

CHAPTER 14

COMPETITION

**Article 1
Basic Principles**

1. The Parties recognise the importance of co-operation in the promotion of competition, economic efficiency, consumer welfare and the curtailment of anti-competitive practices.
2. The Parties recognise the significant differences in capacity between ASEAN Member States, Australia and New Zealand in the area of competition policy.
3. The Parties respect the sovereign rights of each Party to develop, set, administer and enforce its own competition laws and policies.
4. Nothing in this Chapter requires a Party to develop specific competition related measures to address anti-competitive practices, or prevents a Party from adopting policies in other fields, for example to promote economic development.

**Article 2
Co-operation**

1. The Parties may engage in co-operation activities consistent with Article 1 (Basic Principles) in the field of competition, including:
 - (a) exchange of experience regarding the promotion and enforcement of competition law and policy;
 - (b) exchange of publicly available information about competition law and policy;

CHAPTER 14

竞争

**Article 1
Basic Principles**

1. 各方承认促进竞争、经济效率、消费者福利以及限制反竞争行为方面合作的重要性。
2. 各方承认东盟成员国、澳大利亚和新西兰在竞争政策方面能力上的显著差异。
3. 各方尊重各方发展、制定、实施和执行其自身竞争法律和政策的主权权利。
4. 本章的任何规定均未要求方制定具体的与竞争相关的措施以应对反竞争行为，或禁止方在其他领域采取政策，例如促进经济发展。

第2条 合作

1. 各方可在竞争领域开展与第1条（基本原则）一致的合作活动，包括：
 - (a) 交流促进和执行竞争法及政策的经验；
 - (b) 交流公开的竞争法及政策信息；

- (c) exchange of officials for training purposes;
- (d) exchange of consultants and experts on competition law and policy;
- (e) participation of officials as lecturers, consultants, or participants at training courses on competition law and policy;
- (f) participation of officials in advocacy programmes;
- (g) other related activities following the introduction of a competition law in a Party; and
- (h) any other form of technical co-operation as agreed upon by the Parties.

2. Mindful of this, where implementation of this Chapter is inhibited by capacity constraints, Australia and New Zealand may provide co-operation as they deem appropriate to assist ASEAN Member States with such implementation. Co-operation is subject to competition policy-related needs being identified and the availability of resources, having regards to respective Parties' laws and regulations.

Article 3 Contact Points

To ensure that technical co-operation under this Chapter occurs on an ongoing basis, the Parties shall designate contact points for technical co-operation and information exchange under this Chapter.

(c) 为培训目的进行官员交流；(d) 竞争法及政策方面的咨询员和专家交流；(e) 官员作为讲师、咨询员或参与者参加竞争法及政策的培训课程；(f) 官员参与倡导计划；(g) 在一方引入竞争法后的其他相关活动；以及(h) 双方同意的任何其他形式的技术合作。

2. 鉴于此，如果本章节的实施受到能力限制的阻碍，澳大利亚和新西兰可以按照他们认为合适的方式提供合作，以协助东盟成员国实施此类内容。合作需考虑竞争政策相关需求是否得到识别以及资源的可用性，并需遵守各缔约方的法律和法规。

第3条 联系点

为确保本章项下的技术合作持续进行，缔约方应指定本章项下的技术合作和信息交换的联系点。

Article 4
Non-Application of Chapter 17 (Consultations and
Dispute Settlement)

Chapter 17 (Consultations and Dispute Settlement) shall not apply to any matter arising under this Chapter.

第4条 第17章 不适用（磋商和争端解决）

第17章（磋商和争端解决）不适用于本章项下产生的任何事项。