13. The decision of arbitration shall be final and binding upon the disputing parties and shall be executed without delay in accordance with the law of the disputing Party.

Article 95
General and Security Exceptions

1. In respect of the making of investments, Articles XIV and XIV*bis* of the GATS, which are hereby incorporated into and made part of this Agreement, *mutatis mutandis*, shall apply.

2. Paragraph 1 of Article XIV*bis* of the GATS shall also apply, *mutatis mutandis*, to investments made.

3. This Article shall not apply to paragraph 1 of Article 86, and Articles 91 and 92.

4. In exceptional circumstances, where a Party takes a measure pursuant to paragraphs 1 and 2, that Party shall, prior to the entry into force of the measure or as soon as possible thereafter, notify the other Party of the following:

(a) the sector and sub-sector or activity affected by the measure;

(b) the obligation or provisions of this Agreement affected by the measure;

(c) the legal basis of the measure;

(d) a succinct description of the measure; and

(e) the purpose of the measure.

Article 96
Prohibition of Performance Requirements

For the purposes of this Chapter, the Annex to the Agreement on Trade-Related Investment Measures in Annex 1A to the WTO Agreement is hereby incorporated into and made part of this Agreement, *mutatis mutandis*.

Article 97
Temporary Safeguard Measures

1. The Parties endeavour to avoid the imposition of restrictions to safeguard the balance of payments.

2. A Party may adopt or maintain restrictive measures with regard to cross-border capital transactions as well as payment and transfers relating to investment:

(a) in the event of serious balance-of-payments and external financial difficulties or threat thereof; or

(b) in exceptional cases where movements of capital cause or threaten to cause serious difficulties for macroeconomic management, in particular monetary and exchange rate policies.

3. Restrictive measures adopted or maintained by a Party under paragraph 2:

(a) shall ensure that investors of the other Party are treated as favourably as those of any non-Party;

(b) shall be consistent with the Articles of Agreement of the International Monetary Fund;

(c) shall not exceed those necessary to deal with the circumstances set out in paragraph 2;

(d) shall be temporary and eliminated as soon as conditions permit;

(e) shall be promptly notified to the other Party; and

(f) shall avoid unnecessary damages to the commercial, economic and financial interests of the other Party.

4. Nothing in this Article shall be so construed as to alter the rights enjoyed and obligations undertaken by a Party as a party to the Articles of Agreement of the International Monetary Fund.

Article 98
Prudential Measures

Article VI of Annex VI shall apply to this Chapter, *mutatis mutandis*.