CHAPTER 2
TRADE IN GOODS

SECTION 1
GENERAL RULES

Article 2.1
Definitions

For the purposes of this Chapter:

(a) the term “Agreement on Agriculture” means the Agreement on Agriculture in Annex 1A to the WTO Agreement;

(b) the term “Agreement on Import Licensing Procedures” means the Agreement on Import Licensing Procedures in Annex 1A to the WTO Agreement;

(c) the term “Agreement on Safeguards” means the Agreement on Safeguards in Annex 1A to the WTO Agreement;

(d) the term “bilateral safeguard measure” means a bilateral safeguard measure provided for in paragraph 1 of Article 2.13;

(e) the term “customs value of goods” means the value of goods for the purposes of levying ad valorem customs duties on imported goods;

(f) the term “domestic industry” means the producers as a whole of the like or directly competitive goods operating in a Party, or those whose collective output of the like or directly competitive goods constitutes a major proportion of the total domestic production of those goods;

(g) the term “export subsidy” means any subsidy as defined in subparagraph 1(a) of Article 3 of the Agreement on Subsidies and Countervailing Measures or export subsidies listed in subparagraphs 1(a) through 1(f) of Article 9 of the Agreement on Agriculture;

(h) the term “import licensing” means an administrative procedure used for the operation of import licensing regimes requiring the submission of an application or other documentation (other than that required for customs clearance purposes) to the relevant administrative body as a prior condition for importation into the importing Party;

(i) the term “provisional bilateral safeguard measure” means a provisional bilateral safeguard measure provided for in paragraph 1 of Article 2.17;

(j) the term “serious injury” means a significant overall impairment in the position of a domestic industry;

(k) the term “threat of serious injury” means serious injury that, on the basis of facts and not merely on allegation, conjecture or remote possibility, is clearly imminent; and

(l) the term “transition period” means, in relation to a particular originating good, the period from the entry into force of this Agreement until eight years after the date of entry into force of this Agreement or five years after the date on which elimination or reduction of the customs duty on that good is completed in accordance with Annex 1 (Schedules in Relation to Article 2.4 (Elimination or Reduction of Customs Duties)), whichever is longer.

Article 2.2
Classification of Goods

The classification of goods in trade between the Parties shall be in conformity with the Harmonized System.