Section 2
Domestic Regulation

1. Notwithstanding any other provisions of Chapters 6, 7 and 8, 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 including an enterprise supplying financial services, or to ensure the integrity and stability of the financial system. Where such measures do not conform with the provisions of Chapters 6, 7 and 8, they shall not be used as a means of avoiding the Party's commitments or obligations under Chapters 6, 7 and 8.

2. Nothing in Chapter 6 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 recognise the prudential measures of any international standard setting 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 harmonisation or otherwise, may be based upon an agreement or arrangement with the international standard setting body or non-Party concerned or may be accorded autonomously.

2. A Party that is a party to such an agreement or arrangement referred to in paragraph 1, whether future or existing, shall afford adequate opportunity for the other Party to negotiate its accession to such an agreement or arrangement, or to negotiate comparable ones with it, under circumstances in which there would be equivalent regulation, oversight, implementation of such regulation, and if appropriate, procedures concerning the sharing of information between the parties to the agreement or arrangement. Where a Party accords recognition autonomously, it shall afford adequate opportunity for the other Party to demonstrate that such circumstances exist.

Section 4
Dispute Settlement

Arbitral tribunals established under Article 136 for disputes on prudential issues and other financial matters shall have the necessary expertise relevant to the specific financial service under dispute.

Section 5
New Financial Services

1. Each Party shall permit a financial service supplier of the other Party having commercial presence in its Area who is authorised to do business and regulated or supervised by a public entity under the law of the Party, to supply any new financial service that the first Party would permit its own financial service suppliers, in like circumstances, to supply. Each Party may determine the institutional and juridical form through which the new financial service may be supplied and may require authorisation for the supply of the new financial service.

2. Where a Party requires authorisation of the new financial service, a decision shall be made within a reasonable time.

3. For the purposes of this Section, the term a "new financial service" means a financial service that is not supplied by any financial service supplier in the Area of the first Party but which is supplied within the Area of the other Party and includes services related to existing and new financial products or the manner in which a financial product is delivered.