

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.

1. 当一个成员国维持着附件中其列名的服务的垄断时，该垄断服务应向其他成员国的个人在正常商业活动中以透明和非歧视的条件提供，涉及价格、质量和数量。

2. 成员国应努力防止其直接控制的垄断服务提供者将其垄断活动产生的收入用于补贴可能与成员国个人竞争的服务。

第13条

透明

1. 每个成员国应迅速公布所有与服务贸易有关的法律、法规、司法判决和行政裁决。

2. 每个成员国应在可能范围内，为受服务贸易影响的法律草案、法规草案、程序草案和行政裁决提供最大可能的意见征询机会。

3. 本条第1款和第2款的规定的解释应尽可能广泛，以不要求成员国披露与国家安全、公共利益或损害合法商业利益相悖的机密信息为前提。

第14条

拒绝利益

根据本议定书第16条和第19条的规定进行事先通知和磋商后，如果成员国认定该服务是由非任何一方成员国国民的个人间接提供的，则该成员国可以拒绝该其他成员国国民提供的服务所享有的本议定书的利益。

第15条

税收

本议定书的条款不适用于任何税收措施。

第16条

通知

1. 成员国应当向其他成员国提供书面通知，说明其认为可能实质性影响本议定书运作的任何拟议或实际措施。通知应当包括措施的理由。

2. 书面通知应当在措施执行前尽可能早地提供。如果无法事先通知，实施措施的成员国应当在措施执行后尽快向其他成员国提供书面通知。

3. 根据另一成员国的要求，关于任何实际或拟议的措施的信息和问题的答复，无论是否已事先通知，均应立即提供。

4. The provision of written advice shall be without prejudice as to whether the measure is consistent with this Protocol.

Article 17

Inclusions in the Annex until 31 March 1989

A Member State may inscribe a service in the Annex until 31 March 1989. Before doing so, it shall provide written reasons for the proposed inscription to the other Member State and undertake consultations with a view to establishing whether any problems arising from the non-inscription of a service could be resolved by other means.

Article 18

Exceptions

Provided that such measures are not used as a means of arbitrary or unjustified discrimination against persons of the other Member State or as a disguised restriction on trade in services, nothing in this Protocol shall preclude the adoption by either Member State of measures necessary:

- (a) to protect its essential security interests;
- (b) to protect public morals and to prevent disorder or crime;
- (c) to protect human, animal or plant life or health;
- (d) to prevent unfair, deceptive, or misleading practices;
- (e) in pursuance of obligations under international agreements; or
- (f) to secure compliance with laws and regulations relating to customs enforcement, to tax avoidance or evasion, or to foreign exchange control.

Article 19

Consultation

1. The Member States shall, at the written request of either, promptly enter into consultations with a view to seeking an early, equitable and mutually satisfactory solution, if the Member State which requested the consultations considers that:

- (a) an obligation under this Protocol has not been, is not being, or may not be fulfilled; or
- (b) the achievement of any objective of this Protocol is being or may be frustrated.

2. For the purpose of this Protocol, consultations between the Member States shall be considered to have commenced on the day on which written notice requesting the consultations is given.

Article 20

Review

The Member States agree to meet before 31 December 1990, and regularly thereafter, to review the operation of this Protocol.

4. 提供书面建议不应损害该措施是否符合本议定书的判断。

第十七条

附件中直至1989年3月31日的包含

一个成员国可直至1989年3月31日在附件中列出一项服务。在此之前，它应当向另一成员国提供所提议列入的书面理由，并与对方进行磋商，以确定由未列入一项服务而产生的问题是否可通过其他方式解决。

第十八条

例外

只要此类措施不被用作对另一成员国个人的任意或不公正歧视的手段，或用作对服务贸易的隐蔽限制，本议定书中的任何规定均不得阻止任一成员国采取必要的措施：

(a) 保护其基本安全利益； (b) 保护公共道德，防止混乱或犯罪； (c) 保护人类、动物或植物的生命或健康； (d) 防止不公平、欺诈或误导性做法； (e) 履行国际协议项下的义务；或 (f) 保障遵守与海关执法、避税或逃税、外汇管制相关的法律和法规。

第19条

磋商

1. 成员国应根据另一方的书面请求，迅速进行磋商，以期寻求早日、公平且相互满意的解决方案，如果请求磋商的成员国认为：

- (a) 本议定书项下的义务尚未得到履行、正在被履行或可能无法得到履行；or
 - (b) 本议定书的任何目标正在被或可能被受阻。
2. 就本议定书而言，成员国之间的磋商应

被认为在发出书面通知请求磋商的当天开始。

第20条

审查

成员国同意在1990年12月31日之前会晤，之后定期审查本议定书的运作。