2. Neither Party shall require a covered person to use or locate computing facilities in the Area of the Party as a condition for conducting business in that Area.

Note: For the purposes of this paragraph, Indonesia may adopt or maintain any measures that require certain information to be stored and processed in the Area of Indonesia, when businesses are performed for and on behalf of government authorities or institutions assigned by government authorities to operate the Electronic System Operations in accordance with the Government Regulation No. 71 of 2019 concerning Electronic System and Transaction Operation or its amendment and replacement.

3. Nothing in this Article shall prevent a Party from adopting or maintaining measures inconsistent with paragraph 2 that it considers necessary:

(a) to achieve a legitimate public policy objective, provided that the measure is not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on trade, and does not impose restrictions on the use or location of computing facilities greater than are required to achieve the objective; or

(b) for the protection of its essential security interest.

4. Paragraph 2 shall not apply to information held or processed by or on behalf of a Party, or measures related to such information, including measures related to its collection.

Article 96H
Source Code

1. Neither Party shall require the transfer of, or access to, source code of software owned by a person of the other Party, as a condition for the import, distribution, sale or use of such software, or of products containing such software, in the Area of the former Party.

2. Nothing in this Article shall prevent a Party from adopting or maintaining measures inconsistent with paragraph 1 that it considers necessary:

(a) to achieve a legitimate public policy objective, provided that the measure is not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on trade, and does not impose restrictions on the transfer of, or access to, source code of software owned by a person of the other Party greater than are required to achieve the objective; or

(b) for the protection of its essential security interest.

3. Nothing in this Article shall preclude:

(a) the inclusion or implementation of terms and conditions related to the provision of source code in commercially negotiated contracts; or

(b) a Party from requiring the modification of source code of software necessary for that software to comply with laws or regulations which are not inconsistent with this Agreement.

4. Measures that fall under subparagraph 2(b) shall not be subject to dispute settlement under Chapter 14.

Article 96I
Cooperation

1. The Parties shall, where appropriate, cooperate to:

(a) work together to assist small and medium enterprises to overcome obstacles in the use of electronic commerce;

(b) identify areas for targeted cooperation between the Parties which will help the Parties implement or enhance their electronic commerce legal framework, such as research and training activities, capacity building, and the provision of technical assistance;

(c) share information, experiences, and best practices in addressing challenges related to the development and use of electronic commerce;