

CHAPTER 1: OBJECTIVES AND GENERAL DEFINITIONS

ARTICLE 1.1

Objectives

1. The Parties hereby establish a free trade area consistent with the WTO Agreement, based upon the principles of common interest and cooperation and the goals of free and open trade and investment.
2. The objectives of the Parties in concluding this Agreement are to:
 - (a) strengthen their trade and economic relationship;
 - (b) liberalise trade and investment and to create favourable conditions for the stimulation of trade and investment flows;
 - (c) support the wider liberalisation and facilitation process in APEC;
 - (d) build upon their commitments at the World Trade Organisation, and to support its efforts to create a predictable, and more free and open global trading environment;
 - (e) encourage and facilitate cooperation in areas of mutual interest in support of the aims of the Agreement;
 - (f) improve the efficiency and competitiveness of their trade sectors by promoting conditions for fair competition, for innovation and for mutually beneficial business collaboration; and
 - (g) facilitate trade and investment by establishing a framework of transparent rules and seeking to minimise transaction costs.

ARTICLE 1.2

General Definitions

For the purposes of this Agreement, unless otherwise specified:

- (a) "Agreement" means the New Zealand-Thailand Closer Economic Partnership Agreement;
- (b) "APEC" means Asia-Pacific Economic Cooperation;

- (c) “CEP Joint Commission” means the Closer Economic Partnership Joint Commission established under Article 16.1 of this Agreement;
- (d) “customs administration” means the competent authority that is responsible under the laws of a Party for the administration of customs laws, regulations and policies;
- (e) “customs duties” includes any customs or import duty and a charge of any kind imposed in connection with the import of a good, including any form of surtax or surcharge in connection with such import, but does not include any:
- (i) charge equivalent to an internal tax imposed consistently with Article III.2 of GATT 1994;
 - (ii) anti-dumping or countervailing duty applied consistently with the provisions of GATT 1994, the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*, and the *WTO Agreement on Subsidies and Countervailing Measures*; and
 - (iii) fee or other charge in connection with importing commensurate with the cost of services rendered;
- (f) “days” means calendar days, including weekends and holidays;
- (g) “food standards” means a mandatory requirement that is either an SPS measure or a technical regulation as defined in the TBT Agreement which relates to food and is made pursuant to relevant laws administered by a Party;
- (h) “GATS” means the *General Agreement on Trade in Services*, which is part of the WTO Agreement;
- (i) “GATT 1994” means the *General Agreement on Tariffs and Trade 1994*, which is part of the WTO Agreement;
- (j) “goods” means all kinds of movable property, including animals, as understood in GATT 1994;
- (k) “goods” and “products” shall be understood to have the same meaning unless the context otherwise requires;
- (l) “originating goods” means goods that qualify as originating in accordance with the relevant provisions of Chapter 4;
- (m) “person” means a natural person or a juridical person;
- (n) “SPS Agreement” means the *Agreement on the Application of Sanitary and Phytosanitary Measures*, which is part of the WTO Agreement;

- (o) “SPS measure” means a sanitary or phytosanitary measure and shall have the same meaning as in Annex A, paragraph 1 of the SPS Agreement;
- (p) “TBT Agreement” means the *Agreement on Technical Barriers to Trade*, which is part of the WTO Agreement;
- (q) “territory” means the territory of a Party, as well as the exclusive economic zone, seabed and subsoil over which the Party exercises sovereign rights or jurisdiction in accordance with international law, but with respect to New Zealand does not include Tokelau;
- (r) “WTO” means the World Trade Organisation;
- (s) “WTO Agreement” means the *Marrakesh Agreement Establishing the World Trade Organisation*, done on 15 April 1994.