

PART FOUR: ADMINISTRATIVE AND INSTITUTIONAL PROVISIONS

Chapter XII: Publication, Notification, Information and Administration of Laws

Article XII.01 Contact Points

1. Each Party shall designate, within sixty (60) days of the entry into force of this Agreement, a contact point to facilitate communications between the Parties on any matter covered by this Agreement.
2. On the request of a Party, the contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communication with the requesting Party.

Article XII.02 Publication and Notification

1. Each of the Parties shall publish and notify the other Party, within a period of forty (40) days from the coming into force of this Agreement, of measures such as laws, regulations, judicial decisions, procedures and administrative regulations of general application which are related to the provisions of this Agreement.
2. As far as practicable, each of the Parties shall publish and notify the other Party of any measure indicated in paragraph 1 that it proposes to adopt, and shall provide the interested Party with a reasonable opportunity for making observations on the proposed measures.
3. The provisions of this Article do not obligate any of the Parties to reveal information of a confidential nature, the dissemination of which may constitute an impediment to the compliance with any laws, or is contrary to the public interest, or infringes the rules or regulations of public or private organisations.
4. Each of the Parties, at the request of the other Party, shall provide it with information and shall promptly respond to any question pursuant to the proposed or actual measures, notwithstanding that the interested Party had or had not been previously informed of the measure in question.

Article XII.03 Notification and Supplying Information

1. To the maximum extent possible, each Party shall notify the other Party of any proposed or actual measure that the Party considers might affect the operation of this Agreement or otherwise substantially affect that other Party's interests under this Agreement.
2. On the request of the other Party, a Party shall promptly provide the information and respond to questions pertaining to any actual or proposed measure, whether or not that other Party has been previously notified of that measure.
3. Any notification or information provided under this Article shall be without prejudice as to whether the measure is consistent with this Agreement.

Article XII.04 Review and Appeal

1. The Parties reaffirm their guarantees to the right to a hearing in accordance with the fundamental principles of justice and due process of law enshrined in their respective legislation.

2. Each Party shall establish or maintain judicial, quasi-judicial or administrative tribunals or procedures for the purpose of the prompt review and, where warranted, revision of final administrative actions regarding matters covered by this Agreement. Such tribunals shall be impartial and independent of the office or authority entrusted with administrative enforcement and shall not have any substantial interest in the outcome of the matter.

3. Each Party shall ensure that, in any such tribunals or procedures, the parties to the proceeding are provided with the right to:

- (a) a reasonable opportunity to support or defend their respective positions; and
- (b) a decision based on the evidence and submissions of record or, where required by domestic law, the record compiled by the administrative authority.

4. Each Party shall ensure, subject to appeal or further review as provided in its domestic law, that such decisions shall be implemented by, and shall govern the practice of, the offices or authorities entrusted with administrative enforcement.