

4. A Party shall endeavour, through its customs administration, on request or on its own initiative, to provide the other Party with information on planned, on-going or completed activities, if those activities constitute or appear to constitute a customs offence in the territory of the other Party.

5. In cases that could involve substantial damage to the economy, public health, public security, including the security of the international trade supply chain or any other vital interest of either Party, a Party shall, through its customs administration, promptly supply information on its own initiative to the extent possible.

6. The Parties may, by mutual consent in accordance with Article 14(b), transmit to one another information covered by this Agreement on an automatic basis.

7. The Parties may, by mutual consent in accordance with Article 14(b), transmit specific information to each other in advance of the arrival of consignments in their respective territories.

8. The customs administrations may permit, to the extent consistent with their domestic law and administrative policies and procedures, by mutual arrangement, the importation into, exportation from, or transit via the respective national territories, under their control, of goods involved in illicit traffic in order to suppress such illicit traffic. If granting such permission is not within the competence of the customs administration, that customs administration shall transfer the case to those national authorities that have such competence for their consideration.

ARTICLE 5

Authorized Economic Operator Programs

The customs administrations may mutually agree to provide assistance in the development, implementation, and enhancement of their Authorized Economic Operator programs so that they have an optimum degree of compatibility with each other for the benefit of facilitating mutual recognition arrangements.

ARTICLE 6

Experts and Witnesses

1. On request, the requested Party may, through its customs administration, authorize its officials to appear before a court or tribunal in the territory of the requesting Party as a witness or expert, in a matter involving a customs offence and to produce related files, documents or materials that are considered essential for the proceedings.

2. A Party shall ensure that the testimony of an official of the other Party who appears before a court or tribunal as an expert or witness is subject to domestic evidentiary laws, including laws on privilege and confidentiality.