Article 8.7
Dispute Settlement

1. The dispute settlement procedures provided for in Chapter 16 shall not apply to this Chapter unless:

(a) the matter involves a pattern of practice; and

(b) the natural persons of a Party affected by that matter have exhausted the available domestic administrative remedies of the other Party.

2. The remedies referred to in subparagraph 1(b) shall be deemed to be exhausted if a final determination in the matter has not been issued by the competent authority of the other Party within one year after the date of the institution of the administrative remedy, and the failure to issue such a determination is not attributable to the delay caused by the natural persons.

Chapter 9
Electronic Commerce

Article 9.1
General Provisions

1. The Parties recognize the economic growth and opportunities provided by electronic commerce, and the importance of avoiding unnecessary barriers to its use and development.

2. The objective of this Chapter is to contribute to creating an environment of trust and confidence in the use of electronic commerce and to promote electronic commerce between the Parties and the wider use of electronic commerce globally.

3. The Parties recognize the principle of technological neutrality in electronic commerce.

4. In the event of any inconsistency between this Chapter and Chapter 2, 7, 10 or 12, the Chapter other than this Chapter shall prevail to the extent of the inconsistency.

Article 9.2
Definitions

For the purposes of this Chapter:

(a) the term “digital products” means computer programs, text, video, images, sound recordings and other products, that are digitally encoded, regardless of whether they are fixed on a carrier medium or transmitted electronically;

(b) the term “electronic certificate” means an electromagnetic record prepared for certifying that matters used to confirm that the user has performed the electronic signature are pertaining to such user;

(c) the term “electronic signature” means a measure taken with respect to information that can be recorded in an electromagnetic record and which fulfills both of the following requirements: