

Chapter 12  
Competition

Article 189  
Anticompetitive Activities

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

2. For the purposes of this Chapter, the term "anticompetitive activities" means any conduct or transaction that may be subject to penalties or relief under the competition laws and regulations of the respective Parties.

Article 190  
Cooperation on Controlling Anticompetitive Activities

1. The Parties shall, in accordance with their respective laws and regulations, cooperate in the field of controlling anticompetitive activities, subject to their respective available resources.

2. The details and procedures concerning the implementation of cooperation under this Article shall be specified in the Implementing Agreement.

Article 191  
Non-Discrimination

Each Party shall apply its competition laws and regulations in a manner which does not discriminate between persons in like circumstances on the basis of their nationality.

Article 192  
Procedural Fairness

Each Party shall implement administrative and judicial procedures in a fair manner to control anticompetitive activities, pursuant to its relevant laws and regulations.

Article 193  
Transparency

Each Party shall promote transparency of the implementation of its competition laws and regulations and its competition policy.

Article 194  
Non-Application of Paragraph 1 of Article 7

Paragraph 1 of Article 7 shall not apply to this Chapter.