(KK) provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and

(LL) advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (AA) through (KK), including credit reference and analysis, investment and portfolio research and advice, and advice on acquisitions and on corporate restructuring and strategy;

(ii) "financial service supplier" means any natural person or juridical person of a Party that supplies a financial service, but does not include a public entity; and

(iii) "public entity" means:

(A) the Government, central bank or monetary authority of a Party, or an entity owned or controlled by a Party, that is principally engaged in carrying out governmental functions or activities for governmental purposes, not including an entity principally engaged in supplying financial services on commercial terms; or

(B) a private entity, performing functions normally performed by the central bank or monetary authority of a Party, when exercising those functions.

(b) For the purposes of paragraph (n) of Article 58, the term "service supplied in the exercise of governmental authority" means the following:

(i) activities conducted by the central bank or monetary authority or by any other public entity in pursuit of monetary or exchange rate policies;

(ii) activities forming part of a statutory system of social security or public retirement plans; and

(iii) other activities conducted by a public entity for the account or with the guarantee or using the financial resources of the Government.

(c) For the purposes of paragraph (n) of Article 58, if a Party allows any of the activities referred to in subparagraph (b)(ii) or (iii) to be conducted by its financial service suppliers in competition with a public entity or a financial service supplier, the term "service" shall include such activities.

(d) Paragraph (q) of Article 58 shall not apply to services covered by this Annex.

Section 2
Domestic Regulation

1. Notwithstanding any provisions of Chapter 7, a Party shall not be prevented from taking measures for prudential reasons, including measures for the protection of investors, depositors, policy holders, or persons to whom a fiduciary duty is owed by a financial service supplier, or to ensure the integrity and stability of the financial system. Where such measures do not conform with the provisions of Chapter 7, they shall not be used as a means of avoiding the Party's commitments or obligations under Chapter 7.

2. Nothing in Chapter 7 shall be construed to require a Party to disclose information relating to the affairs and accounts of individual customers or any confidential or proprietary information in the possession of public entities.

Section 3
Recognition

1. A Party may recognize the prudential measures of any international regulatory body or non-Party in determining how the Party's measures relating to financial services shall be applied. Such recognition, which may be achieved through harmonization or otherwise, may be based upon an agreement or arrangement with the international regulatory body or non-Party concerned or may be accorded autonomously.