

CHAPTER 1

ESTABLISHMENT OF FREE TRADE AREA, OBJECTIVES
AND GENERAL DEFINITIONS

Article 1
Objectives

The objectives of this Agreement are to:

- (a) progressively liberalise and facilitate trade in goods among the Parties through, *inter alia*, progressive elimination of tariff and non-tariff barriers in substantially all trade in goods among the Parties;
- (b) progressively liberalise trade in services among the Parties, with substantial sectoral coverage;
- (c) facilitate, promote and enhance investment opportunities among the Parties through further development of favourable investment environments;
- (d) establish a co-operative framework for strengthening, diversifying and enhancing trade, investment and economic links among the Parties; and
- (e) provide special and differential treatment to ASEAN Member States, especially to the newer ASEAN Member States, to facilitate their more effective economic integration.

CHAPTER 1

自由贸易区的建立、目标和总定义

第1条 目
标

本协议定的目标是：

- (a) 逐步自由化并便利各方之间的货物贸易，主要通过逐步消除各方之间几乎所有货物贸易中的关税和非关税壁垒；
- (b) 逐步自由化各方之间的服务贸易，涵盖重要领域；
- (c) 通过进一步发展良好的投资环境，促进、推动和增强各方之间的投资机会；
- (d) 建立合作框架，以加强、多样化和提升各方之间的贸易、投资和经济联系；以及
- (e) 对东盟成员国提供特殊与差别待遇，特别是对新东盟成员国，以促进其更有效的经济一体化。

Article 2
Establishment of the ASEAN-Australia-New Zealand Free Trade Area

The Parties hereby establish, consistent with Article XXIV of GATT 1994 and Article V of GATS, an ASEAN, Australia and New Zealand Free Trade Area.

Article 3
General Definitions

For the purposes of this Agreement, unless the context otherwise requires:

- (a) **AANZFTA** means the ASEAN-Australia-New Zealand Free Trade Area;
- (b) **Agreement** means the *Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area*;
- (c) **Agreement on Customs Valuation** means the *Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement;
- (d) **ASEAN** means the Association of Southeast Asian Nations which comprises of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam and whose members are referred to in this Agreement collectively as the **ASEAN Member States** and individually as an **ASEAN Member State**;

Article 2 东盟-澳大利亚-新西兰自由贸易区的建立

各方兹根据1994年关税及贸易总协定第二十四条和《服务贸易总协定》第五条，建立东盟、澳大利亚和新西兰自由贸易区。

Article 3 一般定义

就本协定而言，除非上下文另有要求：

- (a) AANZFTA是指东盟-澳大利亚-新西兰自由贸易区；
- (b) 协定是指建立东盟-澳大利亚-新西兰自由贸易协定的协定；
- (c) 海关估价协定是指世界贸易组织协定附件1A中关于1994年关税及贸易总协定第七条的执行协定；
- (d) 东盟是指东南亚国家联盟，由文莱达鲁萨兰国、柬埔寨王国、印度尼西亚共和国、老挝人民民主共和国、马来西亚、缅甸联邦、菲律宾共和国、新加坡共和国、泰国王国和越南社会主义共和国组成，其成员在本协定中统称为东盟成员国，单独称为东盟成员国；

- (e) **customs duties** means any customs or import duty and a charge of any kind, including any tax or surcharge, imposed in connection with the importation of a good, but does not include any:
- (i) charge equivalent to an internal tax imposed consistently with the provisions of paragraph 2 of Article III of GATT 1994, in respect of the like domestic product or in respect of an article from which the imported product has been manufactured or produced in whole or in part;
 - (ii) anti-dumping or countervailing duty applied consistently with the provisions of Article VI of GATT 1994, the *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*, as may be amended and the *Agreement on Subsidies and Countervailing Measures* in Annex 1A to the WTO Agreement, as may be amended; or
 - (iii) fee or any charge commensurate with the cost of services rendered;
- (f) **days** means calendar days, including weekends and holidays;
- (g) **FTA Joint Committee** means the ASEAN, Australia and New Zealand FTA Joint Committee established pursuant to Article 1 (FTA Joint Committee) of Chapter 16 (Institutional Provisions);
- (h) **GATS** means the *General Agreement on Trade in Services* in Annex 1B to the WTO Agreement;

(e) 关税是指任何海关或进口关税以及与货物进口相关的任何种类的费用，包括任何税或附加费，但不包括任何：

(i) 与内部税相当的费用
与1994年关税及贸易总协定第III条第2款的规定一致地征收，针对同类国内产品或针对进口产品已制造或部分制造的产品；

(ii) 与1994年关税及贸易总协定第六条、1994年关税及贸易总协定第六条实施协定（可修订）以及世界贸易组织协定附件1A中的补贴与反补贴措施协定（可修订）的规定一致地征收的反倾销税或反补贴税；或 (iii) 与提供的服务成本相称的费用或任何费用；

(f) 天指日历日，包括周末和假日；

(g) 自由贸易协定联合委员会指根据第16章（机构条款）第1条（自由贸易协定联合委员会）设立的东盟、澳大利亚和新西兰自由贸易协定联合委员会；

(h) GATS是指世界贸易组织协定附件1B中的服务贸易总协定；

- (i) **GATT 1994** means the *General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement;
- (j) **HS Code** means the Harmonized Commodity Description and Coding System established by the *International Convention on the Harmonized Description and Coding System* signed at Brussels on 14 June 1983, as amended;
- (k) **IMF Articles of Agreement** means the *Articles of Agreement of the International Monetary Fund*;
- (l) **newer ASEAN Member States** means the Kingdom of Cambodia, the Lao People's Democratic Republic, the Union of Myanmar and the Socialist Republic of Viet Nam;
- (m) **originating good** means a good that qualifies as originating under Chapter 3 (Rules of Origin);
- (n) **Parties** means the ASEAN Member States, Australia and New Zealand collectively;
- (o) **Party** means an ASEAN Member State or Australia or New Zealand;
- (p) **TRIPS Agreement** means the *Agreement on Trade-Related Aspects of Intellectual Property Rights*, in Annex 1C to the WTO Agreement;
- (q) **WTO** means the World Trade Organization; and
- (r) **WTO Agreement** means the *Marrakesh Agreement Establishing the World Trade Organization*, done on 15 April 1994.

(i) GATT 1994是指世界贸易组织协定附件1A中的1994年关税及贸易总协定； (j) HS编码是指1983年6月14日在布鲁塞尔签署的协调商品描述和编码系统国际公约所建立的协调商品描述和编码制度，并经修订； (k) IMF协定是指国际货币基金协定； (l) 新东盟成员国是指柬埔寨王国、老挝人民民主共和国、缅甸联邦和越南社会主义共和国； (m) 原产地货物是指符合第3章（原产地规则）规定的原产地货物； (n) 方是指东盟成员国、澳大利亚和新西兰的集体； (o) 一方是指东盟成员国或澳大利亚或新西兰； (p) TRIPS协定是指与贸易有关的知识产权协定，在世界贸易组织协定附件1C中； (q) WTO是指世界贸易组织； 以及 (r) WTO协定是指马拉喀什建立世界贸易组织协定，于1994年4月15日签署。