

CHAPTER 1

第一章

GENERAL PROVISIONS

一般规定

ARTICLE 1.1

第1.2条

Objectives

目标

The objectives of this Agreement are to liberalise and facilitate trade and investment, as well as to promote a closer economic relationship between the Parties.

本协议的目标是自由化并促进贸易和投资，以及促进缔约方之间更紧密的经济关系。

ARTICLE 1.2

第1.2条

General definitions

General definitions

For the purposes of this Agreement, unless otherwise specified:

根据本协议，除非另有规定：

- (a) "Agreement on Agriculture" means the Agreement on Agriculture in Annex 1A to the WTO Agreement;
- (b) "Agreement on Anti-Dumping" means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;
- (c) "Agreement on Import Licensing Procedures" means the Agreement on Import Licensing Procedures in Annex 1A to the WTO Agreement;
- (d) "Agreement on Safeguards" means the Agreement on Safeguards in Annex 1A to the WTO Agreement;
- (e) "CPC" means the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991);

- (a) "农业协定" means the Agreement on Agriculture in Annex 1A to the WTO Agreement;
- (b) "反倾销协定" means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;
- (c) "进口许可证程序协定" means the Agreement on Import Licensing Procedures in Annex 1A to the WTO Agreement;
- (d) "保障措施协定" means the Agreement on Safeguards in Annex 1A to the WTO Agreement;
- (e) "CPC"是指临时中央产品分类（统计论文系列M第77号，国际经济和社会事务部，联合国统计司，纽约，1991年）；

- (f) "customs authority" means:
- (i) for the United Kingdom, Her Majesty's Revenue and Customs and any other authority responsible for customs matters within the customs territory of the United Kingdom; and
 - (ii) for Japan, the Ministry of Finance;
- (g) "customs legislation" means any laws and regulations of a Party, governing the import, export and transit of goods and placing of goods under any other customs procedures, including measures of prohibitions, restrictions and controls falling under the competence of the customs authority;
- (h) "customs territory" means:
- (i) for the United Kingdom, the territories of the United Kingdom, the Bailiwicks of Guernsey and Jersey and the Isle of Man; and
 - (ii) for Japan, the territory with respect to which the customs legislation of Japan is in force;
- (i) "days" means calendar days;
- (j) "DSU" means the Understanding on Rules and Procedures Governing the Settlement of Disputes in Annex 2 to the WTO Agreement;
- (k) "EU-Japan EPA" means the Agreement between the European Union and Japan for an Economic Partnership, done at Tokyo on 17 July 2018;
- (l) "GATS" means the General Agreement on Trade in Services in Annex 1B to the WTO Agreement;

- (f) "海关当局"是指:
- (i)对于英国, 英国海关总署以及任何负责英国海关领土内海关事务的当局; 和
 - (ii) 对于日本, 是指财政部;
- (g) "海关法规"是指一方的任何法律和法规, 该法规管理货物的进口、出口和过境, 并将货物置于任何其他海关程序之下, 包括属于海关当局管辖权的禁止、限制和管制措施;
- (h) "海关领土"是指:
- (i) 对于英国, 是指 英国领土、根西岛管辖区、泽西岛管辖区和马恩岛; 以及
 - (ii) 对于日本, 是指日本海关法规生效的领土;
- (i) "日"是指日历日;
- (j) "DSU" 指的是 WTO协定附件2中的关于争端解决规则和程序的谅解;
- (k) "EU-Japan EPA" 指的是于2018年7月17日在东京签署的欧盟与日本关于经济伙伴关系的协定;
- (l) "GATS" 指的是 WTO协定附件1B中的服务贸易总协定;

- (m) "GATT 1994" means the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement; for the purposes of this Agreement, references to articles in the GATT 1994 include the interpretative notes;
- (n) "GPA" means the Agreement on Government Procurement in Annex 4 to the WTO Agreement¹;
- (o) "Harmonized System" or "HS" means the Harmonized Commodity Description and Coding System, including its General Rules for the Interpretation, Section Notes, Chapter Notes and Subheading Notes;
- (p) "IMF" means the International Monetary Fund;
- (q) "measure" means any measure, whether in the form of a law, regulation, rule, procedure, decision, practice, administrative action, or in any other form;
- (r) "natural person of a Party" means a national of a Party in accordance with its applicable laws and regulations;
- (s) "person" means a natural person or a legal person;
- (t) "SCM Agreement" means the Agreement on Subsidies and Countervailing Measures in Annex 1A to the WTO Agreement;
- (u) "SPS Agreement" means the Agreement on the Application of Sanitary and Phytosanitary Measures in Annex 1A to the WTO Agreement;
- (v) "TBT Agreement" means the Agreement on Technical Barriers to Trade in Annex 1A to the WTO Agreement;

¹ For greater certainty, the "GPA" shall be understood to be the GPA as amended by the Protocol Amending the Agreement on Government Procurement, done at Geneva on 30 March 2012.

(m) "GATT 1994" 指的是 WTO协定附件1A中的1994年关税及贸易总协定；在本协议中，对GATT 1994中条款的引用包括解释性注释；

(n) "GPA" 指世界贸易组织协定附件4中的政府采购协定¹；

(o) "协调制度" 或 "HS" 指协调商品描述和编码系统，包括其解释总则、章节注释、子目注释；

(p) "IMF" 指国际货币基金组织；

(q) "措施" 指任何措施，无论其以法律、法规、规则、程序、决定、惯例、行政行为或以任何形式存在；

(r) "缔约方自然人" 指根据其适用法律和法规的缔约方国民；

(s) "person" 指自然人或法人； (t) "SCM Agreement" 指世界贸易组织协定附件1A中的补贴与反补贴措施协定； (u) "SPS Agreement" 指世界贸易组织协定附件1A中的卫生与植物卫生措施协定； (v) "TBT Agreement" 指世界贸易组织协定附件1A中的技术性贸易壁垒协定；

¹ 为明确起见，"GPA" 应理解为2012年3月30日在日内瓦签署的修订政府采购协定的议定书修订后的GPA。

- (w) "territory" means the area to which this Agreement applies in accordance with Article 1.3;¹
- (x) "TFEU" means the Treaty on the Functioning of the European Union;
- (y) "TRIPS Agreement" means the Agreement on Trade-Related Aspects of Intellectual Property Rights in Annex 1C to the WTO Agreement;
- (z) "WIPO" means the World Intellectual Property Organization;
- (aa) "WTO" means the World Trade Organization; and
- (bb) "WTO Agreement" means the Marrakesh Agreement Establishing the World Trade Organization, done at Marrakesh on 15 April 1994.

ARTICLE 1.3

Territorial application

- 1. This Agreement applies:
 - (a) for the United Kingdom, to the territory of the United Kingdom; and
 - (b) for Japan, to the territory of Japan.
- 2. Unless otherwise specified, this Agreement also applies to all the areas beyond each Party's territorial sea, including the sea-bed and subsoil thereof, over which that Party exercises sovereign rights or jurisdiction in accordance with international law including the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982 and its laws and regulations which are consistent with international law.

¹ This definition does not apply to "territory" used in subparagraph (h), Article 1.3 and Article 1.8.

- (w) "territory" 指本协议根据第1.3条适用的区域；
- (x) "TFEU" 指欧盟运行条约；
- (y) "TRIPS Agreement" 指世界贸易组织协定附件1C中的与贸易有关的知识产权协定；
- (z) "WIPO" 指世界知识产权组织；
- (aa) "WTO" 指世界贸易组织；以及
- (bb) "WTO Agreement" 指于1994年4月15日在马拉喀什签订的建立世界贸易组织的马拉喀什协定。

ARTICLE 1.3

Territorial application

- 1. 本协议适用于：
 - (a) 对于英国，适用于英国的领土；以及
 - (b) 对于日本，适用于日本的领土。
- 2. 除另有规定外，本协议亦适用于每一方领海以外的所有海域，包括其海底和底土，该方根据国际法，包括1982年12月10日在蒙特哥贝签订的《联合国海洋法公约》及其与国际法一致的法律和法规，在此类海域行使主权权利或管辖权。

¹ 本定义不适用于第1.3条和第1.8条第(h)项中使用的“领土”。

3. As regards the provisions of this Agreement concerning customs matters, this Agreement also applies to those areas of the customs territory of the United Kingdom not covered by subparagraph 1(a).

4. Notwithstanding subparagraph 1(a) and paragraph 2, for the United Kingdom, the Protocol on Mutual Recognition applies to its customs territory.

5. To the extent that application of this Agreement is not provided for under paragraphs 1 to 4, at the time of entry into force of this Agreement, or at any time thereafter, this Agreement, or specified provisions of this Agreement, may be extended to such territories for whose international relations the Government of the United Kingdom is responsible, as may be agreed between the Governments of the Parties in an exchange of diplomatic notes.

6. At any time after an extension in accordance with paragraph 5, the United Kingdom may notify Japan that this Agreement shall no longer apply to a territory for whose international relations the Government of the United Kingdom is responsible. To this end, the procedure set out in paragraph 2 of Article 24.4 shall apply, *mutatis mutandis*.

ARTICLE 1.4

Taxation

1. For the purposes of this Article:
- (a) "residence" means residence for tax purposes;
 - (b) "tax agreement" means an agreement for the avoidance of double taxation or any other international agreement or arrangement relating wholly or mainly to taxation to which a Party is party; and
 - (c) "taxation measure" means a measure in application of the tax legislation of a Party.

3. 关于本协议中涉及海关事项的规定， 本协议亦适用于英国海关领土中第1(a)项未涵盖的那些区域。

4. 不论第1(a)项和第2段如何， 对于英国， 相互承认认定书适用于其海关领土。

5. 在本协议第1段至第4段未规定适用本协议的情况下， 在本协议生效时或之后任何时候， 本协议或本协议的特定规定可扩展至英国负责国际关系的领土， 具体由缔约方政府之间协议通过外交照会。

6. 根据第5段的规定进行扩展后， 英国可在任何时候通知日本， 本协议不再适用于其负责国际关系的领土。为此， 第24.4条第2段规定的程序应适用， *mutatis mutandis*。

ARTICLE 1.4

Taxation

1. 就本条而言：
- (a) "住所" means residence for tax purposes;
 - (b) "税收协定" means an agreement for the avoidance of double taxation or any other international agreement or arrangement relating wholly or mainly to taxation to which a Party is party; and
 - (c) "税收措施"是指一方税收法规的采取措施。

2. This Agreement applies to taxation measures only in so far as such application is necessary to give effect to the provisions of this Agreement.
3. Nothing in this Agreement shall affect the rights and obligations of a Party under any tax agreement. In the event of any inconsistency between this Agreement and any such tax agreement, the tax agreement shall prevail to the extent of the inconsistency. With regard to a tax agreement between the Parties, the relevant competent authorities under this Agreement and that tax agreement shall jointly determine whether an inconsistency exists between this Agreement and the tax agreement.
4. Any most-favoured-nation obligation in this Agreement shall not be applicable with respect to an advantage accorded by a Party pursuant to a tax agreement.
5. The Joint Committee established pursuant to Article 23.1 may decide on a different scope of the application of dispute settlement under Chapter 22 with respect to taxation measures.
6. Subject to the requirement that taxation measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between the Parties where like conditions prevail, or a disguised restriction on trade and investment, nothing in this Agreement shall be construed to prevent the adoption, maintenance or enforcement by a Party of any taxation measure aimed at ensuring the equitable or effective imposition or collection of taxes such as measures:
 - (a) distinguishing between taxpayers who are not in the same situation, in particular with regard to their place of residence or the place where their capital is invested; or
 - (b) preventing the avoidance or evasion of taxes pursuant to the provisions of any tax agreement or domestic tax legislation.

2. 本协议仅适用于为使本协议的规定得以生效而必要的税收措施。
3. 本协议任何条款均不得影响缔约方根据任何税收协定所享有的权利和承担的义务。在本协议与任何此类税收协定之间出现任何不一致时，应以不一致的范围为准，税收协定应优先适用。关于缔约方之间的税收协定，本协议和该税收协定项下的相关主管当局应共同确定本协议与该税收协定之间是否存在不一致。
4. 本协议中的任何最惠国义务均不适用于缔约方根据税收协定所给予的利益。
5. 根据第23.1条建立的联合委员会可就第22章项下争端解决机制在税收措施方面的适用范围作出决定。
6. 在不违反税收措施不得以构成对缔约方在相同条件下进行任意或不公正歧视的手段，或构成对贸易和投资的隐蔽限制的的要求的前提下，本协议任何条款均不得解释为禁止缔约方采用、维持或执行任何旨在确保税收的公平或有效征收或收取的税收措施，例如以下措施：
 - (a) 区分处于不同情况的纳税人，特别是在其居住地或其资本投资地; 或
 - (b) 防止根据任何税收协定或国内税法的规定进行税收规避或逃税。

ARTICLE 1.5

Security exceptions

1. Nothing in this Agreement shall be construed:
 - (a) as requiring a Party to provide any information the disclosure of which it considers contrary to its essential security interests;
 - (b) as preventing a Party from taking any action, which it considers necessary for the protection of its essential security interests, including action:
 - (i) relating to fissionable and fusionable materials or the materials from which they are derived;
 - (ii) relating to the production of or trade in arms, ammunition and implements of war as well as to the production of or trade in other goods and materials as carried out directly or indirectly for the purpose of supplying a military establishment;
 - (iii) relating to the supply of services as carried out directly or indirectly for the purpose of provisioning a military establishment; or
 - (iv) taken in time of war or other emergency in international relations; or
 - (c) as preventing a Party from taking any action in pursuance of its obligations under the Charter of the United Nations for the purpose of maintaining international peace and security.
2. Notwithstanding paragraph 1,
 - (a) for the purposes of Chapter 10, Article III of the GPA applies; and
 - (b) for the purposes of Chapter 14, Article 14.62 applies.

ARTICLE 1.5

安全例外

1. 本协议中的任何内容均不得解释为:
 - (a) 作为要求一方提供其认为违反其基本安全利益的任何信息;
 - (b) 作为阻止一方采取其认为为保护其基本安全利益所必需的任何行动, 包括行动:
 - (i) 与裂变材料和聚变材料或其衍生物有关;
 - (ii) 与武器、弹药和战争器械的生产或贸易有关, 以及与为军事设施直接或间接进行的生产或其他货物和材料的生产或贸易有关;
 - (iii) 与为军事设施直接或间接提供服务的目的相关的供应服务; 或
 - (iv) 在战争或其他国际关系紧急情况下采取的; 或
 - (c) 阻止一方根据联合国宪章履行维护国际和平与安全的义务而采取的任何行动。
2. 不论第1段如何规定,
 - (a) 为第10章第3条GPA的目的适用; 和
 - (b) 对于第14章的目的, 第14.62条适用。

ARTICLE 1.6

Confidential information

1. Unless otherwise provided for in this Agreement, nothing in this Agreement shall require a Party to provide confidential information the disclosure of which would impede the enforcement of its laws and regulations, or otherwise be contrary to the public interest, or which would prejudice legitimate commercial interests of particular enterprises, public or private.
2. When, under this Agreement, a Party provides the other Party with information which is considered as confidential under its laws and regulations, the other Party shall maintain the confidentiality of the information provided, unless the Party providing the information agrees otherwise.

ARTICLE 1.7

Fulfilment of obligations and delegated authority

1. Each Party shall ensure that all necessary measures are taken in order to give effect to the provisions of this Agreement.
2. Unless otherwise specified in this Agreement, each Party shall ensure that any person or entity to which the Party has delegated regulatory or administrative authority to fulfil the Party's obligations under this Agreement acts in accordance with those obligations in the exercise of such delegated authority.
3. For greater certainty, neither Party shall be released from its obligations under this Agreement in the event of non-compliance with the provisions of this Agreement by any of its governmental levels or non-governmental bodies in the exercise of powers delegated by the Party to them.

ARTICLE 1.6

保密信息

1. 除非本协议另有规定，本协议任何内容均不得要求一方提供保密信息，其披露将妨碍其法律和法规的执行，或否则与公共利益相悖，或损害特定企业的合法商业利益，无论是公共的还是私有的。
2. 当本协议项下一方向另一方提供的信息根据其法律和法规被视为保密信息时，另一方应维持所提供信息的保密性，除非提供信息的方同意其他方式。

ARTICLE 1.7

履行义务和授权

1. 每一方应确保采取所有必要措施以使本协议的规定得以生效。
2. 除本协议另有规定外，每一方应确保任何一方已授权监管或行政权力以履行本协议项下义务的个人或实体在行使该授权时均遵守相关义务。
3. 为进一步明确，任何一方均不得因其政府层级或非政府机构在行使一方授予的权力时违反本协议的规定而免除其在本协议项下的义务。

ARTICLE 1.8

Laws and regulations and their amendments

1. Where reference is made in this Agreement to laws and regulations of a Party, those laws and regulations shall be understood to include amendments thereto, unless otherwise specified.
2. Unless otherwise specified, where reference is made in this Agreement to laws and regulations of the European Union, it shall be understood as a reference to those laws and regulations of the European Union as incorporated or implemented in the laws and regulations of the United Kingdom in accordance with the European Union (Withdrawal) Act 2018 and includes subsequent amendments by the United Kingdom, if they exist, to those laws and regulations before the date of entry into force of this Agreement.
3. As regards the provisions of this Agreement which, in accordance with paragraphs 3 to 5 of Article 1.3, apply to a territory for whose international relations the Government of the United Kingdom is responsible:
 - (a) unless otherwise specified, where reference is made to laws and regulations of the European Union, it shall, in respect of that territory, be understood as a reference to those laws and regulations of the European Union as incorporated or implemented in the laws and regulations of that territory on the day following the date on which the EU-Japan EPA ceases to apply to the United Kingdom and includes any subsequent amendments, if they exist, to those laws and regulations before the date on which the provisions of this Agreement containing the reference begins to apply to that territory; and
 - (b) where reference is made to laws and regulations of the United Kingdom, it shall, in respect of that territory, be understood as a reference to the corresponding laws and regulations of that territory.

ARTICLE 1.8

法律和法规及其修正案

1. 本协议中提及任何一方的法律和法规时，应理解为包括其修正案，除非另有规定。
2. 除非另有规定，本协议中提及的欧盟法律和法规，应理解为根据欧盟（脱欧）法案2018年并入或实施于英国法律和法规中的欧盟法律和法规，并包括英国在本文协议生效日期之前对上述法律和法规所做的后续修正案，如果有的话。
3. 关于本协议中根据第1.3条第3至5段适用于英国政府负责的国际关系的领土的规定：
 - (a) 除非另有规定，在提及欧盟法律和法规时，就该领土而言，应理解为欧盟法律和法规是根据欧盟-日本经济伙伴关系协定停止适用于英国之日起并入或实施于该领土的法律和法规，并包括在该领土适用本协议的规定开始适用之前对上述法律和法规所做的任何后续修正案，如果有的话；和
 - (b) 当提及英国的法律和法规时，应理解为是指该领土相应的法律和法规。

ARTICLE 1.9

Relation to other agreements

1. The existing agreements between the Parties are not superseded or terminated by this Agreement.
2. Nothing in this Agreement shall require either Party to act in a manner inconsistent with its obligations under the WTO Agreement.
3. In the event of any inconsistency between this Agreement and any agreement other than the WTO Agreement to which both Parties are party, the Parties shall immediately consult with each other with a view to finding a mutually satisfactory solution.
4. Where international agreements¹ are referred to in or incorporated into this Agreement, in whole or in part, they shall be understood to include amendments thereto or their successor agreements entering into force for both Parties on or after the date of signature of this Agreement. If any matter arises regarding the implementation or application of the provisions of this Agreement as a result of such amendments or successor agreements, the Parties may, on request of either Party, consult with each other with a view to finding a mutually satisfactory solution to this matter as necessary.
5. (a) In the event of an inconsistency between this Agreement and the Protocol on Ireland/Northern Ireland to the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, signed in London and Brussels on 24 January 2020, this Agreement shall not prevent a Party from taking a particular measure not consistent with the obligations under this Agreement and relating to the inconsistency between this Agreement and that Protocol, provided that such a measure is not applied in a manner that would constitute a means of arbitrary or unjustified discrimination against the other Party or a disguised restriction on trade.

¹ The international agreements referred to in or incorporated into this Agreement shall be understood to include their most recent amendments having entered into force for both Parties before the date of signature of this Agreement.

ARTICLE 1.9

与其他协议的关系

1. 缔约方之间现有的协议 未因本协议而被取代或终止。
2. 本协议的任何规定均不得要求任何一方采取与其根据世界贸易组织协定所承担的义务不一致的行为。
3. 如本协议与缔约方均为其缔约方的除世界贸易组织协定以外的任何协议之间存在任何不一致，缔约方应立即相互协商，以寻求双方均满意的解决方案。
4. 如国际协定¹ 被全部或部分引用或纳入本协议，则应理解为包括其修正案或其后生效的对缔约方均有约束力的协议。如因此类修正案或后续协定导致与本协议的规定实施或适用相关的问题，缔约方可应任何一方的要求相互协商，以寻求必要的双方均满意的解决方案。
5. (a) 在本协议与《关于大不列颠及北爱尔兰联合王国脱离欧洲联盟及欧洲原子能共同体协议》项下的《关于爱尔兰/北爱尔兰议定书》之间出现不一致时， 本协议不得阻止一方采取与该协议项下的本协议义务不一致的特定措施，该措施与本协议与该议定书之间的一致性有关，前提是该措施不以任意或不公正歧视另一方或伪装的贸易限制的方式实施。

¹ 被全部或部分引用或纳入本协议的国际协定应被理解为包括在其签署日期之前对缔约方均生效的最新修正案。

(b) In that event, a Party shall notify the other Party of such a measure and promptly provide, on request of the other Party, supplementary information or clarification thereon, and the Parties shall hold consultations, on request of either Party, in relation to the effects of the measure on this Agreement, and seek a mutually acceptable solution.

(b) 在该情况下，一方应通知另一方该措施，并在另一方要求时及时提供有关该措施的补充信息或澄清，并且双方应根据任何一方的要求，就该措施对本协议的影响举行磋商，并寻求双方可接受的解决方案。

CHAPTER 2	第二章
TRADE IN GOODS	货物贸易
SECTION A	A部分
General provisions	一般规定
ARTICLE 2.1	第2.1条
Objective	目标
The objective of this Chapter is to facilitate trade in goods between the Parties and to progressively liberalise trade in goods in accordance with the provisions of this Agreement.	本章的目标是促进缔约方之间的货物贸易，并根据本协议的规定逐步自由化货物贸易。
ARTICLE 2.2	ARTICLE 2.2
Scope	范围
Unless otherwise provided for in this Agreement, this Chapter applies to trade in goods between the Parties.	除非本协议另有规定，本章适用于缔约方之间的货物贸易。