

4. Canada shall, no later than the date on which a Review Panel is established pursuant to Article 13.15 respecting a matter within the scope of paragraph 3, notify Ukraine in writing of whether any recommendation of a Review Panel in a report under Article 13.16 or any monetary assessment imposed by a Review Panel under Annex 13-C with respect to Canada shall be addressed to Her Majesty in right of Canada or Her Majesty in right of the province concerned.

5. Canada shall make its best efforts to have as many of its provinces as possible accept to be added to the declaration referred in paragraph 1.

Chapter 14: Transparency

Section A – Publication, Notification and Administration of Laws

Article 14.1: Definitions

For the purposes of this Section:

ruling of general application means an administrative ruling or interpretation applying to situations of fact and persons falling within the general scope of that ruling or interpretation and establishing a norm of conduct but does not include:

4. 加拿大应不迟于根据第13.15条就第3款范围内事项设立审查小组之日，以书面形式通知乌克兰，关于第13.16条下审查小组报告中的任何建议或附件13-C中审查小组对加拿大施加的任何货币评估，是否应提交给加拿大女王陛下或相关省份女王陛下。5. 加拿大应尽最大努力使其尽可能多的省份同意加入第1款所述的声明。

第14章：透明度

A节 - 法律的公布、通知和管理

第14.1条：定义

就本节而言：

普遍适用的裁决指适用于符合该裁决或解释一般范围的事实情况和人员、并确立行为规范的行政裁决或解释，但不包括：

- (a) a determination or ruling made in an administrative or quasi-judicial proceeding that applies to a particular person, good or service of the other Party in a specific case; or
- (b) a ruling that adjudicates with respect to a particular act or practice.

Article 14.2: Publication

1. Each Party shall ensure that its legislation, procedures and administrative rulings of general application respecting a matter covered by this Agreement are promptly published or made available in such a manner as to enable interested persons and the other Party to become acquainted with them.

2. To the extent possible, each Party shall:

- (a) publish in advance any measure that it proposes to adopt; and
- (b) provide interested persons and the other Party a reasonable opportunity to comment on those proposed measures.

Article 14.3: Notification and Provision of Information

1. To the extent possible, each Party shall notify the other Party of an actual or proposed measure that the Party considers might materially

- (a) 在行政或准司法程序中作出的、适用于另一缔约方特定个人、商品或服务在具体案例中的决定或裁决；或
- (b) 对特定行为或做法作出裁定的裁决。

第14.2条：公布

1. 每一缔约方应确保其关于本协定所涉事项的普遍适用的法律、程序和行政裁决迅速公布或以其他方式提供，以使利害关系人和另一缔约方能够知悉。

2. 在可能范围内，每一缔约方应：

- (a) 提前公布其拟议采取的任何措施；及
- (b) 为利害关系人和另一缔约方提供对这些拟议措施提出意见的合理机会。

第14.3条：通知和信息提供

1. 在可能范围内，每一缔约方应将其认为可能重大影响本协定运作或实质性影

affect the operation of this Agreement or substantially affect the other Party's interests under this Agreement.

2. At the request of the other Party, a Party shall promptly provide information and respond to questions pertaining to an actual or proposed measure, even if the Party was previously notified of that measure.

3. Any notification or information provided pursuant to this Article is without prejudice as to whether the measure is consistent with this Agreement.

Article 14.4: Administrative Proceedings

In order to ensure that measures of general application affecting matters covered by this Agreement are applied in a consistent, impartial and reasonable manner, each Party shall ensure that in its administrative proceedings where the measures referred to in Article 14.2 are applied to particular persons, goods or services of the other Party:

- (a) if possible, persons of the other Party that are directly affected by a proceeding are provided reasonable notice, in accordance with that Party's domestic procedures, when a proceeding is initiated, including a description of the nature of the*

影响本协定的运作或实质性影响另一缔约方在本协定下的利益。

2. 应另一缔约方请求，一缔约方应及时提供与已实施或拟议措施相关的信息并答复问题，即使该缔约方先前已获知该措施。

3. 根据本条款提供的任何通知或信息，不影响该措施是否符合本协定的判定。

条款 14.4：行政程序

为确保普遍适用且影响本协定所涉事项的措施以一致、公正和合理的方式实施，每一缔约方应确保在其行政程序中，当条款14.2所述措施适用于另一缔约方的特定人员、货物或服务时：

- (a) 如有可能，当程序启动时，根据该缔约方的国内程序，直接受程序影响的其他缔约方人员应获得合理通知，包括对程序性质的概述、

proceeding, a statement of the legal authority under which the proceeding is initiated and a general description of the issues in question;

- *(b) a person referred to in sub-paragraph (a) are afforded a reasonable opportunity to present facts and arguments in support of their positions prior to a final administrative action, when permitted by time, the nature of the proceeding, and the public interest; and*
- *(c) the administrative procedures are in accordance with the law of each Party.*

Article 14.5: Review and Appeal

1. Each Party shall establish or maintain judicial, quasi-judicial or administrative bodies or procedures for the purpose of prompt review and, if warranted, correction of final administrative actions in matters covered by this Agreement. Each Party shall ensure that its respective bodies are impartial and independent of the office or authority entrusted with administrative enforcement and do not have a substantial interest in the outcome of the matter.

2. Each Party shall ensure that the parties to the administrative proceedings, referred to in paragraph 1, have the right to:

程序启动所依据的法律授权声明以及争议问题的一般性描述；

- (b) 在时间、程序性质及公共利益允许的情况下，确保第(a)项所述人员有机会在最终行政行为作出前，合理陈述支持其立场的事实和论据；且

- (c) 行政程序符合各缔约方法律规定。

第14.5条：审查和上诉

1. 各缔约方应设立或维持司法、准司法或行政机关及程序，以便对本协定所涉事项中的最终行政行为进行迅速审查，并在必要时予以纠正。各缔约方应确保其相关机关公正和独立于负责行政执法的办公室或当局，且对事项结果无重大利益。

2. 各缔约方应确保第1款所述行政程序中的缔约方有权：

- (a) a reasonable opportunity to support or defend their respective positions; and
- (b) a decision based on the evidence and submissions of record or, if required by Party's legislation, the record compiled by the administrative authority.

3. Each Party shall ensure, subject to appeal or review as provided in its legislation, that decisions referred to in paragraph 3(b) are implemented by, and govern the practice of, the offices or authorities with respect to the administrative action at issue.

Article 14.6: Cooperation on Promoting Increased Transparency

The Parties agree to cooperate in bilateral, regional and multilateral fora on ways to promote transparency in respect of international trade and investment.

Section B – Anti-Corruption

Article 14.7: Definitions

For the purposes of this Section:

foreign public official means a person holding a legislative, executive, administrative, or judicial office of a foreign country, whether

- (a) 获得合理机会支持或辩护其各自立场；以及
- (b) 基于记录的证据和提交材料或（如缔约方的立法要求）由行政机关编制的记录所作出的决定。

3. 各缔约方应确保（在遵守其立法规定的上诉或复审前提下），第3(b)款所述决定由负责相关行政行为的办公室或机关实施，并规范其操作实践。

第14.6条：促进提高透明度的合作缔约方同意在双边、区域及多边论坛中就促进国际贸易和投资透明度的方法开展合作。

B部分 - 反腐败

第14.7条：定义

就本部分而言：

外国公职人员 指在外国担任立法、行政、管理或司法职务的个人，无论

appointed or elected, and a person exercising a public function for a foreign country, including for a public agency or public enterprise;

official of a public international organization means an international civil servant or any person who is authorized by such an organization to act on behalf of that organization;

public official means a person:

- *(a) holding a legislative, executive, administrative or judicial office of a Party;*
 - *(i) whether appointed or elected;*
 - *(ii) whether permanent or temporary;*
 - *(iii) whether paid or unpaid; and*
 - *(iv) irrespective of that person’s seniority,*
- *(b) who performs a public function, including for a public agency or public enterprise, or provides a public service, as defined in the domestic law of the Party and as applied in the pertinent area of law of that Party; or*
- *(c) defined as a “public official” in domestic law of a Party.*

Article 14.8: Statement of Principles

是任命或选举产生，以及为外国行使公共职能的个人，包括为公共机构或公共企业工作的人员；**国际公共组织官员** 指国际公务员或经该组织授权代表其行事的任何人员；**公职人员** 指符合以下条件的个人：

- (a) 担任缔约方的立法、行政、行政或司法职务；
 - (i) 无论是任命或选举产生；
 - (ii) 无论是永久或临时；
 - (iii) 无论是有偿或无偿；以及
 - (iv) 不论该人员的资历如何，
- (b) 履行公共职能者，包括为公共机构或公共企业履行职能，或提供公共服务，其定义以缔约方国内法及该缔约方相关法律领域的适用为准；或
- (c) 缔约方国内法定义为“公职人员”者。

第14.8条：原则声明

The Parties affirm their resolve to prevent and combat bribery and corruption in international trade and investment.

Article 14.9: Anti-Corruption Measures

1. With a view to preventing and combating bribery and corruption in international trade and investment, each Party shall adopt or maintain the legislative or other measures as may be necessary to establish as criminal offences:

- (a) the promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official themselves or another person or entity, in order that the official act or refrain from acting in the exercise of their official duties;*
- (b) the solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official or another person or entity, in order that the official act or refrain from acting in the exercise of their official duties;*
- (c) the promise of, offering of or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official themselves or another person or entity, in order that the official act or refrain from acting in the exercise of their official duties, in order to obtain*

缔约方重申其决心，防止和打击国际贸易和投资中的贿赂和腐败行为。

第14.9条：反腐败措施

1. 为防止和打击国际贸易和投资中的贿赂和腐败，各缔约方应采取或维持必要的立法或其他措施，将以下行为定为刑事犯罪：

- (a) 直接或间接向公职人员许诺、提议或给予不正当利益，以使其在执行公务职责时作为或不作为，无论该利益是为该官员本人还是为他人或实体；
- (b) 公职人员直接或间接为自己或他人或实体索取或收受不正当利益，以使其在执行公务职责时作为或不作为；
- (c) 直接或间接向外国公职人员或国际公共组织官员承诺、提议或给予其本人或他人/实体不正当利益，以使该官员在执行公务职责时作为或不作为，从而获取

or retain business or other undue advantage in relation to the conduct of international business; and

- (d) aiding, abetting or conspiring to commit any of the offences described in sub-paragraphs (a) through (c).*

2. Each Party shall adopt such measures as may be necessary to establish its jurisdiction over criminal offences referred to in paragraph 1 that are committed in its territory.

3. Each Party shall ensure that its sanctions for offences referred to in paragraph 1 take into account the gravity of that offence.

4. Each Party shall adopt such measures as may be necessary consistent with its legal principles, to establish the liability of enterprises for participation in the offences referred to in paragraph 1. In particular, each Party shall ensure that enterprises held liable for an offence under this Section are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.

5. Each Party shall consider incorporating in its domestic legal system at the national level appropriate measures to provide protection against any unjustified treatment of a person who reports, in good faith and on reasonable grounds, facts to the competent authorities concerning offences referred to in paragraph 1.

或保留与国际商业行为相关的业务或其他不正当利益；及

- (d) 协助、教唆或共谋实施(a)至(c)项所述任何罪行。

2. 每一缔约方应采取必要措施，确立对在其领土内实施的第1款所述刑事犯罪的管辖权。

3. 每一缔约方应确保对第1款所述罪行的制裁与该罪行的严重性相称。

4. 每一缔约方应根据其法律原则采取必要措施，确立企业参与第1款所述罪行的责任。特别是，每一缔约方应确保根据本节被认定有罪的企业受到有效、相称和具有威慑力的刑事或非刑事制裁，包括金钱制裁。

5. 每一缔约方应考虑在其国家层面的国内法律体系中纳入适当措施，为善意且基于合理理由向主管当局举报第1款所述罪行事实的人提供保护，使其免受不公正待遇。

Article 14.10: Cooperation in International Fora

The Parties recognize the importance of regional and multilateral initiatives to prevent and combat bribery and corruption in international trade and investment. The Parties agree to work together to advance efforts in regional and multilateral fora to prevent and combat bribery and corruption in international trade and investment, including encouraging and supporting appropriate initiatives.

Chapter 15: Trade-related cooperation

Article 15.1: Trade-Related Cooperation

1. Recognizing that trade-related cooperation is a catalyst for the reforms and investments necessary to foster trade-driven economic growth and adjustment to liberalized trade, the Parties undertake to promote trade-related cooperation, with the following objectives:

- (a) to strengthen the capacities of the Parties to maximize the opportunities and benefits deriving from this Agreement;
- (b) to strengthen and develop cooperation at a bilateral, regional or multilateral level;

第14.10条：国际论坛中的合作

缔约方认识到区域和多边倡议对于预防和打击国际贸易和投资中贿赂和腐败的重要性。缔约方同意共同努力，推动在区域和多边论坛上预防和打击国际贸易和投资中的贿赂和腐败，包括鼓励和支持适当的倡议。

第15章：贸易相关合作

第15.1条：贸易相关合作

1. 认识到贸易相关合作是促进贸易驱动的经济增长和适应贸易自由化所需改革与投资的催化剂，缔约方承诺推动贸易相关合作，以实现以下目标：

- (a) 增强缔约方能力以最大限度获取本协定带来的机遇与利益；
- (b) 加强并发展双边、区域或多边层面的合作；