

public official means an official or employee of a Party at the central level of government, whether appointed or elected.

Article 20.8: Statement of Principles

The Parties affirm their resolve to prevent and combat bribery and corruption in international trade and investment.

Article 20.9: Anti-Corruption Measures

1. Each Party shall adopt or maintain the necessary legislative or other measures to establish, in matters affecting international trade or investment, as criminal offences under its law when committed intentionally:

- (a) a public official of that Party or a person who performs public functions for that Party soliciting or accepting, directly or indirectly, an article of monetary value or other benefit, such as a favour, promise, or advantage, for himself or herself or for another person, in order that the official act or refrain from acting in the exercise of his or her public functions;
- (b) offering, promising, or giving, directly or indirectly, to a public official of that Party or a person who performs public functions for that Party an article of monetary value or other benefit, such as a favour, or advantage, for himself or herself or for another person, in order that the official act or refrain from acting in the exercise of his or her public functions;
- (c) offering, promising, or giving an undue pecuniary or other advantage, directly or indirectly, to a foreign public official or an official of a public international organization, for that official himself or herself or for another person, in order that the official act or refrain from acting in relation to the performance of his or her official duties, in order to obtain or retain business or other improper advantage in the conduct of international business; and
- (d) aiding, abetting, or conspiring to commit an offense described in subparagraphs (a) through (c).

2. Each Party shall take any measures necessary to establish its jurisdiction over the offences referred to in paragraph 1 that are committed in its territory.

3. Each Party shall adopt or maintain penalties and procedures to enforce the criminal measures that it adopts or maintains in conformity with paragraph 1.