3. In the case a Party has applied a bilateral safeguard measure under this Section to an importation of an originating good of the other Party prior to the application of a safeguard measure in accordance with Article XIX of the GATT 1994 and the Agreement on Safeguards, or Article 5 of the Agreement on Agriculture, the duration of the bilateral safeguard measure referred to in paragraph 1 of Article 31 to that importation shall not be interrupted by the Party's non-application of the bilateral safeguard measure in accordance with paragraph 2. The Party may resume the application of the bilateral safeguard measure to that importation upon the termination of the latter safeguard measure up to the remaining period of the bilateral safeguard measure.

Article 30
Bilateral Safeguard Measures

1. Subject to the provisions of this Section, a Party may apply a bilateral safeguard measure if an originating good of the other Party, as a result of the elimination or reduction of a customs duty in accordance with Article 21, is being imported into the former Party in such increased quantities, in absolute terms, and under such conditions that the imports of that originating good constitute a substantial cause of serious injury, or threat thereof, to the domestic industry of the former Party.

2. If the conditions in paragraph 1 are met, a Party may, to the minimum extent necessary to prevent or remedy serious injury, and facilitate adjustment:

(a) suspend the further reduction of any rate of customs duty on the originating good provided for in Section 1; or

(b) increase the rate of customs duty on the originating good to a level not to exceed the least among:

(i) the most-favored-nation applied rate of customs duty in effect on the day when the bilateral safeguard measure is applied;

(ii) the Base Rate as specified in Column 3 of its Schedule in Annex 1; and

Note 1: In the case of the elimination of customs duties on the date of entry into force of this Agreement, the most-favored-nation applied rate on April 1, 2009 shall be the Base Rate.

Note 2: In the case of originating goods specified with "G" in Column 5 of the Schedule of Japan in Annex 1, the Base Rate shall be replaced by the most-favored-nation applied rate on April 1, 2009.

(iii) the most-favored-nation applied rate of customs duty in effect on the day immediately preceding the date of entry into force of this Agreement.

Note: Upon the entry into force of this Agreement, the Parties shall exchange the most-favored-nation applied rate of customs duty in effect on the day immediately preceding the date of entry into force of this Agreement.

Article 31
Conditions and Limitations

1. No bilateral safeguard measure shall be maintained except to the extent and for such period of time as may be necessary to prevent or remedy serious injury and to facilitate adjustment, provided that such period of time shall not exceed a period of two years. However, in highly exceptional circumstances, if the competent investigating authorities determine in conformity with the procedures set out in Article 32, that the measure continues to be necessary to prevent or remedy serious injury and to facilitate adjustment and that there is evidence that the domestic industry is adjusting, a bilateral safeguard measure may be extended, provided that the total duration of the bilateral safeguard measure, including such extensions, shall not exceed three years.