条(专家组议事规则)中所指的议事规则，且如适当，对这些规则进行修正；
 - (g) 每 3 年对根据第 28.11 条(专家组主席名册和缔约方特定名单)设立的专家组主席名册进行审议，并在适当时设立新名册；以及
 - (h) 确定本协定是否可对一根据第 30.5.4 条(生效)作出通知的创始签署方生效。

2. The Commission may:
- (a) establish, refer matters to, or consider matters raised by, any *ad hoc* or standing committee, working group or any other subsidiary body;
 - (b) merge or dissolve any committees, working groups or other subsidiary bodies established under this Agreement in order to improve the functioning of this Agreement;
 - (c) consider and adopt, subject to completion of any necessary legal procedures by each Party, a modification to this Agreement of ¹:
 - (i) the Schedules to Annex 2-D (Tariff Commitments), by accelerating tariff elimination;
 - (ii) the rules of origin established in Annex 3-D (Product-Specific Rules of Origin) and Annex 4-A (Textiles and Apparel Product-Specific Rules of Origin); or
 - (iii) the lists of entities, covered goods and services, and thresholds contained in each Party's Annex to Chapter 15 (Government Procurement);
 - (d) develop arrangements for implementing this Agreement;
 - (e) seek to resolve differences or disputes that may arise regarding the interpretation or application of this Agreement;
 - (f) issue interpretations of the provisions of this Agreement;
 - (g) seek the advice of non-governmental persons or groups on any matter falling within the Commission's functions; and
 - (h) take any other action as the Parties may agree.

3. Pursuant to paragraph 1(b), the Commission shall review the operation of this Agreement with a view to updating and enhancing this Agreement, through negotiations, as appropriate, to ensure that the disciplines contained in this Agreement remain relevant to the trade and investment issues and challenges confronting the Parties.

¹ Chile shall implement the actions of the Commission through *Acuerdos de Ejecución*, in accordance with Article 54, numeral 1, fourth paragraph of the Political Constitution of the Republic of Chile (*Constitución Política de la República de Chile*).

2. 自贸协定委员会可以：
- (a) 设立任何特设或常设委员会、工作组或任何其他下属机构，向这些机构提交相关事项，或审议这些机构所提交的事项；
 - (b) 合并或解散根据本协定设立的任何委员会、工作组或其他下属机构，以改进本协定的实施情况；
 - (c) 在每一缔约方完成任何必要法律程序后，审议并通过对本协定下列内容的修改¹：
 - (i) 附件 2-D(关税承诺)的减让表，通过加快取消关税；
 - (ii) 附件 3-D(特定原产地规则)和附件 4-A(纺织品和服装-特定原产地规则) 规定的原产地规则；或
 - (iii) 每一缔约方的第 15 章(政府采购)附件中所含实体清单、涵盖货物和服务以及门槛金额；
 - (d) 为本协定的实施制定安排；
 - (e) 寻求解决因本协定的解释或适用可能产生的分歧或争议；
 - (f) 发布对本协定条款的解释；
 - (g) 就属自贸协定委员会职能范围的任何事项，寻求非政府人士或团体的建议；以及
 - (h) 采取缔约方可能同意的任何其他行动。
3. 根据第 1 款(b)项，自贸协定委员会应审议本协定的运用情况，以期更新和增强本协定，酌情通过谈判，保证本协定所含纪律保持与贸易和投资问题及缔约方所面临挑战的相关性。

¹ 智利应依照《智利共和国政治宪法》第 54 条第 1 款第 4 项，通过《执行协定》执行自贸协定委员会的行动。

4. In conducting a review pursuant to paragraph 3, the Commission shall take into account:

- (a) the work of all committees, working groups and any other subsidiary bodies established under this Agreement;
- (b) relevant developments in international fora; and
- (c) as appropriate, input from non-governmental persons or groups of the Parties.

Article 27.3: Decision-Making

1. The Commission and all subsidiary bodies established under this Agreement shall take all decisions by consensus, except as otherwise provided in this Agreement, or as otherwise decided by the Parties.² Except as otherwise provided in this Agreement, the Commission 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.

2. For the purposes of Article 27.2.2(f) (Functions of the Commission), a decision of the Commission shall be taken by agreement of all Parties. A decision shall be deemed to be reached if a Party which does not indicate agreement when the Commission considers the issue does not object in writing to the interpretation considered by the Commission within five days of that consideration.

Article 27.4: Rules of Procedure of the Commission

1. The Commission 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 27.2 (Functions of the Commission). Meetings of the Commission shall be chaired successively by each Party.

2. The Party chairing a session of the Commission shall provide any necessary administrative support for such session, and shall notify the other Parties of any decision of the Commission.

3. Except as otherwise provided in this Agreement, the Commission and any subsidiary body established under this Agreement shall carry out its work through

² For greater certainty, any such decision on alternative decision-making by the Parties shall itself be taken by consensus.

4. 在根据第 3 款开展审议时，自贸协定委员会应考虑：
 - (a) 根据本协定设立的所有委员会、工作组及任何其他下属机构的工作；
 - (b) 国际场合相关发展情况；以及
 - (c) 酌情考虑缔约方非政府人士或团体的建议。

第 27.3 条 决策

1. 自贸协定委员会及根据本协定设立的所有下属机构应经协商一致作出所有决定，但本协定中另有规定或缔约方另有决定的除外。²除非本协定中另有规定，否则如出席作出决定的任何会议的缔约方无一反对拟议决定，则自贸协定委员会或任何下属机构应被视为经协商一致作出决定。

2. 就第 27.2.2.(f)条(自贸协定委员会的职能)而言，自贸协定委员会的决定应经所有缔约方同意作出。如在自贸协定委员会审议该问题时未表示同意的一缔约方未在该项审议后 5 天内以书面形式反对自贸协定委员会所审议的解释，则决定应被视为已达成。

第 27.4 条 自贸协定委员会会议事规则

1. 自贸协定委员会应在本协定生效之日起 1 年内召开会议，并在此后按缔约方决定召开会议，包括在根据第 27.2 条(自贸协定委员会的职能)履行职能的必要情况下。自贸协定委员会会议由每一缔约方轮流主持。

2. 主持自贸协定委员会一届会议的缔约方应为该届会议提供任何必要的行政支持，并应向其他缔约方通知自贸协定委员会的任何决定。

3. 除本协定中另有规定外，自贸协定委员会及根据本协定设

² 为进一步明确，缔约方关于替代性决策的任何此种决定本身应经缔约方协商一致作出。

whatever means are appropriate, which may include electronic mail or videoconferencing.

4. The Commission and any subsidiary body established under this Agreement may establish rules of procedures for the conduct of its work.

Article 27.5: 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. Unless 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 any Party for which this Agreement enters into force at a later date of its designated contact points, no later than 30 days after the date on which the other Party has notified its designated contact points.

Article 27.6: Administration of Dispute Settlement Proceedings

1. Each Party shall:

- (a) designate an office to provide administrative assistance to a panel established under Chapter 28 (Dispute Settlement) for a proceeding in which it is a disputing Party and to perform such other related functions as the Commission may direct; and
- (b) notify the other Parties of the location of its designated office.

2. Each Party shall be responsible for the operation and costs of its designated office.

Article 27.7: Reporting in relation to Party-specific Transition Periods

1. At each regular meeting of the Commission, any Party which has a Party-specific transition period for any obligation under this Agreement shall report on its plans for and progress towards implementing the obligation.

2. In addition, any such Party shall provide a written report to the Commission on its plans for and progress towards implementing each such obligation as follows:

立的任何下属机构应通过任何适当方式开展工作，其中可包括电子邮件或视频会议。

4. 自贸协定委员会及根据本协定设立的任何下属机构可为开展其工作制定议事规则。

第 27.5 条 联络点

1. 每一缔约方应指定一总联络点及本协定所要求的其他联络点，以便利缔约方就本协定涵盖的任何事项进行沟通。

2. 除非本协定中另有规定，否则每一缔约方应不迟于本协定对其生效之日后 60 天，以书面形式向其他缔约方通知其指定的联络点。对于本协定在稍后日期对其生效的任何缔约方，一缔约方应不迟于该缔约方通知其指定联络点之日后 30 天，向该缔约方通知其指定联络点。

第 27.6 条 争端解决程序的管理

1. 每一缔约方应：

(a) 对于其属争端一方的争端解决程序，指定一办公室为根据第 28 章(争端解决)设立的专家组提供行政支持，并履行自贸协定委员会可能指示的其他相关职能；及

(b) 向其他缔约方通知其指定办公室的地点。

2. 每一缔约方应负责其指定办公室的运营和费用。

第 27.7 条 与特定缔约方过渡期相关的报告

1. 在自贸协定委员会的每次例会上，对本协定项下任何义务享有特定缔约方过渡期的任何缔约方应报告其履行该项义务的计划 and 进展情况。

2. 此外，任何此类缔约方应就其履行每项此类义务的计划 and 进展情况，按下列要求向自贸协定委员会提交书面报告：

- (a) for any transition period of three years or less, the Party shall provide a written report six months before the expiration of the transition period; and
- (b) for any transition period of more than three years, the Party shall provide a yearly written report on the anniversary date of entry into force of this Agreement for it, beginning on the third anniversary, and a written report six months before the expiration of the transition period.

3. Any Party may request additional information regarding another Party's progress towards implementing the obligation. The reporting Party shall promptly reply to those requests.

4. No later than the date on which a transition period expires, a Party with a Party-specific transition period shall provide written notification to the other Parties of what measures it has taken to implement the obligation for which it has a transition period.

5. If a Party fails to provide the notification referred to in paragraph 4, the matter shall be automatically placed on the agenda for the next regular meeting of the Commission. In addition, any Party may request that the Commission meet promptly to discuss that matter.

- (a) 对于 3 年或 3 年以下的任何过渡期，缔约方应在过渡期期满前 6 个月提交书面报告；及
 - (b) 对于 3 年以上的任何过渡期，缔约方应自本协定生效的第 3 个周年纪念日，在每一周年纪念日提供年度书面报告，并在过渡期期满前 6 个月提交书面报告。
3. 任何缔约方可请求另一缔约方提供关于执行相关义务进展情况的额外信息。提交报告的缔约方应迅速对这些请求作出回应。
4. 享有特定缔约方过渡期的一缔约方应不迟于过渡期期满之日向其他缔约方提供关于为执行享有过渡期的义务所已经采取措施情况的书面通知。
5. 如一缔约方未能作出第 4 款中所指通知，则该事项应自动列入自贸协定委员会下次例会议程。此外，任何缔约方可请求自贸协定委员会迅速召开会议讨论该事项。