

1. Where a Member State maintains a monopoly for the provision of a service inscribed by it in the Annex, the services of such monopoly shall be made available to persons of the other Member State for normal business activities in respect of price, quality and quantity under transparent and non-discriminatory conditions.

2. Member States shall endeavour to prevent monopoly service providers under their direct control from using revenues deriving from their monopoly activities for the purpose of subsidising services they may provide in competition with persons of the Member States.

#### Article 13

##### Transparency

1. Each Member State shall make public promptly all laws, regulations, judicial decisions and administrative rulings pertaining to trade in services.

2. Each Member State shall, to the extent possible, provide maximum possible opportunity for comment by interested parties on proposed laws, regulations, procedures and administrative rulings affecting trade in services.

3. The provisions of paragraphs 1 and 2 of this Article are to be interpreted as widely as possible consistent with not requiring a Member State to disclose confidential information contrary to national security, the public interest or prejudice legitimate commercial interests.

#### Article 14

##### Denial of benefits

Subject to prior notification and consultation in accordance with Articles 16 and 19 of this Protocol, a Member State may deny the benefits of this Protocol to persons of the other Member State providing a service if the Member State establishes that the service is indirectly provided by a person, not being a person of either Member State.

#### Article 15

##### Taxation

The provisions of this Protocol shall not apply to any taxation measure.

#### Article 16

##### Notification

1. A Member State shall provide written notice to the other of any proposed or actual measure that it considers might materially affect the operation of this Protocol. The notice shall include the reasons for the measure.

2. The written notice shall be given as far in advance as possible of implementation of the measure. If prior notice is not possible, the Member State implementing the measure shall provide written notice to the other Member State as soon as possible after implementation.

3. Upon request of the other Member State, information and response to questions pertaining to any actual or proposed measure, whether or not previously notified, shall be promptly provided.