

Article 12
Communications

Each Party shall designate a contact point to facilitate communications among the Parties on, except as otherwise provided for in Article 61, any matter relating to this Agreement. All official communications in this regard shall be done in the English language.

Chapter 2
Trade in Goods

Article 13
Definitions

For the purposes of this Chapter, the term:

- (a) “customs duties” means any customs or import duty and a charge of any kind 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 goods or in respect of goods from which the imported goods have 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, and the Agreement on Subsidies and Countervailing Measures in Annex 1A to the WTO Agreement; or
 - (iii) fee or any charge commensurate with the cost of services rendered;
- (b) “customs laws” means such laws and regulations administered and enforced by the customs authority of each Party concerning the importation, exportation, and transit of goods, as they relate to customs duties, charges, and other taxes, or to prohibitions, restrictions, and other similar controls with respect to the movement of controlled items across the boundary of the customs territory of each Party;

第12条 通信

每一方应指定一个联系点, 以促进各方就本协议的任何事项 (第61条另有规定的除外) 进行沟通。所有与此相关的官方沟通均应以英语进行。

第2章 商品贸易
第 13 条 定义

本章的目的是:

(a) “关税”是指与货物进口相关的任何关税或进口税以及任何种类的费用, 但不包括任何:

(i) 与1994年关税及贸易总协定第3条第2款的规定一致地征收的、针对同类国内货物或进口货物完全或部分制造或生产的内部税相当的费用; (ii) 与1994年关税及贸易总协定第6条、1994年关税及贸易总协定第6条实施协定以及世界贸易组织协定附件1A中的补贴和反补贴措施协定规定一致地应用的、反倾销或反补贴税; 或(iii) 费用或与提供的服务成本相当的费用;

(b) “海关法规”是指各方的海关当局管理和执行的相关法律和法规, 涉及货物的进口、出口和过境, 以及与关税、费用和其他税收相关, 或与受控物品在各方海关领土边界之间的移动相关的禁止、限制和其他类似管制;

- (c) "customs value of goods" means the value of goods for the purposes of levying ad valorem customs duties on imported goods;
- (d) "domestic industry" means the producers as a whole of the like or directly competitive goods operating in a Party, or those whose collective output of the like or directly competitive goods constitutes a major proportion of the total domestic production of those goods;
- (e) "originating goods" means goods that qualify as originating in accordance with the provisions of Chapter 3;
- (f) "serious injury" means a significant overall impairment in the position of a domestic industry; and
- (g) "threat of serious injury" means serious injury that, on the basis of facts and not merely on allegation, conjecture or remote possibility, is clearly imminent.

Article 14
Classification of Goods

The classification of goods in trade between the Parties shall be in conformity with the Harmonized System.

Article 15
National Treatment on Internal Taxation and Regulation

Each Party shall accord national treatment to the goods of the other Parties in accordance with Article III of GATT 1994, which to this end is incorporated into and forms part of this Agreement, *mutatis mutandis*.

Article 16
Elimination or Reduction of Customs Duties

- 1. Except as otherwise provided for in this Agreement, each Party shall, in accordance with its Schedule in Annex 1, eliminate or reduce its customs duties on originating goods of the other Parties. Such elimination or reduction shall be applied to originating goods of all the other Parties on a non-discriminatory basis.
- 2. The Parties shall endeavour to take further steps towards liberalisation of trade in goods through unilateral, bilateral or regional efforts consistent with GATT 1994.

(c) “关税价值货物”是指商品的价值对进口商品征收从价关税的目的；(d)“国内产业”是指在一个方经营同类或直接竞争商品的生产者整体，或其同类或直接竞争商品的总产量构成该商品国内总产量的主要部分者；(e)“原产地货物”是指根据第3章的规定符合原产地资格的商品；(f)“严重损害”是指国内产业地位的重大整体损害；以及(g)“严重损害威胁”是指基于事实而非仅仅是指控、推测或遥远可能性，明显迫在眉睫的严重损害。

第14条 商品分类

缔约方之间贸易中商品的分类应与协调制度一致。

国内待遇第15条 征收和监管

每一方应根据1994年关税及贸易总协定第III条给予其他方的商品国民待遇，为此，该协定已纳入并构成本协议的一部分，作相应修改。

消除或第16条 关税的减少 关税

- 1. 除本协议另有规定外，每一方应根据其附件1中的计划，对其他缔约方的原产地货物消除或减少其关税。此类消除或减少应在对所有其他缔约方的原产地货物上采取非歧视性基础上适用。
- 2. 各方应通过单边、双边或区域努力，在不违反1994年关税及贸易总协定的情况下，进一步采取促进商品贸易自由化的措施。

3. The Parties reaffirm that, as is provided for in Article 7, nothing in this Chapter shall be construed to prevent a Party which is a party to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal or other relevant international agreements from adopting or enforcing any measure in relation to hazardous wastes or hazardous substances based on its laws and regulations, in accordance with such international agreements.

Article 17
Customs Valuation

For the purposes of determining the customs value of goods traded between the Parties, the provisions of Part I of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement (hereinafter referred to as “the Agreement on Customs Valuation”) shall apply, *mutatis mutandis*.

Note: In the case of the Kingdom of Cambodia, the Agreement on Customs Valuation, as implemented in accordance with the provisions of the Protocol on the Accession of the Kingdom of Cambodia to the World Trade Organization, shall apply, *mutatis mutandis*.

Article 18
Non-tariff Measures

1. Each Party shall not institute or maintain any non-tariff measures including quantitative restrictions on the importation of any good of the other Parties or on the exportation or sale for export of any good destined for another Party, except the same measures as those permitted under the WTO Agreement.

2. Each Party shall ensure transparency of its non-tariff measures permitted under paragraph 1, including quantitative restrictions. Each Party which is a member of the World Trade Organization shall ensure full compliance with the obligations under the WTO Agreement with a view to minimising possible distortions to trade to the maximum extent possible.

Article 19
Modification of Concessions

1. The Parties shall not nullify or impair any of the concessions under this Agreement, except in cases provided for in this Agreement.

3. 各方重申，根据第7条的规定，本章任何内容均不得解释为阻止成为《关于控制危险废物越境转移及其处置的巴塞尔公约》或其他相关国际协议缔约方的任何一方，根据其法律和法规以及这些国际协议的规定，制定或执行有关危险废物或危险物质的任何措施。

第17条 海关估价

为确定缔约方之间贸易货物的关税价值，应适用世界贸易组织协定附件1A中《关税及贸易总协定1994年第七条的执行协定》（以下简称“《海关估价协定》”）第一部分的规定，但作必要修改。

注意：对于柬埔寨王国，应适用根据《关于柬埔寨加入世界贸易组织的议定书》的规定实施的《海关估价协定》，但作必要修改。

第18条 非关税措施

1. 每一方不得实施或维持任何非关税措施，包括对其他缔约方的任何商品的进口数量限制，或对任何运往另一方的商品的出口或出口销售数量限制，除非是世贸协定所允许的措施。

2. 每一方应确保其根据第1段允许的非关税措施的透明度，包括数量限制。世界贸易组织的成员方应确保充分遵守世贸协定项下的义务，以最大程度地减少可能对贸易造成的扭曲。

第十九条 让步的修改

1. 缔约方不得撤销或损害本协定项下的任何让步，除非本协定另有规定。

2. Any Party may negotiate with any interested Party to modify or withdraw its concession made under this Agreement. In such negotiations, which may include compensatory adjustment with respect to other goods, the Parties concerned shall maintain a general level of reciprocal and mutually advantageous concessions not less favourable to trade than that provided for in this Agreement prior to such negotiations. In reflecting the results of such negotiations to this Agreement, Article 77 shall apply.

Article 20
Safeguard Measures

1. A Party which is a member of the World Trade Organization may apply a safeguard measure to an originating good of the other Parties in accordance with Article XIX of GATT 1994 and the Agreement on Safeguards in Annex 1A to the WTO Agreement (hereinafter referred to as "the Agreement on Safeguards"), or Article 5 of the Agreement on Agriculture in Annex 1A to the WTO Agreement (hereinafter referred to as "Agreement on Agriculture"). Any action taken pursuant to Article XIX of GATT 1994 and the Agreement on Safeguards, or Article 5 of the Agreement on Agriculture shall not be subject to Chapter 9 of this Agreement.

2. Each Party shall be free to apply a safeguard measure provided for under this Article (hereinafter referred to as "an AJCEP safeguard measure"), to the minimum extent necessary to prevent or remedy the serious injury to a domestic industry of that Party and to facilitate adjustment, if as an effect of the obligations incurred by that Party under this Agreement, including tariff concessions, or if as a result of unforeseen developments and of the effects of the obligations incurred by that Party under this Agreement, an originating good of the other Parties is being imported in such increased quantities, in absolute terms or relative to domestic production, and under such conditions as to cause or threaten to cause serious injury to the domestic industry of the importing Party that produces like or directly competitive goods in the importing Party.

2. 任何一方可与任何相关方协商修改或撤回其在本协定项下作出的让步。在此类谈判中，可能包括与其他商品的补偿性调整，有关方应维持不低于本协定谈判前所提供的互惠和互利的让步的一般水平。在将此类谈判的结果反映到本协定中时，第77条应适用。

Article 20 保障措施

1. 世界贸易组织成员方可根据1994年关税及贸易总协定第十九条和世界贸易组织协定附件1A中的保障措施协定（以下简称“保障措施协定”），或世界贸易组织协定附件1A中的农业协定第五条（以下简称“农业协定”）的规定，对其他缔约方的原产商品采取保障措施。根据1994年关税及贸易总协定第十九条和保障措施协定，或农业协定采取的任何行动，均不适用本协定第九章。

2. 每一方可以自由地适用本协定第12条规定的保护措施（以下简称“AJCEP保护措施”），以防止或纠正该方国内产业的严重损害，并促进调整，如果由于该方根据本协定承担的义务，包括关税让步，或由于不可预见的发展以及该方根据本协定承担的义务所产生的效果，导致其他缔约方的原产商品以绝对数量或相对于国内生产而言的如此增加的数量，并在如此条件下进口，从而对该进口方生产的同类或直接竞争商品的原产商品造成或威胁造成严重损害。

3. An AJCEP safeguard measure shall not be applied against an originating good of a Party which is an ASEAN Member State, as long as its share of imports of the good concerned in the importing Party does not exceed three (3) per cent of the total imports from the other Parties, provided that those Parties with less than three (3) per cent import share collectively account for not more than nine (9) per cent of total imports of the good concerned from the other Parties.

4. A Party shall not apply an AJCEP safeguard measure to an originating good imported up to the limit of quota quantities granted under tariff rate quotas applied in accordance with its Schedule in Annex 1.

5. A Party applying an AJCEP safeguard measure may:

- (a) suspend the further reduction of any customs duty on the originating good of the other Parties provided for under this Chapter; or
- (b) increase the customs duty on the originating good of the other Parties to a level not to exceed the lesser of:
 - (i) the applied most-favoured-nation rate (hereinafter referred to as "applied MFN rate") on the good in effect on the day when the AJCEP safeguard measure is applied; and
 - (ii) the applied MFN rate on the good in effect on the day immediately preceding the date of entry into force of this Agreement pursuant to paragraph 1 of Article 79.

6. (a) A Party may apply an AJCEP safeguard measure only after an investigation has been carried out by the competent authorities of that Party in accordance with the same procedures as those provided for in Article 3 and paragraph 2 of Article 4 of the Agreement on Safeguards.

- (b) The investigation referred to in subparagraph (a) shall be completed within one (1) year following its date of initiation.

7. The following conditions and limitations shall apply with regard to an AJCEP safeguard measure:

- (a) A Party shall immediately give a written notice to the other Parties upon:

3. 只要一方（东盟成员国）进口的该商品在其进口方中的份额不超过总进口量的百分之三（3%），则不得对该方原产商品适用AJCEP保护措施，前提是那些进口份额不足百分之三（3%）的缔约方合计占该商品从其他缔约方进口总量的百分之九（9%）以下。

4. 任何一方不得对根据其附件1中适用的关税配额所授予的配额数量限额进口的原产商品实施AJCEP保护措施。

5. 采用AJCEP保护措施的一方可以:

- (a) 停止进一步降低任何关税
在其他缔约方的原产商品上
根据本章规定提供; 或
- (b) 对原产商品提高关税
其他缔约方的一个水平, 不超过
以下两者中较低者:
 - (i) 适用最惠国税率
(以下简称“适用最惠国税率”)在AJCEP保护措施适用之日生效的商品
上的税率; 和
AJCEP保护措施适用时;
 - (ii) 商品适用最惠国税率
在生效日期前一天的当天
根据本协议第79条第1款的规定生效
转到第79条第1款。

6. (a) 一方仅能在进行调查后
才能适用AJCEP保护措施
该方主管当局在
与第3条和第4条保障措施协定中规定的相同程序
相同的情况下
第4条保障措施协定中规定的

- (b) 第(a)段中提到的调查
应自之日起一年内完成
其启动日期。

7. 有关AJCEP保护措施, 应适用下列条件和限制:

- (a) 一方应立即向其他缔约方发出书面通知, 在以下情况下:

- (i) initiating an investigation referred to in subparagraph 6(a) relating to serious injury, or threat of serious injury, and the reasons for it;
 - (ii) making a finding of serious injury or threat of serious injury caused by increased imports; and
 - (iii) taking a decision to apply or extend an AJCEP safeguard measure.
- (b) The Party giving the written notice referred to in subparagraph (a) shall provide the other Parties with all pertinent information, which shall include:
 - (i) in the written notice referred to in subparagraph (a)(i), the reason for the initiation of the investigation, a precise description of an originating good subject to the investigation and its heading or subheading of the Harmonized System, on which the Schedules in Annex 1 are based, the period subject to the investigation and the date of initiation of the investigation; and
 - (ii) in the written notice referred to in subparagraphs (a)(ii) and (iii), the evidence of serious injury or threat of serious injury caused by the increased imports of the originating good, a precise description of the originating good subject to the proposed safeguard measure and its heading or subheading of the Harmonized System, on which the Schedules in Annex 1 are based, a precise description of the AJCEP safeguard measure, the proposed date of its introduction and its expected duration.
- (c) A Party proposing to apply or extend an AJCEP safeguard measure shall provide adequate opportunity for prior consultations with those Parties which would be affected by the AJCEP safeguard measure with a view to reviewing the information arising from the investigation referred to in subparagraph (a), exchanging views on the AJCEP safeguard measure and reaching an agreement on compensation set out in paragraph 8.

(i) 启动第6(a)分项条款所述的关于严重损害或严重损害威胁的调查，并说明理由；(ii) 做出因进口增加导致严重损害或严重损害威胁的认定；以及 (iii) 作出决定，采取或延长AJCEP保护措施。

(b) 在第(a)段中提到的发出书面通知的方应当向其他方提供所有相关信息，这些信息应包括：

(i) 在第(a)(i)段中提到的书面通知中，调查启动的原因、受调查的原产商品的精确描述及其协调制度下的标题或子标题，附件1中的清单基于该标题或子标题，调查期和调查启动日期；以及

(ii) 在第(a)(ii)段和第(iii)段中提到的书面通知中，由原产商品进口增加造成的严重损害或严重损害威胁的证据、受拟议保护措施影响的原产商品的精确描述及其协调制度下的标题或子标题，附件1中的清单基于该标题或子标题、AJCEP保护措施的精确描述、其拟议实施日期及其预期期限。

(c) 一方提出适用或延长AJCEP保护措施时，应就AJCEP保护措施可能影响的那些方进行事先磋商，以审查第(a)段所指调查产生的信息，就AJCEP保护措施交换意见，并就第8段规定的补偿达成协议。

- (d) No AJCEP safeguard measure shall be maintained except to the extent and for such time as may be necessary to prevent or remedy serious injury and to facilitate adjustment, provided that such time shall not exceed a period of three (3) years. An AJCEP safeguard measure may be extended, provided that the conditions set out in this Article are met. The total duration of the AJCEP safeguard measure, including any extensions thereof, shall not exceed four (4) years. In order to facilitate adjustment in a situation where the expected duration of an AJCEP safeguard measure is over one (1) year, the Party maintaining the AJCEP safeguard measure shall progressively liberalise the AJCEP safeguard measure at regular intervals during the period of application.
- (e) No AJCEP safeguard measure shall be applied again to the import of a particular originating good which has been subject to such an AJCEP safeguard measure, for a period of time equal to the duration of the previous safeguard measure or one (1) year, whichever is longer.
- (f) Upon the termination of an AJCEP safeguard measure on a good, the rate of the customs duty for that good shall be the rate that, in accordance with the Schedule of the Party applying the AJCEP safeguard measure set out in Annex 1, would have been in effect had the AJCEP safeguard measure not been applied.
8. (a) A Party proposing to apply or extend an AJCEP safeguard measure shall provide to the other Parties mutually agreed adequate means of trade compensation in the form of substantially equivalent level of concessions or other obligations to that existing under this Agreement between the Party applying the AJCEP safeguard measure and the exporting Parties which would be affected by such a measure.
- (b) In seeking compensation provided for in subparagraph (a), the Parties shall hold consultations in the Joint Committee. Any proceedings arising from such consultations shall be completed within thirty (30) days from the date on which the AJCEP safeguard measure was applied.

(d) 除非必要以防止或补救严重损害并促进调整，否则不得维持任何AJCEP保护措施，但该期限不得超过三年。AJCEP保护措施可以延长，前提是该协定规定的条件得到满足。AJCEP保护措施的总期限，包括任何延长，不得超过四年。为了在预期期限超过一年的情况下促进调整，维持AJCEP保护措施的一方应在适用期间定期逐步放宽AJCEP保护措施。

(e) 不得再次对已受AJCEP保护措施影响的特定原产商品适用AJCEP保护措施，适用期限应等于先前保护措施的持续时间或一年，以较长者为准。

(f) 当对某商品适用的AJCEP保护措施终止时，该商品的关税税率应等于根据附件1中适用AJCEP保护措施的方的附件所规定，在未适用AJCEP保护措施的情况下本应生效的税率。

8. (a) 提出适用或延长AJCEP保护措施的方应向其他缔约方提供相互商定的贸易补偿手段，形式为实质上等同于本协议下适用AJCEP保护措施方与受该措施影响的出口方之间现有的让步或其他义务的同等水平。

(b) 在寻求第(a)段规定的补偿时，缔约方应在联合委员会中进行磋商。由此产生的任何程序应在AJCEP保护措施实施之日起三十（30）天内完成。

- (c) If no agreement on the compensation is reached within the time frame specified in subparagraph (b), the Parties other than the one applying the AJCEP safeguard measure shall be free to suspend concessions of customs duties under this Agreement, which is substantially equivalent to the AJCEP safeguard measure, on originating goods of the Party applying the AJCEP safeguard measure. The Parties may suspend the concessions only for the minimum period necessary to achieve the substantially equivalent effects and only while the AJCEP safeguard measure is maintained. The right of suspension provided for in this subparagraph shall not be exercised for the first two (2) years that an AJCEP safeguard measure is in effect, provided that the AJCEP safeguard measure has been applied as a result of an absolute increase in imports and that such an AJCEP safeguard measure conforms to the provisions of this Article.
9. (a) A Party applying a safeguard measure in connection with an importation of an originating good of another Party in accordance with Article XIX of GATT 1994 and the Agreement on Safeguards, or Article 5 of the Agreement on Agriculture, shall not apply the AJCEP safeguard measure to that importation.
- (b) The period of application of the AJCEP safeguard measure referred to in subparagraph 7(d) shall not be interrupted by the Party's non-application of the AJCEP safeguard measure in accordance with subparagraph (a).
10. (a) Within ten (10) years after the entry into force of this Agreement pursuant to paragraph 1 of Article 79, the Parties shall review this Article with a view to determining whether there is a need to maintain the AJCEP safeguard mechanism.
- (b) If the Parties do not agree to remove the AJCEP safeguard mechanism during the review pursuant to subparagraph (a), the Parties shall thereafter conduct reviews to determine the necessity of the AJCEP safeguard mechanism, in conjunction with the general review pursuant to Article 75.

(c) 如果在第(b)段规定的时间范围内未能就补偿达成协议, 则未实施AJCEP保护措施的一方可以自由地暂停根据本协议对实施AJCEP保护措施的一方原产商品征收与AJCEP保护措施实质相当的关税让步。缔约方只能暂停对实现实质相当效果所必需的最短期限内的让步, 并且仅在AJCEP保护措施持续有效期间暂停。本分项条款规定的暂停权在AJCEP保护措施生效后的前两年内不得行使, 前提是该AJCEP保护措施是由于进口绝对增加而实施的, 并且该AJCEP保护措施符合本条的规定。

9. (a) 一方根据1994年关税及贸易总协定第十九条和保障措施协定, 或农业协定第五条, 对另一方的原产商品进口采取保护措施时, 不得对该进口适用AJCEP保护措施。

(b) 第7(d)段所述的AJCEP保护措施的适用期限, 不得因该方根据第(a)段未适用AJCEP保护措施而中断。

10. (a) 在本协议根据第79条第1段生效之日起十年内, 各方应审查本条, 以确定是否有必要维持AJCEP保护机制。

(b) 如果缔约方在根据第(a)段进行的审查期间不同意取消AJCEP保护机制, 则缔约方此后应当进行审查, 以确定AJCEP保护机制的必要性, 并与根据第七十五条进行的全面审查相结合。

11. (a) In critical circumstances, where delay would cause damage which it would be difficult to repair, a Party may apply a provisional AJCEP safeguard measure, which shall take the form of the measure set out in subparagraph 5(a) or 5(b), pursuant to a preliminary determination that there is clear evidence that increased imports of an originating good have caused or are threatening to cause serious injury to a domestic industry.
- (b) A Party shall give a written notice to the other Parties prior to applying a provisional AJCEP safeguard measure. Consultations by the Parties in the Joint Committee on the application of the provisional AJCEP safeguard measure shall be initiated immediately after the provisional AJCEP safeguard measure is applied.
- (c) The duration of a provisional AJCEP safeguard measure shall not exceed two hundred (200) days. During that period, the pertinent requirements of paragraph 6 shall be met. The duration of the provisional AJCEP safeguard measure shall be counted as a part of the period referred to in subparagraph 7(d).
- (d) Paragraph 3 and subparagraph 7(f) shall apply, *mutatis mutandis*, to the provisional AJCEP safeguard measure.
- (e) The customs duty imposed as a result of the provisional AJCEP safeguard measure shall be refunded if the subsequent investigation referred to in subparagraph 6(a) does not determine that increased imports of the originating good have caused or threatened to cause serious injury to a domestic industry.
12. All official communications and documentations exchanged among the Parties relating to an AJCEP safeguard measure shall be in writing and shall be in the English language.

11. (a) 在紧急情况下，如果延迟会造成难以弥补的损害，一方可以采取临时AJCEP保护措施，该措施的形式应为第5(a)段或第5(b)段中规定的那种措施，依据初步认定存在明确证据表明原产商品的进口增加已造成或威胁造成对国内产业的严重损害。

(b) 一方应当在进行临时AJCEP保护措施之前，向其他缔约方发出书面通知。各缔约方在联合委员会中就临时AJCEP保护措施的应用进行磋商，应当在该临时AJCEP保护措施实施后立即启动。

(c) 临时AJCEP保护措施的期限不得超过二百（200）天。在该期间，第6段的相关要求应当得到满足。临时AJCEP保护措施的期限应当计入第7（d）项分项条款所述期限的一部分。

(d) 第3段和第7（f）项分项条款，经必要修改，适用于临时AJCEP保护措施。（e）因临时AJCEP保护措施而征收的关税，如果第6（a）项分项条款所述的后续调查未认定原产商品的进口增加已对或威胁对国内产业造成严重损害，则应当予以退还。

若第6(a)分项条款中提到的后续调查未认定原产商品的进口增加已对或威胁对国内产业造成严重损害，则临时AJCEP保护措施应予退还。

12. 所有缔约方之间就AJCEP保护措施进行的官方通信和文件交换均应以书面形式进行，并使用英语语言。

Article 21
Measures to Safeguard the Balance of Payments

Nothing in this Chapter shall be construed to prevent a Party from taking any measure for balance-of-payments purposes. A Party taking such measure shall do so in accordance with the conditions established under Article XII of GATT 1994 and the Understanding on the Balance-of-Payments Provisions of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement.

Article 22
Customs Procedures

1. Each Party shall endeavour to apply its customs procedures in a predictable, consistent and transparent manner.

2. Recognising the importance of improving transparency in the area of customs procedures, each Party, subject to its laws and regulations, and available resources, shall endeavour to provide information relating to specific matters raised by interested persons of the Parties pertaining to its customs laws. Each Party shall endeavour to supply not only such information but also other pertinent information which it considers the interested persons should be made aware of.

3. For prompt customs clearance of goods traded among the Parties, each Party, recognising the significant role of customs authorities and the importance of customs procedures in promoting trade facilitation, shall endeavour to:

- (a) simplify its customs procedures; and
- (b) harmonise its customs procedures, to the extent possible, with relevant international standards and recommended practices such as those made under the auspices of the Customs Co-operation Council.

Chapter 3
Rules of Origin

Article 23
Definitions

For the purposes of this Chapter, the term:

- (a) “exporter” means a natural or juridical person located in an exporting Party who exports a good from the exporting Party;

第21条 维护国际收支的措施

本章任何内容均不得解释为禁止一方采取为平衡国际收支目的而采取的措施。采取此类措施的一方应按照1994年关税及贸易总协定第十二条规定的条件以及世界贸易组织协定附件1A中关于关税及贸易总协定1994年国际收支条款的谅解执行。

第22条 海关程序

1. 每一方应努力以可预测、一致和透明的方式适用其海关程序。

2. 认识到提高海关程序透明度的重要性，每一方应根据其法律和法规以及可用资源，应努力向有关方的利益相关者提供与其海关法规相关的具体事项的信息。每一方应努力不仅提供此类信息，还提供其认为利益相关者应知晓的其他相关信息。

3. 为促进缔约方之间贸易货物的快速清关，每一方应认识到海关当局在促进贸易便利化中的重要作用以及海关程序的重要性，应努力：

- (a) 简化其海关程序；和
- (b) 协调其海关程序，在 extent 在可能的情况下，并符合相关国际标准以及推荐做法等在海关合作的支持下理事会。

第三章 原产地规则
第23条 定义

本章规定中，术语：

- (a) “出口商”是指在一个出口方境内设有住所的自然人或法人，该出口商从出口方出口商品；