PREAMBLE

Japan and Australia (hereinafter referred to as "the Parties"),

CONSCIOUS of their longstanding friendship and ties that have developed through many years of fruitful and mutually beneficial cooperation between the Parties;

DETERMINED to strengthen their economic partnership through liberalisation and facilitation of trade and investment;

DETERMINED to establish a framework for enhanced cooperation to promote a predictable, transparent and consistent business environment that will lead to the improvement of economic efficiency and the development of trade and investment;

DESIRING to foster creativity, innovation and links between dynamic sectors of their economies;

SEEKING to create larger and new markets and to enhance the attractiveness and vibrancy of the markets of the Parties;

RECALLING the contribution made to the development of the bilateral trade relationship between the Parties by the Agreement on Commerce between Japan and the Commonwealth of Australia, signed at Hakone on 6 July 1957, as amended by the Protocol signed at Tokyo on 5 August 1963, and the Basic Treaty of Friendship and Co-operation between Japan and Australia, signed at Tokyo on 16 June 1976;

DETERMINED to build on their rights and obligations under the WTO Agreement and other agreements to which they are both parties; and

CONVINCED that this Agreement would open a new era for the relationship between the Parties;

HAVE AGREED as follows:

CHAPTER 1
GENERAL PROVISIONS

Article 1.1
Establishment of a Free Trade Area

The Parties hereby establish a free trade area consistent with Article XXIV of the GATT 1994 and Article V of the GATS.

Article 1.2
General Definitions

For the purposes of this Agreement, unless otherwise specified:

(a) the term "Agreement on Anti-Dumping" means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;

(b) the term "Agreement on Customs Valuation" means the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;

(c) the term "Agreement on Subsidies and Countervailing Measures" means the Agreement on Subsidies and Countervailing Measures in Annex 1A to the WTO Agreement;

(d) the term "Area" means:

(i) for Australia, the Commonwealth of Australia:

(A) excluding all external territories other than the Territory of Norfolk Island, the Territory of Christmas Island, the Territory of Cocos (Keeling) Islands, the Territory of Ashmore and Cartier Islands, the Territory of Heard Island and McDonald Islands, and the Coral Sea Islands Territory; and