3. If a licence application is rejected by the competent authority, it shall upon request inform the applicant of the reasons for the rejection of the licence. Each Party shall establish an appeal procedure through an independent body available to applicants whose licence has been rejected. That procedure shall be transparent, non-discriminatory, and based on objective criteria.

ARTICLE 8.40

Independence of the regulatory body

Each Party shall ensure that:

(a) its regulatory body[1] for the services covered by this Sub-Section is legally separated from, and not accountable to, any supplier of those services; and,

(b) subject to the laws and regulations of each Party, decisions of, and procedures used by, its regulatory body are impartial.

[1] The regulatory body referred to in this Article does not include customs authorities of each Party.

SUB-SECTION 4

Telecommunications services

ARTICLE 8.41

Scope

1. This Sub-Section sets out the principles of the regulatory framework for all telecommunications services and applies to measures by a Party affecting trade in telecommunications services, which consist in the conveyance of signals including, *inter alia*, transmission of video and audio signals (irrespective of the types of protocols and technologies used) through public telecommunications transport networks.

2. This Sub-Section does not apply to measures affecting:

(a) broadcasting services as defined in the laws and regulations of each Party; and

(b) services providing, or exercising editorial control over, content transmitted using telecommunications transport networks and services.