

3. When an entity listed in Annex VII B is privatised, this Chapter shall no longer apply to that entity. A Party shall notify the other Party of the name of such entity before it is privatised or as soon as possible thereafter.

4. For the purposes of paragraph 3 above, a government entity is construed as privatised if it has been re-constituted to be a legal person operating commercially and is no longer entitled to exercise governmental authority, even though the government possesses holdings thereof or appoints members of the board of directors thereto.

5. Nothing in this Chapter shall be construed so as to derogate from the obligations of the Parties as parties to the GPA.

Article 102
Exchange of Information
on Government Procurement

The government officials of the Parties responsible for procurement policy shall meet upon the request of either Party and, subject to the laws and regulations of each Party, exchange information in respect of government procurement.

CHAPTER 12
COMPETITION

Article 103
Anti-competitive Activities

1. Each Party shall, in accordance with its applicable laws and regulations, take measures which it considers appropriate against anti-competitive activities, in order to facilitate trade and investment flows between the Parties and the efficient functioning of its markets.

2. Each Party shall, when necessary, endeavour to review and improve or to adopt laws and regulations to effectively control anti-competitive activities.

Article 104
Co-operation
on Controlling Anti-competitive Activities

1. The Parties shall, in accordance with their respective laws and regulations, co-operate in the field of controlling anti-competitive activities subject to their available resources.

2. The sectors, details and procedures of co-operation under this Chapter shall be specified in the Implementing Agreement.

3. Pursuant to paragraph 1 of this Article, the Parties shall exchange information as provided for in the Implementing Agreement with respect to the implementation of this Chapter. Article 3 shall not apply to such exchange of information.

Article 105 Dispute Settlement

The dispute settlement procedures provided for in Chapter 21 shall not apply to this Chapter.

CHAPTER 13 FINANCIAL SERVICES CO-OPERATION

Article 106 Co-operation in the Field of Financial Services

The Parties shall co-operate in the field of financial services with a view to:

- (a) promoting regulatory co-operation in the field of financial services;
- (b) facilitating development of financial markets, including capital markets, in the Parties and in Asia; and
- (c) improving financial market infrastructure of the Parties.

Article 107 Regulatory Co-operation

1. The Parties shall promote regulatory co-operation in the field of financial services, with a view to:

- (a) implementing sound prudential policies, and enhancing effective supervision of financial institutions of either Party operating in the territory of the other Party;
- (b) responding properly to issues relating to globalisation in financial services, including those provided by electronic means;