

- (i) access to and use of domestic distribution systems; and
- (ii) rights of establishment.

Measure includes any law, regulation, or administrative practice.

Person of a Member State means:

- (a) a natural person who is a citizen of, or ordinarily resident in, that State;
- (b) a body corporate established under the law of that State;
- (c) an association comprising or controlled by:
 - (i) persons described in one or both of sub-paragraphs (a) or (b); or
 - (ii) persons described in one or both of sub-paragraphs (a) or (b) and persons so described in relation to the other Member State.

Article 4

Market access

Each Member State shall grant to persons of the other Member State and services provided by them access rights in its market no less favourable than those allowed to its own persons and services provided by them.

Article 5

National treatment

1. Each Member State shall accord to persons of the other Member State and services provided by them treatment no less favourable than that accorded in like circumstances to its persons and services provided by them.
2. Notwithstanding paragraph 1 of this Article, the treatment a Member State accords to persons of the other Member State may be different from the treatment the Member State accords to its persons, provided that:
 - (a) the difference in treatment is no greater than that necessary for prudential, fiduciary, health and safety or consumer protection reasons; and
 - (b) such different treatment is equivalent in effect to the treatment accorded by the Member State to its ordinary residents for such reasons.
3. The Member State proposing or according different treatment under paragraph 2 of this Article shall have the burden of establishing that such treatment is consistent with that paragraph.
4. No provision of this Article shall be construed as imposing obligations or conferring rights upon either Member State with respect to Government procurement or subsidies.

Article 6

Most favoured nation treatment