

**Article I-[ ]: Transparency**

1. Each Party shall ensure that its laws, regulations, procedures and administrative rulings of general application respecting any matter covered by this Agreement are promptly published or otherwise made available in such a manner as to enable interested persons and Parties to become acquainted with them.
2. [AU/CA/CL/CO/CR/EU/HK/IS/JP/KR/LI/MU/MX/NO/NZ/PA/PK/PE/TW/US **propose; IL/TR considering:** To the extent practicable, each Party shall, [CH/TR/IL/IS/LI/PK **oppose:** in a manner consistent with] [CH/IL/IS/LI/PK/TR **propose; CA/MU/US opposed:** to the extent prescribed by] its legal system for adopting measures:<sup>1</sup>
  - a. publish in advance [CH/IL/IS/LI/PK **propose:** its laws and regulations] [CH/IL/IS/LI/PK **oppose:** measures] referred to in paragraph 1 that it proposes to adopt, or publish in advance documents that provide sufficient details about a possible new [CH/IL/IS/LI/PK **propose:** law or regulation] [CH/IL/IS/LI/PK **oppose:** measure] referred to in paragraph 1 to allow interested persons and other Parties to assess whether and how their interests might be significantly affected;
  - b. provide interested persons and other Parties a reasonable opportunity to comment on such proposed measures or documents under subparagraph 2a [CH **propose:** taking into account its priorities and resource constraints]; and,
  - c. consider comments received under subparagraph 2b.]

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**CHAIR’S PROPOSED ALT PARAGRAPH 2**

2. To the extent practicable, each Party shall, **in a manner consistent with** its legal system for adopting measures.<sup>[FOOTNOTE 1 UNCHANGED]</sup>

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<sup>1</sup> Parties understand that paragraph 2 recognises that Parties have different systems to consult interested persons and other Parties on certain measures before they are final, [CH **oppose:** and that the alternatives set out in Paragraph 2 reflect those different legal systems.]

- a.
  - i. publish in advance its **laws and regulations** referred to in paragraph 1 that it proposes to adopt, or publish in advance documents that provide sufficient details about a possible new **law or regulation** referred to in paragraph 1 to allow interested persons and other Parties to assess whether and how their interests might be significantly affected;
  - ii. [shall endeavour to] [are encouraged to] apply this subparagraph to **procedures and administrative rulings** referred to in Paragraph 1.
- b. provide interested persons and other Parties a reasonable opportunity to comment on such proposed measures or documents under subparagraph 2a; and,
- c. consider comments received under subparagraph 2b.

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- 3. For purposes of this [annex] [article], "publish" means to include in an official publication, such as an official journal, or on an official website.<sup>2</sup>
  - 4. In publishing a law or regulation referred to in Paragraph 1, or in advance of such publication, a Party is encouraged to explain the purpose and rationale of the law or regulation.
  - 5. Each Party shall, to the extent practicable, endeavour to allow reasonable time between publication of the text of a [PA oppose: law or] regulation referred to in Paragraph 1 and the date on which service suppliers must comply with the law or regulation.
  - 6. Each Party shall:
    - a. designate a contact point or points to facilitate communications between the Parties on any matter covered by this Agreement, and respond promptly to all requests by any other Party for specific information on any of its measures of general application, which pertain to or affect the operation of this Agreement; and

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<sup>2</sup> Parties are encouraged to consolidate electronic publications into a single portal

- b. maintain or establish appropriate mechanisms<sup>3</sup> for responding, to enquiries from service suppliers or persons seeking to supply a service regarding its measures of general application which pertain to or affect the operation of this Agreement.<sup>4</sup>

HK would like to reflect that the group needs to determine whether 6a will go in the core text
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7. **[CH; CO/KR/US oppose; [CH propose: For greater certainty]** Nothing in this Annex shall require a Party to provide information or to communicate in a language other than its language or languages.]
8. **[MU/PE/US Propose; CO/PA oppose: Paragraphs 2 through [7] do not apply to taxation measures.](to be discussed horizontally)**

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<sup>3</sup> For greater certainty such appropriate mechanisms may be, for example, a contact point or points.

<sup>4</sup> It is understood that resource constraints may be a factor in determining whether a mechanism for responding to enquiries is appropriate.