ARTICLE 8.30

Conditions for licensing and qualification

Measures relating to licensing requirements and procedures, and qualification requirements and procedures of each Party shall be based on the following criteria:

(a) clarity;

(b) objectivity;

(c) transparency;

(d) advance public availability; and

(e) accessibility.

ARTICLE 8.31

Licensing and qualification procedures

1. Licensing and qualification procedures shall be clear, made public in advance and be such as to ensure that the applications are dealt with objectively and impartially.

2. Licensing and qualification procedures shall be as simple as possible and shall not in themselves be a restriction on the supply of a service or the pursuit of any other economic activity. Any authorisation fee[1] which the applicants may incur from their application should be reasonable, transparent and shall not in itself restrict the supply of a service or the pursuit of any other economic activity.

3. The procedures used by, and the decisions of, the competent authority in the authorisation process shall be impartial with respect to all applicants. The competent authority should reach its decision in an independent manner and should not be accountable to any person supplying the services or carrying out the economic activities for which the authorisation is required.

[1] Authorisation fees do not include fees for the use of natural resources, payments for auction, tendering or other non-discriminatory means of awarding concessions or mandated contributions to universal service provision.