Disclaimer: *In view of the European Commission's transparency policy, the Commission is publishing the texts of the EU-India FTA further to the conclusion of negotiations on 27 January 2026. These texts are published for information purposes only and may undergo further modifications, including as a result of the process of legal revision. These texts are without prejudice to the outcome of the Agreement between the EU and India. The texts will be final upon signing. The Agreement will become binding on the Parties under international law only after completion by each Party of its internal legal procedures necessary for the entry into force of the Agreement.*

CHAPTER 13

TRANSPARENCY

ARTICLE 13.1

Definitions

For the purposes of this Chapter:

(a) "administrative decision" means a decision or action with legal effect that applies to a specific person, good or service in an individual case, and covers the failure to take an administrative decision as provided for in the Party's law and legal system;

(b) "measure of general application" means laws, regulations, judicial decisions, procedures and administrative rulings of general application[1] pertaining to a matter covered by this Agreement.

ARTICLE 13.2

Objective

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[1] For greater certainty, administrative ruling of general application means an administrative ruling or interpretation that applies to all persons and fact situations that fall generally within the ambit of that administrative ruling or interpretation and that establishes a norm of conduct relevant to the implementation of this Agreement.

Recognising the impact which their respective regulatory environment may have on matters covered by this Agreement, the Parties aim to provide a transparent and predictable regulatory environment and efficient procedures for economic entities, especially for small and medium-sized enterprises.

The Parties affirm their respective commitments in relation to transparency under the WTO Agreement and build upon those commitments in the provisions laid down in this Chapter for the purpose of this Agreement.

ARTICLE 13.3

Publication

Each Party shall ensure that a measure of general application with respect to any matter covered by this Agreement:

(a) is promptly published via an officially designated medium and where feasible, by electronic means, or is otherwise made available in such a manner as to enable any person to become acquainted with them;

(b) to the extent possible, provides an explanation of the objective of the measure, and the rationale for the measure; and

(c) to the extent possible, allows for sufficient time between being made public and entry into force of laws and regulations. This provision does not apply in relation to judicial decisions and administrative rulings.

ARTICLE 13.4

Enquiries

1. Each Party shall maintain appropriate mechanisms for responding to enquiries from any person regarding any laws or regulations, with respect to a matter covered by this Agreement.

2. Upon request of a Party, the other Party shall without undue delay provide information and respond to questions pertaining to any laws or regulations in force with respect to a matter covered by this Agreement and that the requesting Party considers might affect the operation of this Agreement.

3. Upon request of a Party, the other Party shall, to the extent possible, provide information and respond to questions pertaining to any planned laws or regulations with respect to a matter covered by this Agreement and that the requesting Party considers might affect the operation of this Agreement.

ARTICLE 13.5

Administration of measures of general application

1. Each Party shall administer in an objective, impartial, and reasonable manner all measures of general application with respect to a matter covered by this Agreement.

2. Each Party, in applying such measures to particular persons, goods or services of the other Party in specific cases shall:

(a) provide persons who are directly affected by administrative proceedings, with reasonable notice, in accordance with its laws and regulations, when proceedings are initiated, including a description of the nature of the proceedings, a statement of the legal authority under which the proceedings are initiated and a general description of any issues in controversy;

(b) afford such persons a reasonable opportunity to present facts and arguments in support of their positions prior to any final administrative decision in so far as time, the nature of the proceedings and the public interest permit.

ARTICLE 13.6

Review and appeal

1. Each Party shall establish or maintain procedures or tribunals whether judicial, arbitral, quasi-judicial, or administrative, as applicable, for the purpose of the prompt review and, where warranted, correction of final administrative decision with respect to a matter covered by this Agreement.

2. Each Party shall ensure that its procedures for appeal or review are carried out in an objective and impartial manner by its tribunals. Those tribunals shall be impartial and independent of the authority entrusted with administrative enforcement and shall not have any material interest in the outcome of the matter.

3. Each Party shall ensure that the parties to the proceedings in paragraph 1 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.

4. The decision in paragraph 3(b) shall, subject to appeal or further review as provided for in its law, be implemented by the authority entrusted with administrative enforcement.

ARTICLE 13.7

Relation to other chapters

This Chapter is without prejudice to specific transparency related provisions set out in other chapters of this Agreement.

ARTICLE 13.8

Non-Application of Dispute Settlement

Neither Party shall have recourse to dispute settlement under Chapter [XX] (Dispute Settlement) for any matter arising under this Chapter.