

- (b) The investor shall refer the issue, at the time that it delivers the notice of intent under Article 89, to the competent authorities of both Parties, through the contact points referred to in Article 10, to determine whether such measure is not an expropriation. If the competent authorities of both Parties do not consider the issue or, having considered it, fail to determine that the measure is not an expropriation within a period of 180 days of such referral, the investor may submit its claim to arbitration under Article 89.
- (c) For the purposes of subparagraph (b), the term "competent authorities" means:
 - (i) with respect to Japan, the Minister of Finance or his or her authorized representative, who shall consider the issue in consultation with the Minister of Foreign Affairs or his or her authorized representative; and
 - (ii) with respect to Chile, the Director of the Internal Revenue Service, Ministry of Finance (*Director del Servicio de Impuestos Internos, Ministerio de Hacienda*).

Chapter 19
Final Provisions

Article 195
Annexes and Notes

The Annexes and Notes to this Agreement shall constitute an integral part of this Agreement.

Article 196
Headings

The headings of the Chapters, Sections and Articles of this Agreement are inserted for convenience of reference only and shall not affect the interpretation of this Agreement.

Article 197
Amendments

1. This Agreement may be amended by agreement between the Parties.

2. Any amendment shall be approved by the Parties in accordance with their respective legal procedures. Such amendment shall enter into force on the date to be agreed upon by the Parties.

3. Notwithstanding paragraph 2, amendments relating only to Annex 2 or 4 may be made by exchange of diplomatic notes.

Note: In the case of Chile, the amendments under paragraph 3 shall be made as an Executive Agreement (*Acuerdo de Ejecución*) in accordance with the Political Constitution of the Republic of Chile (*Constitución Política de la República de Chile*).

Article 198 Entry into Force

This Agreement shall enter into force on the thirtieth day after the date of exchange of diplomatic notes informing each other that their respective legal procedures necessary for entry into force of this Agreement have been completed. It shall remain in force unless terminated as provided for in Article 199.

Article 199 Termination

Either Party may terminate this Agreement by giving one year's advance notice in writing to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Tokyo, on this twenty-seventh day of March in the year 2007 in duplicate in the English language.

For Japan:

For the Republic of Chile: