

5. A disputing party may disclose to other persons in connection with the arbitral proceedings, including witnesses and experts, such unredacted documents as it considers necessary in the course of proceedings under this Section. However, the disputing party shall ensure that those persons protect the confidential information in those documents as directed by the Tribunal.

6. A Party may share with government officials and sub-national government officials, if applicable, such unredacted documents as it considers necessary in the course of proceedings under this Section. However, such Party shall ensure that those persons protect the confidential information in those documents as directed by the Tribunal.

7. Nothing in this Chapter requires a disputing Party to withhold from the public information required to be disclosed by its laws. To the extent that a Tribunal's confidentiality order designates information as confidential and a Party's law on access to information requires public access to that information, the Party's law on access to information shall prevail. The disputing Party should apply those laws in a manner sensitive to protecting from disclosure information that has been designated as confidential or protected information.

8. The repository of information published under this Article shall be the administering authority to which a claim is submitted under this Section.

#### **Article G-30: Preliminary Objections**

1. Without prejudice to a Tribunal's authority to address other questions as a preliminary objection, a Tribunal shall address and decide as a preliminary question any objection by the disputing Party that, as a matter of law, a claim submitted is not a claim for which an award in favour of the disputing investor may be made under this Chapter, including that a dispute is not within the competence of the Tribunal, or that a claim is manifestly without legal merit.

2. An objection under paragraph 1 shall be submitted to the Tribunal within 60 days after the Tribunal is constituted. The Tribunal shall suspend any proceedings on the merits and issue a decision or award on the objection, stating the grounds therefor, no later than 180 days after the date of the request. However, if a disputing party requests a hearing, the Tribunal may take an additional 30 days to issue the decision or award. Regardless of whether a hearing is requested, a Tribunal may, on a showing of extraordinary cause, delay issuing its decision or award by an additional brief period, which may not exceed 30 days.

3. In deciding an objection under paragraph 1, the Tribunal shall assume to be true the disputing investor's factual allegations in support of any claim in the notice of arbitration or any amendment thereof, provided the amendment is submitted no later than 30 days from the objection under paragraph 1. The Tribunal may also consider any relevant facts not in dispute.