4. Where the arbitral tribunal obtains information or technical advice from any individual or body other than the Parties, it shall provide the Parties with a copy of any information or technical advice it receives and an opportunity to provide comments on the information or technical advice. Where the arbitral tribunal takes the information or technical advice into account in the preparation of its award, it shall also take into account any comments by the Parties.

Article 19.11
Suspension and Termination of Proceedings

1. The arbitral tribunal may suspend its work on request of the complaining Party, and with the consent of the Party complained against, at any time for a period not to exceed 12 months. In the event of such a suspension, the time-frames set out in paragraph 7 of Article 19.9 shall be extended by the amount of time that the work was suspended. The proceedings of the arbitral tribunal shall be resumed at any time on request of either Party. If the work of the arbitral tribunal has been suspended for more than 12 consecutive months, the authority for establishment of the arbitral tribunal shall lapse unless the Parties otherwise agree.

2. The Parties may agree to terminate the proceedings of the arbitral tribunal at any time before the issuance of the award to the Parties by jointly notifying the chair of the arbitral tribunal.

3. Notwithstanding paragraph 2, for the purpose of initiating a new dispute settlement procedure in another forum in accordance with subparagraph 2(c) of Article 19.3, the complaining Party may terminate the proceedings of the arbitral tribunal by notifying the Party complained against and the chair of the arbitral tribunal of such intention.

Article 19.12
Award

1. The arbitral tribunal shall make its award based on the relevant provisions of this Agreement, applicable rules of interpretation under international law, the submissions and arguments of the Parties, and any information it has obtained in accordance with Article 19.10.

2. The award of the arbitral tribunal shall include:

(a) a descriptive part covering the factual background to the dispute;

(b) its findings on the facts of the case, the applicability of the provisions of this Agreement cited by the Parties, and:

(i) the consistency with this Agreement of the measure at issue applied by the Party complained against;

(ii) whether the Party complained against has failed to carry out its obligations under this Agreement; or

(iii) whether the measure at issue applied by the Party complained against is causing the nullification or impairment of any benefit described in subparagraph 1(b) of Article 19.4; and

(c) the reasons for such findings.

3. The arbitral tribunal may also include in its award:

(a) any other findings necessary for the resolution of the dispute, in accordance with subparagraph (c) of Article 19.8; and

(b) suggested implementation options for the Parties to consider, if requested by either Party.

4. The findings and suggestions of the arbitral tribunal in its award shall not add to or diminish the rights and obligations of the Parties under this Agreement or any other international agreement.