ARTICLE 1

The table of contents of the Agreement shall be amended by deleting the words "Articles 8.70 to 8.81" and replacing them with the words "Articles 8.70 to 8.82".

ARTICLE 2

Article 8.71 of the Agreement shall be amended by deleting the word "and" at the end of subparagraph (a), by deleting the period at the end of subparagraph (b)(ii) and replacing it with a semicolon, and by inserting the following subparagraphs immediately after subparagraph (b)(ii):

"(c) "covered person" means:

(i) a covered enterprise;

(ii) an entrepreneur of a Party; and

(iii) a service supplier of a Party; and

(d) "personal data" means any information, relating to an identified or identifiable natural person.".

ARTICLE 3

Article 8.81 of the Agreement shall be replaced by the following:

"ARTICLE 8.81

Cross-border transfer of information by electronic means

1. The Parties are committed to ensuring the cross-border transfer of information by electronic means where this activity is for the conduct of the business of a covered person.

2. To that end, a Party shall not adopt or maintain measures which prohibit or restrict the cross-border transfer of information set out in paragraph 1 by:

(a) requiring the use of computing facilities or network elements in the territory of the Party for information processing, including by requiring the use of computing facilities or network elements that are certified or approved in the territory of the Party;

(b) requiring the localisation of information in the territory of the Party for storage or processing;

(c) prohibiting storage or processing of information in the territory of the other Party;

(d) making the cross-border transfer of information contingent upon use of computing facilities or network elements in the territory of the Party or upon localisation requirements in the territory of the Party;

(e) prohibiting the transfer of information into the territory of the Party; or