CHAPTER 17

TRANSPARENCY

ARTICLE 17.1

Definitions

For the purposes of this Chapter, "measure of general application" means any law, regulation, rule, administrative or judicial decision, or administrative or judicial procedure, of general application with respect to any matter covered by this Agreement.

ARTICLE 17.2

Transparent regulatory environment

Recognising the impact which its regulatory environment may have on trade and investment between the Parties, each Party shall provide for a transparent regulatory environment, which is effective and predictable for persons including economic operators, especially small and medium-sized enterprises.

ARTICLE 17.3

Publication

When introducing or changing measures of general application, each Party shall:

(a) promptly publish those measures of general application, or otherwise make them publicly available, together with an explanation of their objective and rationale, and where feasible, by electronic means such as a website in English; and

(b) endeavour to allow for a reasonable interval between the time when those measures of general application are published or made publicly available and the time when they enter into force, except in duly justified cases.

ARTICLE 17.4

Enquiries

1. Each Party shall, on request of the other Party, respond within a reasonable period of time to specific questions from, and provide information to, the other Party with respect to its measures of general application.

2. Each Party shall make easily available to the public the names and addresses of the competent authorities responsible for its measures of general application.

3. Each Party shall establish or maintain appropriate mechanisms for responding to enquiries from a person regarding its measures of general application.

4. The Parties recognise that the responses provided to the enquiries referred to in paragraph 3 may not be definitive or legally binding but for information purposes only, unless otherwise provided for in the laws and regulations of each Party.

ARTICLE 17.5

Administration of measures of general application

1. Each Party shall administer in a consistent, objective, impartial and reasonable manner all its measures of general application.