Rule 9
Confidentiality

1. Where a Party provides information to the other Party pursuant to this Annex and designates the information as confidential, that other Party shall maintain the confidentiality of the information, protect that information from disclosure that could prejudice the competitive position of the persons providing the information, use the information only for the purposes specified by the former Party, and not disclose the information without the specific written permission of the former Party.

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

(a) shall only be used by such authority for the purposes of the verification of a CO under this Annex; and

(b) shall not be used by the importing Party in any criminal proceedings carried out by a court or a judge, in the absence of a specific written permission of the exporting Party.

Rule 10
Appropriate Penalties or Other Measures against Fraudulent Acts

Each Party shall establish or maintain, in accordance with its laws and regulations, appropriate penalties or other measures against its exporters or producers who have committed fraudulent acts in connection with a CO, including submission of false declarations or documents to its competent governmental authority or its designees.

Rule 11
Implementing Regulations

The Joint Committee shall, upon the date of entry into force of this Agreement pursuant to Article 128, adopt the Implementing Regulations that provide detailed regulations pursuant to which the customs authorities, competent governmental authorities and other authorities concerned of the Parties shall implement their functions under this Annex.

Attachment to Annex 3
Minimum Data Requirement for Certificate of Origin

1. Certification number

2. Exporter's name, address, and country

3. Importer's or, if applicable, consignee's name, address and country

4. Transport details (including the shipment date, port of discharge, and vessel's name or flight number) (if known)

5. Marks, numbers, number and kind of packages; HS code; description of good(s)

6. Preference criterion (including information on WO,CTC, LVC, specific manufacturing or processing operation, accumulation, *de minimis*, and identical and interchangeable materials (if applied))

7. Weight or other quantity (Unit)

8. Invoice number and date

9. Declaration by the exporter (including origin of good(s), name of the exporter or its authorized agents, signature and name of the representative thereof, and the place and date of application)

10. Certification (including signature and name of the issuing person, stamp of the competent governmental authority or its designees, and the place and date of issuance)

11. With respect to the goods of Chapters 50 through 63 of the Harmonized System, materials of the other Party or non-Parties which are Member States of the ASEAN, processes or operations conducted in such Party or non-Parties, and names of such Party or non-Parties (if such materials were used in the production of the goods)