

ARTICLE 10

Exemptions from Assistance

1. In cases where the requested Party is of the opinion that providing assistance under this Agreement would infringe upon its sovereignty, security, public policy, or any other substantive national interest, or involve the violation of commercial, industrial, or professional secrecy, that assistance may be refused or provided subject to certain conditions or requirements being met.
2. In the event that a request is refused or cannot be complied with in full or in part, the requesting Customs authority shall be promptly notified of that fact and informed of the reasons for the refusal or inability to comply.
3. If the requesting Customs authority requests assistance which it, itself, would not be able to provide, it shall draw attention to that fact in the request. Compliance with such a request shall then be within the discretion of the requested Customs authority.
4. Assistance may be postponed by the requested Customs authority on the grounds that the assistance would interfere with an ongoing investigation, prosecution or proceeding. In that case, the requested Customs authority shall consult with the requesting Customs authority to determine if assistance can be given subject to any terms or conditions as the requested Customs authority may require.

ARTICLE 11

Use and Confidentiality of Information

1. Any information and other communications received under this Agreement shall be used only for the purposes specified in this Agreement, except in cases where the requested Customs authority has given its written consent for another use, subject to any terms or conditions it may specify.
2. Any information or other communications received by the Customs authority of either Party under this Agreement shall be treated as confidential and shall be subject to the same level of protection and confidentiality afforded to equivalent information under the domestic law of the receiving Party.