

5. Notification that would otherwise be required by this Article is not required with respect to telephone contacts with a person where

- (a) that person is not the subject of an investigation;
- (b) the contact seeks only an oral response on a voluntary basis (although the availability and possible voluntary provision of documents may be discussed); and
- (c) the other Party's important interests do not appear to be otherwise implicated, unless the other Party requests such notification in relation to a particular matter.

6. Notification is not required for each subsequent request for information in relation to the same matter unless the Party seeking information becomes aware of new issues bearing on the important interests of the other Party, or the other Party requests otherwise in relation to a particular matter.

7. The Parties acknowledge that officials of either Party may visit the territory of the other Party in the course of conducting investigations pursuant to their respective competition laws. Such visits shall be subject to notification pursuant to this Article and the consent of the notified Party.

8. Each Party shall notify the other whenever its competition authority intervenes or otherwise publicly participates in a regulatory or judicial proceeding that is not initiated by the competition authority if the issue addressed in the intervention or participation may affect the other Party's important interests. Such notification shall be made at the time of the intervention or participation or as soon thereafter as possible.

9. Notifications shall be sufficiently detailed to enable the notified Party to make an initial evaluation of the effect of the enforcement activity on its own important interests, and shall include the nature of the activities under investigation and the legal provisions concerned. Where possible, notifications shall include the names and locations of the persons involved. Notifications concerning a proposed undertaking, conditioned approval or consent order shall either include, or as soon as practicable be followed by, copies of the proposed undertaking, conditioned approval or consent order and any competitive impact statement or agreed statement of facts relating to the matter.