

CHAPTER 20

SMALL AND MEDIUM-SIZED ENTERPRISES

ARTICLE 20.1

Objective

The Parties recognise the importance of the provisions of this Chapter as well as other provisions in this Agreement that seek to enhance cooperation between the Parties on matters of relevance to small and medium-sized enterprises (hereinafter referred to in this Chapter as "SMEs") or that may otherwise be of particular benefit to SMEs.

ARTICLE 20.2

Cooperation

1. Recognising that SMEs may require assistance in participating in global markets, the Parties shall undertake and strengthen cooperation activities to:
 - (a) identify ways to assist SMEs of the Parties to take advantage of the commercial opportunities under this Agreement; and
 - (b) promote and facilitate trade and investment opportunities for SMEs of the Parties.
2. Cooperation activities referred to in paragraph 1 may include:
 - (a) promoting cooperation between relevant entities including non-governmental organisations in the Parties with a view to assisting SMEs;

- (b) developing and promoting seminars including those held through the Internet, workshops or other activities to inform SMEs of the benefits available to them under this Agreement; and
- (c) exchanging and discussing each Party's experiences and best practices in supporting and assisting SMEs that are exporters with respect to, among other things:
 - (i) training programmes;
 - (ii) trade education;
 - (iii) trade finance;
 - (iv) identifying commercial partners in the other Party;
 - (v) establishing good business credentials;
 - (vi) participating and integrating into global supply chains; and
 - (vii) using electronic commerce.

3. The Parties also recognise that the involvement of the private sector is important in these cooperation activities.

ARTICLE 20.3

Information sharing

1. Each Party shall establish or maintain its own publicly accessible website containing information regarding this Agreement, including:
 - (a) the text of this Agreement, including all Annexes, in particular the tariff schedules and product-specific rules of origin;

- (b) a summary of this Agreement; and
 - (c) information designed for SMEs that contains:
 - (i) a description of the provisions in this Agreement that the Party considers to be relevant to SMEs; and
 - (ii) any additional information that the Party considers to be useful for SMEs interested in benefitting from the opportunities provided by this Agreement.
2. Each Party shall include in the website referred to in paragraph 1 links to:
- (a) the equivalent website of the other Party; and
 - (b) the websites of its government authorities and other appropriate entities that provide information the Party considers useful to persons interested in trading, investing, or doing business in that Party.
3. Each Party shall ensure that the linked websites referred to in subparagraph 2(b) provide information related to:
- (a) customs legislation and procedures, as well as a description of the procedures, the practical steps, the forms, documents and other information required for importation into, exportation from, or transit through the customs territory of that Party;
 - (b) laws and regulations, including procedures, concerning intellectual property rights;
 - (c) technical regulations and conformity assessment procedures;
 - (d) sanitary and phytosanitary measures relevant for importation and exportation;
 - (e) publication of notices for government procurement in accordance with Article 10.4 as well as other relevant information;

- (f) business registration procedures;
- (g) taxes collected during the importation procedures, if applicable; and
- (h) other information which the Party considers to be useful for SMEs.

4. Each Party shall include in the website referred to in paragraph 1 a link to a database that is electronically searchable by tariff nomenclature code and that includes, if the Party considers applicable, the following information with respect to access to its market:

- (a) rates of customs duty to be applied by the Party to the originating goods of the other Party, the most-favoured-nation applied rates of customs duty and tariff rate quotas established by the Party;
- (b) customs or other fees, including product-specific fees, imposed on or in connection with importation and exportation;
- (c) other tariff measures;
- (d) rules of origin;
- (e) duty drawback, deferral or other types of relief that reduce, refund or exempt customs duties;
- (f) criteria used to determine the customs value of goods;
- (g) country of origin marking requirements, including placement and method of marking; and
- (h) other relevant measures.

5. Each Party shall regularly, or when requested by the other Party, review the information and links referred to in paragraphs 1 to 4 to ensure that they are up-to-date and accurate.

6. Each Party shall work towards ensuring that information provided pursuant to this Article is presented in a manner that is easy to use for SMEs. Each Party shall endeavour to make the information available in English.

7. No fee shall be imposed on any person of either Party for access to the information provided pursuant to paragraphs 1 to 4.

ARTICLE 20.4

SME Contact Points

1. Each Party shall, upon the entry into force of this Agreement, designate a contact point for the implementation of this Chapter (hereinafter referred to in this Chapter as "SME Contact Points") and notify the other Party of the contact details including information regarding the relevant officials. The Parties shall promptly notify each other of any change of those contact details.

2. The SME Contact Points shall, in accordance with each Party's rules and procedures, have the following functions:

- (a) ensuring that the needs of SMEs are taken into account in the implementation of this Agreement;
- (b) considering ways for strengthening the cooperation on matters of relevance to SMEs between the Parties in view of increasing trade and investment opportunities for SMEs;
- (c) identifying ways and exchanging information for enabling SMEs of each Party to take advantage of new opportunities under this Agreement;
- (d) monitoring the implementation of Article 20.3 and ensuring that the information provided by each Party is up-to-date and relevant for SMEs;

(e) regularly submitting a report on their activities and making appropriate recommendations to the Joint Committee; and

(f) considering any other matter of relevance to SMEs that is covered by this Agreement.

3. The SME Contact Points may, in accordance with each Party's rules and procedures, recommend to the Joint Committee the inclusion of additional information by the Parties in their respective websites referred to in Article 20.3.

4. The SME Contact Points shall endeavour to address any other matter of interest to SMEs in connection with the implementation of this Agreement, including by:

(a) exchanging information to assist the Parties in monitoring the implementation of this Agreement on matters of relevance to SMEs;

(b) participating in the work of specialised committees and working groups established under this Agreement, including matters of regulatory cooperation and non-tariff issues, and presenting to those specialised committees and working groups, in their respective areas of competence, specific matters of particular interest to SMEs, while avoiding duplication of work; and

(c) considering mutually acceptable solutions for improving the ability of SMEs to engage in trade and investment between the Parties.

5. The SME Contact Points shall meet when necessary and shall carry out their activities through the appropriate communication channels, which may include electronic mail, videoconference or other means.

6. The SME Contact Points may seek to cooperate with experts in the field of SMEs and external organisations, as appropriate, in carrying out their activities.

ARTICLE 20.5

Dispute settlement

The provisions of this Chapter shall not be subject to dispute settlement under Chapter 22.