3. For the purpose of the verification, the customs authority of the importing Party shall return the proof of origin, or a copy thereof, to the competent governmental authority of the exporting Party, as the case may be, giving the reasons for the request for the verification. Any documents and information obtained suggesting that the information given in the proof of origin is incorrect shall be forwarded to the competent governmental authority of the exporting Party in support of such request.

4. For the purpose of the verification, the competent governmental authority of the exporting Party shall take any necessary measures to call for any evidence and to carry out any inspection of the documents or premises of the exporter, or the producer or the person referred to in Articles XVI and XIX of this Annex, and any other inspection considered appropriate.

5. The customs authority of the importing Party may suspend the granting of preferential tariff treatment to the products covered by the proof of origin concerned while awaiting the results of the verification. However, it shall not wait for the verification to be completed before it releases the product to the importer, in accordance with its laws and regulations, unless the product is subject to appropriate administrative measures.

6. The competent governmental authority of the exporting Party shall inform the customs authority of the importing Party of the results of the verification as soon as possible. The results shall indicate clearly whether the proof of origin is authentic and whether the product concerned qualifies as an originating product of the Party indicated in the proof of origin.

7. If there is no reply from the competent governmental authority of the exporting Party within ten months of the date of the request for the verification or within any other time period agreed upon by the Parties, or if the reply does not contain sufficient information for determining the authenticity of the proof of origin concerned or the qualification of the product as an originating product of the Party indicated in the proof of origin, the customs authority of the importing Party shall be entitled to refuse to grant preferential tariff treatment.

8. Upon written request of the importing Party and subject to any conditions set out by the competent governmental authority of the exporting Party, customs officials of the importing Party may be present as observers during the verification conducted by the competent governmental authority of the exporting Party. If the exporting Party refuses such presence of customs officials, the importing Party shall be entitled to consider the product covered by the proof of origin as non-originating.

Article XXVI
Confidentiality

1. Each Party shall maintain, in accordance with its laws and regulations, the confidentiality of information provided to it as confidential pursuant to this Annex, and shall protect that information from disclosure.

2. Information obtained by the customs authority of the importing Party pursuant to this Annex:

(a) may only be used by such authority for the purposes of this Annex; and

(b) shall not be used by the importing Party in any criminal proceedings carried out by a court or a judge, unless such information is requested by and provided to the importing Party through the diplomatic channels or other channels established in accordance with the applicable laws and regulations of the exporting Party.