

2. Unless providing notice would harm its important interests, a Party shall notify another Party when a proposed or actual competition law enforcement action may have an effect on that other Party's important interests, and give full and sympathetic consideration to the views expressed by that other Party, including possible ways of fulfilling its enforcement needs without harming those interests.

3. If a Party considers that any specified anti-competitive business conduct carried out within the territory of another Party is adversely affecting an important interest referred to in paragraph 2, that Party may notify the other Party and may request that the Party or its competition authority initiate appropriate enforcement action.

4. The notifying Party shall include in its notification sufficient information to permit the notified Party to identify the anti-competitive business conduct that is the subject of the notification and shall include an offer to provide such further information and co-operation as the notifying Party is able to provide. The notified Party may consult with the notifying Party and shall accord full and sympathetic consideration to the request of the notifying Party in deciding whether to initiate enforcement action with respect to the anti-competitive business conduct identified in the notification. The Parties may conduct such consultations through their respective competition authorities.

5. The notified Party shall inform the notifying Party of its decision and may include the grounds for the decision. If enforcement action is initiated, the notified Party shall advise the notifying Party of its outcome and, to the extent possible, of any significant interim development. The Parties may act under this paragraph through their respective competition authorities.

ARTICLE 16

Communication of information

Nothing in this Chapter shall require the communication of information by a Party, including its competition authority, if such communication is prohibited by its laws, including those regarding disclosure of information, confidentiality and business secrecy.