Article 140
Dispute Settlement

1. A Party may not initiate the dispute settlement procedures provided for in Chapter 15 regarding a refusal to grant entry and temporary stay under this Chapter unless:

(a) the matter involves a pattern of practice; and

(b) the nationals for business purposes of the Party concerned have exhausted the administrative remedies, where available, regarding the particular matter.

2. The remedies referred to in subparagraph 1(b) shall be deemed to be exhausted if a final determination in the matter has not been issued by the competent authority of the other Party within one year after the date of the institution of the administrative remedy, and the failure to issue such determination is not attributable to delay caused by the nationals referred to in subparagraph 1(b).

Article 141
Immigration Measures

Nothing in this Agreement shall impose any obligation on either Party regarding its immigration measures, except as specifically identified in this Chapter and Chapters 1, 15 and 16.

Article 142
Transparency

1. Further to Article 5, each Party shall endeavor, to the extent possible, to respond to the inquiries from interested persons regarding applications and procedures relating to the entry and temporary stay of nationals for business purposes.

2. Each Party shall, within a reasonable period of time that should not exceed 20 working days after an application requesting entry visa is considered complete under its domestic laws and regulations, inform the applicant of the decision concerning the application. At the request of the applicant, the Party shall endeavor to provide, without undue delay, information concerning the status of the application.

Chapter 10
Government Procurement

Article 143
Scope of Application

1. This Chapter shall apply to any measure adopted or maintained by a Party relating to government procurement by any contractual means, including through such methods as purchase or as lease, rental, or hire purchase, with or without an option to buy:

(a) by procuring entities specified in Annex 9;

(b) of goods, services and construction services specified in Annex 9; and

(c) where the value of the contracts to be awarded is estimated to be not less than the thresholds specified in Annex 9 at the time of publication of a notice of intended procurement.

Note: Measures adopted or maintained by a Party relating to government procurement include those relating to public work concessions contracts.

2. Neither Party shall prepare, design, or otherwise structure any government procurement contract in order to avoid the obligations under this Chapter.

Note: Nothing in this Chapter shall prevent a Party from developing new procurement policies, procedures or contractual means, provided that they are consistent with this Chapter.

Article 144
Definitions

For the purposes of this Chapter: