Article 13: Provisions Relevant to Chapter 26 (Transparency and Anti-Corruption)

Central Level of Government

1. For the purposes of Article 26.2.4 (Publication) and Article 26.2.5 (Publication) of the TPP as incorporated into the CPTPP, any regulation of general application proposed or adopted by His Majesty's Government of the United Kingdom of Great Britain and Northern Ireland shall be considered to be a regulation of general application proposed or adopted by a central level of government. For greater certainty, this includes when His Majesty's Government of the United Kingdom of Great Britain and Northern Ireland is acting in respect of England, Northern Ireland, Scotland or Wales.

Annex 26-A (Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices)

2. For the purposes of Article 1 (Definitions) of Annex 26-A (Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices) and the Appendix to Annex 26-A (Party-Specific Definitions) of the TPP as incorporated into the CPTPP:

national health care authorities means, for the United Kingdom, the Department of Health and Social Care, the National Institute for Health and Care Excellence, and the National Health Service and equivalent agencies in the Northern Ireland Executive, Scottish Government and Welsh Government, with respect to their roles in informing and making determinations in relation to the listing of pharmaceutical products and medical devices for reimbursement.

Article 14: Provisions Relevant to Chapter 28 (Dispute Settlement)

Article 28.3.3 (Scope) of the TPP as incorporated into the CPTPP shall apply, *mutatis mutandis*, to an instrument entered into by two or more Parties in connection with the conclusion of this Protocol.

Article 15: Provisions Relevant to Chapter 29 (Exceptions and General Provisions)

1. For the purposes of Article 29.4 (Taxation Measures) of the TPP as incorporated into the CPTPP:

designated authorities means, for the United Kingdom, the Commissioners for Revenue and Customs or their authorised representative.[4]

[4] If the Commissioner for Revenue and Customs or their authorised representative considers that an issue referred to it under Article 29.4 (Taxation Measures) of the TPP as incorporated into the CPTPP affects the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man, it shall notify the relevant designated authorities in the Bailiwick of Guernsey, the Bailiwick of Jersey or the Isle of Man.

In such circumstances, and with respect to the provisions of the CPTPP which apply to them, "designated authorities" also means, to the extent relevant:

Windsor Framework [5,6]

2. In the event of an inconsistency between the CPTPP and the Windsor Framework, and amendments thereto and subsequent agreements replacing parts thereof, the CPTPP shall not prevent a Party from adopting or maintaining a measure that is not consistent with its obligations under the CPTPP and relating to the inconsistency, provided that the measure is not applied in a manner that would constitute a means of arbitrary or unjustified discrimination against any other Party or a disguised restriction on trade.

3. Any Party may request consultations with a Party that has adopted a measure pursuant to paragraph 2.[7] On receiving such a request, the requested Party shall hold consultations with any interested Parties in relation to the effects of the measure on the CPTPP and seek a mutually acceptable solution.[8]

4. In the event of changes to the Windsor Framework that substantially affect the operation of the CPTPP, the United Kingdom shall notify the Parties via the Contact Point designated under Article 27.5 (Contact Points) of the TPP as incorporated into the CPTPP.

5. With a view to ensuring the balance of rights and obligations is maintained between the Parties, the Commission shall review the implementation by the United Kingdom of the CPTPP in the context of paragraphs 2 through 4:

(a) four years after the date of entry into force of this Protocol; and

(a) for the Bailiwick of Guernsey, the Director of the Revenue Service or his or her delegate;

(b) for the Bailiwick of Jersey, the Treasury and Resources Minister or his or her authorised representative; and

(c) for the Isle of Man, the Assessor of Income Tax or his or her delegate, and the Collector of Customs and Excise or his or her delegate.

[5] Windsor Framework means the *Protocol on Ireland/Northern Ireland to the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community*, done at London and Brussels on 24 January 2020, as amended by *Decision No 1/2023 of the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community* of 24 March 2023. In that context, the Parties take note of *Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community* of 24 March 2023.

[6] For greater certainty, paragraphs 2 through 7 are without prejudice to Article 26.5 (Provision of Information) of the TPP as incorporated into the CPTPP.

[7] The Parties understand that "consultations" may include requests for information or clarification on a measure a Party adopts or maintains pursuant to paragraph 2.

[8] For greater certainty, this paragraph is without prejudice to the rights and obligations of a Party under the CPTPP, including rights and obligations under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.