

**AGREEMENT BETWEEN THE FEDERAL COMPETITION COMMISSION
OF THE UNITED MEXICAN STATES AND THE FEDERAL
ANTIMONOPOLY SERVICE OF THE RUSSIAN FEDERATION ON
COOPERATION IN THE FIELD OF COMPETITION POLICY**

The Federal Competition Commission of the United Mexican States and the Federal Antimonopoly Service of the Russian Federation hereinafter referred to as "the Parties";

Considering the increase of economic relations and cooperation between the two countries of the Parties;

Taking into account that the effective enforcement of competition laws is a matter of importance to the efficient operation of markets and to the economic welfare of the citizens of the countries of the Parties;

Having regard to the importance of cooperation and interaction between the Parties to further effective competition law enforcement in both countries;

Recognizing that interaction on enforcement activities under the competition laws of the Parties' states may, in appropriate cases, lead to better results of the enforcement activity by the Parties;

Considering that technical cooperation between the Parties will contribute to improving and strengthening their relationship;

have agreed as follows:

Article I

PURPOSES AND DEFINITIONS

1. The purpose of the present Agreement is to promote and strengthen cooperation, including:

- a. exchange of the experience on implementation and development of competition policy by the Parties;
- b. cooperation of the Parties under investigation of the certain cases on violation of competition law of the Parties' states.

2. For the purposes of the present Agreement the following terms have the following definitions:

- a) "Anticompetitive practice(s)" means conducts prohibited in accordance to the competition law of the Parties' states;
- b) "Competition law(s)" means

- for the United Mexican States, the Federal Law of Economic Competition of December 24, 1992, as amended in June 28, 2006; the Regulations of the Federal Law of Economic Competition of October 10, 2007, and any further amendments.
- for the Russian Federation, Federal Law № 135-FZ of July 26, 2006, except for Chapters 3 and 5, and the articles provided for in Part 1 of the Article 23.48 of the Code of the Russian Federation on Administrative Violations, and any further amendments.
- as well as any other laws and regulations with regard to respective Party that the Parties agree in writing to include as part of the definition of "Competition law(s)".

c) "Enforcement activity(ies)" means the Parties' activity relating to revealing the competition law violations, undertaking of measures on elimination of the competition law violations and bringing to liability for a competition law violation.

Article II

CONSULTATIONS AND

EXCHANGE OF INFORMATION

1. The Parties shall render each other consultative and informational assistance for the purposes of the present Agreement.
2. The Parties have a right to request consultations regarding any matter relating to the aims of the present Agreement. The request for consultations shall indicate the reasons for submitting a request, and whether any procedural time limits or other constraints that require the consultation to be expedite. The Party receiving such a request shall promptly organize consultations in order to achieve mutually satisfying results in consistence with the provisions of the present Agreement.
3. Consultations under the present Article shall be held in accordance with the Article VIII.
4. During consultations under the present Article, each Party shall provide to the other Party as much assistance as it is able in order to secure the broadest possible discussion regarding the relevant aspects of the matter that is the subject of consultations.
5. Each Party has a right to request the other Party any type of assistance, if it relates to the enforcement activity of the requesting Party and contributes to the achievement of the aims of the present Agreement.
6. The request of information should contain the aim of the request, the aim of using the information, context of the case with attachment of the relevant documents.

7. Information inquired shall be delivered in the terms reached by the Parties, but not later than 60 (sixty) working days, counting from the day when a confirmation of the reception is issued. The inquired Party shall inform the other Party about any delay, which may entail non-compliance of the period specified.

8. Representatives of the Parties shall endeavor to meet periodically to discuss and consult over the following topics:

- a. the current activities of the Parties and priorities in relation to the application of competition laws in the Parties' jurisdictions;
- b. the changes in economic sectors of common interest;
- c. the planned competition policy changes of the Parties' states;
- d. other matters of mutual interest relating to the application of competition laws of the Parties' states, and implementation of the present Agreement.

Article III

NOTIFICATION

1. Pursuant to the Point 1 of the Article V each Party shall notify the other Party in the manner provided by the present Article and Article VIII with respect to its enforcement activities that:

- a. may influence the enforcement activities of the other Party;
- b. involve anticompetitive practices, including abuse of dominant position and anticompetitive agreements, carried out in whole or in substantial part within the jurisdiction of the other Party;
- c. involve mergers, acquisitions and other actions, where one or more of the parties involved in the transaction, or a company controlling one or more of the parties of the transaction is a person registered or established under the other Party's laws and legislation;
- d. involve activity of economic entities specified in the laws of the other Party's state;
- e. involve remedies that expressly require or prohibit conduct in the territory of the other Party's state or are otherwise directed at conduct in the territory of the other country Party's state within the frameworks of ensuring competition law compliance;

2. Notification on actions indicated in Point 1 of the present Article shall be sent in sufficient time to allow the other Party to take appropriate measures.

3. Where notifications pertain to private persons' information, each Party shall observe its domestic legislation on privacy, confidentiality and reserved information.

4. Notification pursuant to the present Article is not required for each subsequent request for information in relation to the same matter unless the Party seeking information becomes aware of new facts, indicated in Point 1 of the present Article, or the other Party requests otherwise in relation to a particular issue.

5. Notification pursuant to the present Article shall be sent in writing and shall be sufficiently detailed to enable the notified Party to make an initial evaluation of the effect of the enforcement activity carried by the notifying Party. The notification shall include information on the nature of the enforcement activities, the legal provisions concerned of the laws of the Parties' states. Where possible, notifications shall include the names and locations of the persons involved in the enforcement procedure.

6. Each Party shall endeavour to immediately notify the other Party on any amendments to its competition law.

Article IV

TECHNICAL COOPERATION

1. The Parties have decided that it is in their common interest to work together in technical cooperation activities related to competition law enforcement and competition policy.

2. In addition to providing technical assistance and consultations, the Parties, considering the availability of resources and the extent to which its respective legislation permits, shall engage in the following activities:

- a. exchanges of personnel of Parties through fellowship and internship programs coordinated by the Parties for training purposes;
- b. participation of personnel of the Parties as lecturers or consultants at training courses on competition law and policy organized and/or financed by the Parties;
- c. holding of bilateral symposia, conferences and seminars;
- d. other forms of technical cooperation, which the Parties consider appropriate for the purposes of the present Agreement.

Article V

CONFIDENTIALITY OF INFORMATION

1. Notwithstanding any other provision of the present Agreement, neither Party is required to communicate information to the other Party if such communication is prohibited by laws and/or regulation of the Party's state possessing such information.

2. Information, other than publicly available information, communicated by the Party to the other Party pursuant to the present Agreement shall be used by the receiving Party only for the purposes of implementation of present Agreement.

3. The receiving Party shall not use such information in a manner contrary to terms specified by the Party communicating this information without the prior consent of the counterpart.

4. Unless otherwise agreed by the Parties, each Party shall maintain the confidentiality of any information communicated by the other Party if the communicating Party considers it confidential, such information can not be transferred to the third parties without written permission of the communicating Party.

Article VI

FINANCIAL CONDITIONS

A Party sending its representative for participating in events organized by the other Party, including bilateral consultations, conferences, seminars, bears all costs, including on transportation, accommodation and meals of its representatives on the territory of the hosting Party.

Article VII

EXISTING LAWS

Nothing in the present Agreement shall require the Parties to take any action, or to refrain from any actions, in a manner that is inconsistent with the existing laws of this Party's state, or require any change in the current legislation.

Article VIII

COMMUNICATIONS

For the purposes of realization of the present Agreement communications shall be carried out:

from the Mexican side – General Directorate for International Affairs of the Mexican Federal Competition Commission;

from the Russian side – Department for International Economic Cooperation of

the Federal Antimonopoly Service (Russian Federation).

The working language between the Parties within the present Agreement will be English.

Article IX
DISPUTES SETTLEMENT

Disputes relating to the interpretation and/or application of the provisions in the present Agreement shall be solved through negotiations between the Parties.

Article X
ENTRY INTO EFFECT AND
TERMINATION

The present Agreement is coming into force from the date of its signature, and will be effective before until expiration, which would take place 6 months after the day of getting by either Party a written notification with the intention to terminate the Agreement.

The Agreement is signed on 15th of June, 2010 in Paris, in two copies, each in Spanish, Russian and English, all three texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Federal Competition Commission of the United Mexican States.	For the Federal Antimonopoly Service of the Russian Federation.