**CHAPTER 22**

**TRANSPARENCY AND ANTI-CORRUPTION**

**Article 22.1**
**Publication and Notification and Provision of Information**

1. Each Party shall promptly publish, or otherwise make publicly available, on the internet where feasible, its laws and regulations, as well as its respective international agreements, which may affect the operation of this Agreement.

2. Upon request of the other Party, a Party shall within a reasonable period of time respond to specific questions and provide information to the other Party on matters referred to in paragraph 1.

3. To the extent possible, each Party shall notify the other Party of any measure that the Party considers might materially affect the operation of this Agreement.

4. Any notification or information provided under this Article shall be without prejudice as to whether the measure in question is consistent with this Agreement.

**Article 22.2**
**Administrative Proceedings**

With a view to administering its laws and regulations, with respect to any matter covered by this Agreement in a consistent, impartial, objective, and reasonable manner, each Party, to the extent possible and in accordance with its laws and regulations, shall endeavour to ensure in its administrative proceedings applying such measures to a particular person, good, or service of the other Party in specific cases that:

(a) if possible, persons of the other Party that are directly affected by a proceeding are provided with reasonable notice, in accordance with its domestic procedures, of when a proceeding is initiated, including a description of the nature of the proceeding, a statement of the legal authority under which the proceeding is initiated, and a general description of any issue in question;

(b) if possible, such persons are afforded a reasonable opportunity to present facts and arguments in support of their positions prior to any final administrative action, when time, the nature of the proceeding and the public interest permit; and

(c) it follows its domestic procedures in accordance with its laws and regulations.

**Article 22.3**

**Review and Appeal**

1. Each Party, to the extent permitted by its laws and regulations, shall endeavour to establish or maintain impartial and independent judicial, quasi-judicial, or administrative tribunals or procedures for the purpose of the prompt review and, where warranted, correction of a final administrative action with respect to any matter covered by this Agreement.

2. Paragraph 1 shall not be applied in a manner that is inconsistent with a Party’s laws and regulations, constitutional structure or the nature of its legal system.

**Article 22.4**
**Anti-Corruption**

1. The Parties affirm their resolve to prevent and combat corruption, including bribery, in matters affecting international trade or investment. The Parties recognise the need to build integrity within both the public and private sectors and that each sector has complementary responsibilities in this regard.

2. Each Party shall, in accordance with its laws and regulations, adopt or maintain appropriate measures to prevent and combat corruption, including bribery, with respect to any matter covered by this Agreement.

3. In accordance with the fundamental principles of its legal system, each Party shall effectively enforce its measures adopted or maintained to prevent and combat corruption, including bribery.[[1]](#footnote-2)

4. Each Party affirms its commitment under relevant international agreements to which it is a party.

5. The Parties shall not have recourse to dispute settlement under Chapter 25 (Dispute Settlement) for any matter arising under this Article.

1. For greater certainty, the Parties recognise that individual cases or specific discretionary decisions related to the enforcement of anti-corruption laws are subject to each Party’s laws and regulations. [↑](#footnote-ref-2)