

4. The Customs Administration of the assisting Contracting Party shall comply with a request to follow a certain procedure in responding to a request, unless that procedure would conflict with the policy or normal practice of the assisting Contracting Party, in which event, compliance with such a request shall be within the discretion of the assisting Contracting Party.

5. The Customs Administration of the assisting Contracting Party shall, when possible, comply with a request that a representative of the requesting Contracting Party be present when a requested action is carried out.

6. The Customs Administration of the requesting Contracting Party shall, if it so requests, be advised of the time and place of the action to be taken in response to its request.

7. Where the Customs Administration of the receiving Contracting Party cannot comply with a request, it shall promptly notify the Customs Administration of the requesting Contracting Party of that fact and the reasons therefor, and shall inform the Customs Administration of the requesting Contracting Party of any information that might be helpful in pursuing the matter further.

8. Where the Customs Administration of the receiving Contracting Party is not the appropriate agency to respond to a request, it shall transmit the request to the appropriate agency, and shall notify the Customs Administration of the requesting Contracting Party of its action.

ARTICLE 8

Documents and other Materials

1. Upon the request of either Contracting Party, the other Contracting Party shall, subject to the constraints of domestic law and policy, produce such files, documents or other materials or authenticated copies thereof as may be considered essential for proceedings in the territory of the other Contracting Party. Originals of files, documents or other materials which have been transmitted shall be returned at the earliest opportunity. Rights of the requested party or of third parties remain unaffected.

2. Original documents shall be provided only in cases where copies would be insufficient.

ARTICLE 9

Costs

Expenses incurred by the assisting Customs Administration in carrying out a request under this Agreement shall be borne by that Customs Administration.