(ii) anti-dumping or countervailing duty applied pursuant to a Party's law and applied consistently with the provisions of Article VI of the GATT 1994, the Agreement on Anti-Dumping and the Agreement on Subsidies and Countervailing Measures; or

(iii) fees or other charges commensurate with the cost of services rendered;

(g) the term "customs value of goods" means the value of goods for the purposes of levying *ad valorem* customs duties on imported goods;

(h) 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;

(i) the term "provisional bilateral safeguard measure" means a provisional bilateral safeguard measure provided for in paragraph 1 of Article 2.13;

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

(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.

Article 2.2
Classification of Goods

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

Article 2.3
National Treatment

Each Party shall accord national treatment to the goods of the other Party in accordance with Article III of the GATT 1994, and to this end Article III of the GATT 1994 is incorporated into and forms part of this Agreement, *mutatis mutandis*.

Article 2.4
Elimination or Reduction of Customs Duties

1. Unless otherwise provided for in this Agreement, each Party shall eliminate or reduce its customs duties on originating goods of the other Party in accordance with its Schedule in Annex 1.

2. Upon request of either Party, the Parties shall negotiate on issues such as improving market access for originating goods designated for negotiation in the Schedules in Annex 1, in accordance with the terms and conditions set out in such Schedules.

3. In accordance with subparagraph 1(b) of Article II of the GATT 1994, the goods traded between the Parties shall be exempt from other duties or charges of any kind imposed on or in connection with the importation.

4. Nothing in this Article shall prevent a Party from imposing, at any time, a charge equivalent to an internal tax, any anti-dumping or countervailing duty, or fees or other charges referred to in subparagraphs (f)(i) through (iii) of Article 2.1, respectively, on the importation of any good of the other Party.

5. If, as a result of the elimination or reduction of its customs duty on a particular good on a most-favored-nation basis, the most-favored-nation applied rate for the good becomes equal to, or lower than, the rate of customs duty to be applied in accordance with paragraph 1 on the originating good which is classified under the same tariff line as that particular good, each Party shall notify the other Party of such elimination or reduction without delay.