

(3) After an initial notification of an investigation, subsequent notification is not required of each request for information or personal visit made in the course of such investigation unless new issues bearing upon national interests are raised or unless the recipient Party indicates otherwise.

(4) Notification will be given by delivery in writing by the Embassy of the notifying Party in the capital of the recipient Party. Notification by the United States will be given to the Department of State. Where time is of the essence, initial notification may be provided by telephone communication between the Parties' antitrust authorities, with confirmation made promptly thereafter in writing by the above-stated channels. The information conveyed in the notification will be provided concurrently to the concerned antitrust authorities of the recipient Party by the investigating agency of the notifying Party.

(5) Notification will be given at least ten business days prior to the initiation of the relevant action. When ten business days notice cannot be given, it will be provided as promptly as circumstances permit.

(6) The content of the notification will be sufficiently detailed to permit evaluation by the recipient Party of any effects on its national interests.

(7) In the case of mergers or acquisitions routinely reported to antitrust authorities, notification, if required by paragraph 2(1), will only be provided to the other Party at the time the antitrust authorities decide to request additional information and in any event in advance of enforcement action.

3. Notification of Business Reviews, Advisory Opinions and Compliance Procedures

When an antitrust authority receives a request to state current enforcement intentions as to proposed action, and such statements will ultimately be published, notification will be made to the other Party if the proposed response contemplates enforcement action that may affect a national interest of the other or if, in analysing such a request, it is expected that information located in the territory of the other may be required. Where possible, notification will be given ten business days prior to the issuance of the response to the request.