

Chapter II

General Definitions

Article 5 Definitions of General Application

For purposes of this Agreement, unless otherwise specified:

Commission means the Free Trade Commission established under Article 97;

customs authorities means the competent authority, which is responsible for the enforcement national customs legislation;

days mean calendar days;

existing means in effect on the date of entry into force of this Agreement;

GATT 1994 means the *General Agreement on Tariffs and Trade 1994*, which is part of the WTO Agreement;

goods of a Party means domestic products as these are understood in the GATT 1994 or such goods as the Parties may agree and includes originating goods of that Party;

Harmonized System (HS) means the *Harmonized Commodity Description and Coding System*, adopted by World Customs Organization;

heading means the first four digits in the tariff classification number under the Harmonized System;

import customs duty means the duties which are collected in connection with the importation of a good, but does not include:

- (a) charge equivalent to an internal tax imposed consistently with Article III:2 of the GATT 1994; in respect of like, directly competitive or substitutable goods of the Party, or in respect of goods from which the imported good has been manufactured or produced in whole or in part;
- (b) anti-dumping or countervailing duty; and
- (c) fee or other charge in connection with importation commensurate with the cost of services rendered.

measure includes any law, regulation, procedure, requirement, or practice;

originating means qualifying under the Rules of Origin set out in Chapter IV;

person means a natural person or a legal person, or any other entity established in accordance with domestic law;

preferential tariff means the import customs duty rate applicable under this Agreement to an originating good;

subheading means the first six digits in the tariff classification number under the Harmonized System;

territory means:

- (a) with respect to China, the entire customs territory of People's Republic of China, including land, maritime and air space, and the exclusive economic zone and the continental shelf within which it exercises sovereign rights and jurisdiction in accordance with international law and its domestic law; and
- (b) with respect to Chile, the land, maritime, and air space under its sovereignty, and the exclusive economic zone and the continental shelf within which it exercises sovereign rights and jurisdiction in accordance with international law and its domestic law.

TRIPS Agreement means the *Agreement on Trade-Related Aspects of Intellectual Property Rights*, which is part of the WTO Agreement;

WTO means the World Trade Organization; and

WTO Agreement means the *Marrakesh Agreement Establishing the World Trade Organization*, done on April 15, 1994.