

1. For the purposes of the effective implementation and operation of this Chapter, the Sub-Committee on Customs Procedures (hereinafter referred to in this Article as "the Sub-Committee") shall be established in accordance with Article 11.

2. The functions of the Sub-Committee shall be:

- (a) reviewing the implementation and operation of this Chapter;
- (b) reporting the findings of the Sub-Committee to the Joint Committee;
- (c) identifying areas, relating to this Chapter, to be improved for facilitating trade between the Parties; and
- (d) carrying out other functions as may be delegated by the Joint Committee pursuant to Article 11.

3. The Sub-Committee shall meet at such time and venue as may be agreed by the Parties.

4. The composition of the Sub-Committee shall be specified in the Implementing Agreement.

Chapter 5 Sanitary and Phytosanitary Measures

Article 45 Scope

This Chapter shall apply to all sanitary and phytosanitary (hereinafter referred to in this Chapter as "SPS") measures of the Parties under the Agreement on the Application of Sanitary and Phytosanitary Measures in Annex 1A to the WTO Agreement (hereinafter referred to in this Agreement as "SPS Agreement"), that may, directly or indirectly, affect trade in goods between the Parties.

Article 46 Reaffirmation of Rights and Obligations

The Parties reaffirm their rights and obligations relating to SPS measures under the SPS Agreement.

Article 47 Enquiry Points

Each Party shall designate an enquiry point which is able to answer all reasonable enquiries from the other Party regarding SPS measures and, if appropriate, to provide the relevant information.

Article 48

Sub-Committee on Sanitary and Phytosanitary Measures

1. For the purposes of the effective implementation and operation of this Chapter, the Sub-Committee on Sanitary and Phytosanitary Measures (hereinafter referred to in this Article as "the Sub-Committee") shall be established pursuant to Article 11.

2. The functions of the Sub-Committee shall be:

- (a) exchange of information on such matters as occurrences of SPS incidents in the Parties and non-Parties, and change or introduction of SPS-related regulations and standards of the Parties, which may, directly or indirectly, affect trade in goods between the Parties;
- (b) science-based consultations to identify and address specific issues that may arise from the application of SPS measures with the objective of achieving mutually acceptable solutions;
- (c) consulting on cooperative efforts between the Parties in international fora in relation to SPS measures;
- (d) discussing technical cooperation between the Parties on SPS measures with a view to strengthening it;
- (e) reviewing the implementation and operation of this Chapter;
- (f) reporting the findings of the Sub-Committee to the Joint Committee; and
- (g) carrying out other functions as may be delegated by the Joint Committee pursuant to Article 11.

3. The Sub-Committee shall be composed of government officials of the Parties with responsibility for SPS measures.

4. The Sub-Committee shall meet at such time and venue as may be agreed by the Parties.

5. The Sub-Committee may, if necessary, establish ad hoc technical working groups as its subsidiary bodies relating to a specific area of SPS measures.

Article 49
Non-application of Chapter 13

Chapter 13 shall not apply to this Chapter.

Chapter 6
Technical Regulations, Standards, and
Conformity Assessment Procedures

Article 50
Objectives

The objectives of this Chapter are to promote trade between the Parties by:

- (a) ensuring that technical regulations, standards, and conformity assessment procedures do not create unnecessary obstacles to trade;
- (b) promoting mutual understanding of the technical regulations, standards, and conformity assessment procedures in each Party;
- (c) strengthening information exchange and cooperation between the Parties in relation to the preparation, adoption, and application of technical regulations, standards, and conformity assessment procedures;
- (d) strengthening cooperation between the Parties at international and regional fora on the work related to standardization and conformity assessments; and
- (e) providing a framework to realize these objectives.

Article 51
Scope

1. This Chapter shall apply to technical regulations, standards, and conformity assessment procedures as defined in the Agreement on Technical Barriers to Trade in Annex 1A to the WTO Agreement (hereinafter referred to in this Chapter as "TBT Agreement").

2. This Chapter shall not apply to purchasing specifications prepared by governmental bodies for production or consumption requirements of governmental bodies and sanitary and phytosanitary measures as defined in Annex A of the SPS Agreement.