

ARTICLE 11

Protection of Personal Information

1. The requesting Party shall apply to personal information received under this Agreement a level of protection that is equivalent to the level of protection applied by the requested Party.
2. On request, a Party shall provide the other Party with a copy of their respective domestic law, administrative policies and procedures that are relevant to the protection of personal information.
3. The Parties shall not exchange personal information until they decide, by mutual arrangement in accordance with Article 14(b), that the level of protection satisfies the requirements of their domestic law.

ARTICLE 12

Exemptions

1. If the requested Party is of the opinion that providing assistance to the requesting Party under this Agreement would infringe on the sovereignty, security, public policy or other substantive national interest of the requested Party, or involve a violation of industrial, commercial or professional secrecy, or would be inconsistent with its national legislation, it may refuse assistance or it may provide assistance subject to any terms or conditions it may establish.
2. If the customs administration of the requesting Party would not be able to comply with a similar request by the requested Party, it shall clearly state that fact in the request. The requested Party, through its customs administration, shall have the discretion to determine whether to comply with that request.
3. The requested Party may postpone assistance if providing the assistance would interfere with an ongoing investigation, prosecution or administrative proceeding. In that case, the requested Party shall consult with the requesting Party, through their respective customs administrations, to determine whether the requesting Party can meet the terms and conditions as may be established by the requested Party for the provision of assistance.
4. If the requested Party refuses or postpones assistance, it shall promptly notify the requesting Party in writing of reasons for the refusal or postponement.

ARTICLE 13

Costs

1. The Parties shall waive all claims for the reimbursement of costs incurred in the execution of this Agreement, with the exception of expenses and allowances paid to experts and to witnesses, as well as costs of non-government employee interpreters, which shall be borne by the requesting Party.