

CHAPTER 2

第二章

TRADE IN GOODS

货物贸易

SECTION A

第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

第2.2条

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。

ARTICLE 2.3

Definitions

For the purposes of this Chapter:

- (a) "export licensing procedures" means administrative procedures, whether or not referred to as licensing, used by a Party for the operation of export licensing regimes requiring the submission of an application or other documentation, other than that required for customs procedures, to the relevant administrative body as a prior condition for exportation from that Party;
- (b) "non-automatic import or export licensing procedures" means licensing procedures where approval of the application is not granted for all persons who fulfil the requirements of the Party concerned for engaging in import or export operations involving the goods subject to those licensing procedures; and
- (c) "originating" means qualifying as originating in a Party under the provisions of Chapter 3.

ARTICLE 2.4

Customs duty

Each Party shall reduce or eliminate customs duties pursuant to paragraph 1 of Article 2.8. For the purposes of this Chapter, "customs duties" means any duty or charge of any kind imposed on or in connection with the importation of a good, including any form of surtax or surcharge imposed on or in connection with such importation, but does not include any:

- (a) charge equivalent to an internal tax imposed in accordance with Article III of GATT 1994;

ARTICLE 2.3

Definitions

本章的目的如下：

- (a) "出口许可程序"是指一方为实施需要提交申请或其他文件的出口许可制度而使用的行政程序，这些程序是否被称为许可，除海关程序所需文件外，均需提交给相关行政机构作为出口的先决条件；
- (b) "非自动进口或出口许可程序"是指申请批准并非授予所有符合有关方从事涉及受许可程序约束的货物进出口业务要求的申请人的许可程序；和
- (c) "原产地资格"是指根据第3章的规定在一方获得原产地资格。

ARTICLE 2.4

关税

每一方应根据第2.8条第1段的规定减少或消除关税。在本章的范围内，“关税”是指对商品进口所征收或与之相关的任何种类的税或费用，包括与该进口相关的任何形式的附加税或附加费，但不包括任何：

- (a) 与根据1994年关税及贸易总协定第3条规定的内部税收相当的费用；

- (b) duty applied in accordance with Articles VI and XIX of GATT 1994, the Agreement on Anti-Dumping, the SCM Agreement, the Agreement on Safeguards and Article 22 of the DSU; and
- (c) fees or other charges imposed in accordance with Article 2.16.

ARTICLE 2.5

Agricultural safeguards

1. Agricultural goods qualifying as originating goods of a Party (hereinafter referred to as "originating agricultural goods") shall not be subject to any duties applied by the other Party pursuant to a special safeguard measure taken under the Agreement on Agriculture.
2. Agricultural safeguard measures on the originating agricultural goods under this Agreement may be applied in accordance with Section C of Part 3 of Annex 2-A.

SECTION B

National treatment and market access for goods

ARTICLE 2.6

Classification of goods

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

- (b) 根据1994年关税及贸易总协定第6条和第19条、反倾销协议、补贴与反补贴措施协定、保障措施协议以及争端解决谅解第22条适用的关税；和
- (c) 根据第2.16条征收的费用或其他费用。

ARTICLE 2.5

农业保障措施

1. 符合一方原产货物资格的农业货物（以下简称“原产农产品”）不应受到另一方根据农业协定采取的特殊保障措施而征收的任何关税。
2. 本协定项下对原产农产品的农业保障措施可按照附件2-A第3部分第C部分的规定适用。

SECTION B

国民待遇和货物市场准入

第2.6条

货物的分类

缔约方之间贸易货物的分类应符合协调制度。

ARTICLE 2.7

National treatment

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

ARTICLE 2.8

Reduction and elimination of customs duties on imports

1. Unless otherwise provided for in this Agreement, each Party shall reduce or eliminate customs duties on originating goods of the other Party in accordance with Annex 2-A.
2. Where a Party reduces its most-favoured-nation applied rate of customs duty, that duty rate shall apply to an originating good of the other Party if, and for as long as, it is lower than the customs duty rate on the same good calculated in accordance with Annex 2-A.
3. (a) The treatment of originating goods of a Party classified under the tariff lines indicated with "S" in the Column "Note" in the Schedule of the United Kingdom in Section B of Part 2 of Annex 2-A and in the Schedule of Japan in Section D of Part 3 of Annex 2-A, shall be subject to review by the Parties in the fifth year following the date of entry into force of this Agreement or in a year on which the Parties otherwise agree, whichever comes first. The review shall proceed with a view to improving market access conditions through, for example, measures such as faster reduction or elimination of customs duties, streamlining of tendering processes, and improving the design and operation of the scheme set out in Section B of Part 3 of Annex 2, as well as addressing issues related to levies.

ARTICLE 2.7

国民待遇

每一方应根据1994年关税及贸易总协定第III条给予另一方货物以国民待遇。为此，1994年关税及贸易总协定第III条被纳入并成为本协议的一部分，作相应修改。

ARTICLE 2.8

进口关税的减免

1. 除非本协议另有规定，每一方应根据附件2-A，对另一方的原产货物减少或消除关税。
2. 当一方减少其最惠国适用关税税率时，如果该税率低于根据附件2-A计算的同一种货物的关税税率，则该税率应适用于另一方的原产货物，并持续适用。
3. (a) 附件2-A第2部分B部分附件2-A第3部分D部分英国关税税则中“注释”栏中用“S”标明的关税税号所列的一方原产货物的处理，应自本协议生效之日起第五年或缔约方另行商定的年份进行审查，以先到者为准。该审查应以通过例如加快关税征收的减少或消除、简化招标程序、改进附件2第3部分B部分所列方案的制定和运营以及解决与征收相关的问题等措施，改善市场准入条件为目标。

(b) The Parties shall commence a review of treatment of originating agricultural goods other than those covered by subparagraph (a) in the fifth year following the date of entry into force of this Agreement, with a view to improving market access conditions through, for example, measures such as faster reduction or elimination of customs duties, streamlining of tendering processes, and improving the design and operation of the scheme set out in Section B of Part 3 of Annex 2-A, as well as addressing issues related to levies.

4. Where a Party grants a larger or faster tariff reduction, higher quota or any other more favourable treatment than that provided for under this Agreement to a third country based on an international agreement for goods covered by subparagraph 3(a) which affects the balance in the United Kingdom's or Japan's market of such goods, the Parties shall, with a view to ensuring that the other Party obtains at least the same preference, commence such a review within three months of the date of entry into force of the international agreement between the United Kingdom and that third country or between Japan and that third country, and will conduct the review with the aim of concluding it within six months of the same date.

ARTICLE 2.9

Goods re-entered after repair and alteration

1. A Party shall not apply a customs duty to a good, regardless of its origin, that re-enters its customs territory after having been temporarily exported from its customs territory to the customs territory of the other Party for repair or alteration, regardless of whether that repair or alteration could have been performed in the customs territory of the former Party, provided that the good concerned re-enters the customs territory of that former Party within the period as specified in its laws and regulations.

(b) 缔约方应自本协议生效之日起第五年对(a)分项段落所涵盖的原产农产品以外的原产农产品的处理开始进行审查，以通过例如加快关税征收的减少或消除、简化招标程序、改进附件2第3部分B部分所列方案的制定和运营以及解决与征收相关的问题等措施，改善市场准入条件为目标。

4. 当一方基于国际协议，对第3(a)项所涵盖的货物，向第三国授予的关税减让更大或更快、配额更高或任何其他更优惠的待遇，且该货物影响英国或日本市场的平衡时，为确保另一方获得至少同等的优惠，缔约方应在英国与该第三国或日本与该第三国之间的国际协议生效之日起三个月内开始审查，并在同一天起六个月内完成审查。

ARTICLE 2.9

修理和改装后重新进入的货物

1. 一方不得对暂时出口至另一方海关领土进行修理或改装后，再重新进入其海关领土的商品征收关税，无论该商品的原产地如何，也无论该修理或改装是否可能在原一方海关领土内进行，只要该商品在有关法律法规规定的期限内重新进入原一方海关领土。

2. Paragraph 1 does not apply to a good in the customs territory of a Party under customs control without payment of import duties and taxes that is exported for repair or alteration and that does not re-enter the customs territory under customs control without payment of import duties and taxes.

3. A Party shall not apply a customs duty to a good, regardless of its origin, imported temporarily from the customs territory of the other Party for repair or alteration, provided that the good is re-exported from the customs territory of the importing Party within the period specified in its laws and regulations.

4. For the purposes of this Article, "repair" or "alteration" means any operation or process undertaken on a good to remedy operational defects or material damage and entailing the re-establishment of the good to its original function, or to ensure its compliance with technical requirements for its use. Repair or alteration of a good includes restoring and maintenance regardless of a possible increase in the value of the good, but does not include an operation or process that:

- (a) destroys a good's essential characteristics or creates a new or commercially different good;
- (b) transforms an unfinished good into a finished good; or
- (c) changes the function of a good.

ARTICLE 2.10

Temporary admission of goods

Each Party shall grant duty-free temporary admission into its customs territory for the following goods in accordance with its laws and regulations, provided that such goods do not undergo any change except normal depreciation due to the use made of them and that they are exported within the time period set by each Party:

2. 第1段不适用于在海关控制下出口用于修理或改装，且未支付进口关税和税款，且未在海关控制下重新进入海关领土的商品。

3. 一方不得对从另一方海关领土临时进口以进行修理或改装的货物征收关税，无论其原产地如何，前提是该货物在进口方海关领土内按照其法律法规规定的时间内重新出口。

4. 就本条而言，“修理”或“改装”是指对货物进行的任何操作或过程，以纠正操作缺陷或物质损害，并使货物恢复到其原始功能，或确保其符合其使用的技术要求。货物的修理或改装包括恢复和维护，无论货物价值可能增加，但不包括以下操作或过程：

- (a) 损毁货物的基本特征或创建新的或商业上不同的货物； (b) 将未完成商品转变为成品；或 (c) 改变货物的功能。

ARTICLE 2.10

Temporary admission of goods

每一方应根据其法律法规，对下列货物授予免税临时准入其海关领土，前提是该货物除因使用而产生的正常折旧外未经任何改变，并且它们在每一方规定的时间内出口：

- (a) goods for display or use at exhibitions, fairs, meetings or similar events;
- (b) professional equipment, including equipment for the press or for sound or television broadcasting, cinematographic equipment, ancillary apparatus for such equipment and accessories thereto;
- (c) commercial samples and advertising films and recordings;
- (d) containers and pallets in use or to be used in the shipment of goods in international traffic and accessories and equipment therefor;
- (e) welfare materials for seafarers;
- (f) goods imported exclusively for scientific purposes;
- (g) goods imported for international sports contests, demonstrations or training;
- (h) personal effects owned by temporarily visiting travellers; and
- (i) tourist publicity materials.

ARTICLE 2.11

Customs valuation

For the purpose 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 shall apply, *mutatis mutandis*.

- (a) 展览、交易会、会议或类似活动展示或使用的货物；
- (b) 专业设备，包括新闻设备或用于声音或电视广播的设备、电影设备、此类设备的辅助设备及其配件；
- (c) 商业样品和广告影片及录音；(d) 用于国际货物运输的在用或待用容器和托盘及其配件和设备；(e) 海员福利物资；(f) 为科研目的进口的货物；(g) 为国际体育比赛、示范或培训进口的货物；(h) 临时访客的个人物品；以及(i) 旅游宣传材料。

ARTICLE 2.11

海关估价

为确定缔约方之间交易的货物的完税价格，应适用世界贸易协定附件1A中1994年关税及贸易总协定第七条执行协定第一部分的规定，作相应修改。

ARTICLE 2.12

Export duties

A Party shall not adopt or maintain any duties, taxes, fees or other charges of any kind imposed on goods exported from that Party to the other Party, or any internal taxes or other charges on goods exported to the other Party that are in excess of those that would be imposed on like goods destined for domestic consumption. For the purposes of this Article, fees or other charges of any kind shall not include fees or other charges imposed in accordance with Article 2.16 that are limited to the amount of the approximate cost of service rendered.

ARTICLE 2.13

Standstill

1. Unless otherwise provided for in this Agreement, a Party shall not increase any customs duty on originating goods of the other Party from the rate to be applied in accordance with Annex 2-A.
2. For greater certainty, a Party may raise a customs duty to the level set out in the Schedule of the United Kingdom in Section B of Part 2 of Annex 2-A and in the Schedule of Japan in Section D of Part 3 of Annex 2-A for the respective year following a unilateral reduction of the customs duty.

ARTICLE 2.14

Export competition

1. For the purposes of this Article, "export subsidies" means subsidies referred to in subparagraph (e) of Article 1 of the Agreement on Agriculture and other subsidies listed in Annex I to the SCM Agreement that may be applied to agricultural goods which are listed in Annex 1 to the Agreement on Agriculture.

ARTICLE 2.12

出口关税

一方不得采用或维持对从该方出口到另一方的货物征收的任何种类的关税、税收、费用或其他收费，或对出口到另一方的货物征收的任何内部税或其他收费，其数额超过对同类国内消费货物应征收的数额。根据本条，任何种类的费用或其他收费不包括根据第2.16条规定且仅限于提供服务的近似成本限定的费用或其他收费。

ARTICLE 2.13

停滞

1. 除非本协议另有规定，一方不得提高对另一方的原产货物的关税，不得高于根据附件2-A应适用的税率。
2. 为进一步明确，一方可在关税单方面减让后的下一年度，将关税提高到英国关税税则附件2-A第2部分B部分和日本关税税则附件2-A第3部分D部分中规定的水准。

ARTICLE 2.14

出口竞争

1. 根据本条的规定，“出口补贴”是指农业协定第1条(e)款所述的补贴以及可能适用于农业协定附件1中列出的农业货物的补贴与反补贴措施协定附件I中列出的其他补贴。

2. The Parties affirm their commitment, expressed in the Ministerial Decision of 19 December 2015 on Export Competition (WT/MIN(15)/45, WT/L/980) of the WTO, to exercise utmost restraint with regard to export subsidies and export measures with equivalent effect as set out in that decision.

ARTICLE 2.15

Import and export restrictions

1. A Party shall not adopt or maintain any prohibition or restriction other than customs duties on the importation of any good of the other Party or on the exportation or sale for export of any good destined for the customs territory of the other Party, except in accordance with Article XI of GATT 1994. To that end, Article XI of GATT 1994 is incorporated into and made part of this Agreement, *mutatis mutandis*.

2. If a Party intends to adopt a prohibition or restriction on the exportation or sale for export of any good listed in Annex 2-B in accordance with paragraph 2 of Article XI or with Article XX of GATT 1994, the Party shall:

- (a) seek to limit that prohibition or restriction to the extent necessary, giving due consideration to its possible negative effects on the other Party;
- (b) provide the other Party with written notice thereof, wherever possible prior to the introduction of such prohibition or restriction and as far in advance as practicable, or, if not, no later than 15 days after the date of introduction, whereby that written notice shall include a description of the good involved and the introduced prohibition or restriction, including its nature, its reasons, and the date of introduction of such prohibition or restriction as well as its expected duration; and

2. 各方重申其承诺，该承诺体现在世界贸易组织2015年12月19日关于出口竞争的部长级决定（WT/MIN(15)/45，WT/L/980）中，即对在该决定中列出的出口补贴和具有同等效力的出口措施保持最大限度的克制。

ARTICLE 2.15

进出口限制

1. 一方不得采取或维持除对另一方的任何商品的进口征收关税以外的任何禁止或限制，也不得对预定运往另一方的海关领土的任何商品采取或维持出口或出口销售的限制，除非根据1994年关税及贸易总协定第十一条。为此，1994年关税及贸易总协定第十一条被纳入并成为本协议的一部分，作相应修改。

2. 如果一方打算根据1994年关税及贸易总协定第十一条第2段或根据1994年关税及贸易总协定第二十条，对附件2-B中列出的任何商品采取出口或出口销售的限制或禁止，该方应：

- (a) 努力将该项禁止或限制限制在必要时，并充分考虑其对另一方的可能负面影响；
- (b) 向另一方提供书面通知，尽可能在引入此类禁止或限制之前，并尽可能提前提供，或者，如果没有，则不得迟于引入之日起15天，该书面通知应包括所涉及商品的描述以及引入的禁止或限制，包括其性质、原因以及此类禁止或限制的引入日期以及预期持续时间；以及

(c) upon request, provide the other Party with a reasonable opportunity for consultation with respect to any matter related to such prohibition or restriction.

ARTICLE 2.16

Fees and formalities connected with importation and exportation

1. Each Party shall ensure, in accordance with Article VIII of GATT 1994, that all fees and charges of whatever character, other than customs duties, export duties and taxes in accordance with Article III of GATT 1994, imposed by that Party on or in connection with importation or exportation are limited to the amount of the approximate cost of services rendered, which shall not be calculated on an *ad valorem* basis, and shall not represent an indirect protection to domestic goods or a taxation of imports for fiscal purposes.
2. A Party shall not require consular transactions, including related fees and charges. For the purposes of this paragraph, "consular transactions" means requirements by the consul of the importing Party located in the exporting Party for the purpose of obtaining consular invoices or consular visas for commercial invoices, certificates of origin, manifests, shippers' export declarations, or any other customs documentation required on or in connection with importation.

ARTICLE 2.17

Import and export licensing procedures

1. The Parties affirm their existing rights and obligations under the Agreement on Import Licensing Procedures.

(c) 应要求，向另一方提供合理的磋商机会，就与此类禁止或限制相关的事项进行磋商。

ARTICLE 2.16

与进出口相关的费用和手续

1. 每一方应根据1994年关税及贸易总协定第8条的规定，确保该方对进口或出口征收的所有费用和收费（不包括1994年关税及贸易总协定第3条规定的关税、出口关税和税收），无论其性质如何，均不超过所提供服务的近似成本，且不得按<code>ad valorem</code>方式计算，也不应构成对国内货物的一种间接保护或以财政为目的对进口征税。
2. 一方不得要求领事事务，包括相关费用和收费。就本段而言，“领事事务”是指进口方驻出口方的领事为获取商业发票、原产地证书、舱单、出口申报或与进口有关的任何其他海关文件所需的领事发票或领事签证的要求。

ARTICLE 2.17

进出口许可程序

1. 各方确认其根据进口许可证程序协定的既有权利和义务。

2. Each Party shall adopt or maintain export licensing procedures in accordance with paragraphs 1 to 9 of Article 1 and with Article 3 of the Agreement on Import Licensing Procedures. A Party may adopt or maintain export licensing procedures in accordance with Article 2 of the Agreement on Import Licensing Procedures. To that end, those provisions of the Agreement on Import Licensing Procedures are incorporated into and made part of this Agreement, *mutatis mutandis*, and shall apply to export licensing procedures between the Parties. Paragraphs 2 to 8 apply to any good listed in Annex 2-B.
3. Each Party shall ensure that all export licensing procedures are neutral in application and administered in a fair, equitable, non-discriminatory and transparent manner.
4. Each Party shall adopt or maintain import or export licensing procedures only when other appropriate procedures to achieve an administrative purpose are not reasonably available.
5. A Party shall not adopt or maintain non-automatic import or export licensing procedures unless necessary to implement a measure that is consistent with this Agreement. A Party adopting non-automatic licensing procedures shall clearly indicate the measure being implemented through such licensing procedures.
6. Each Party shall respond, within 60 days, to any enquiry from the other Party regarding import or export licensing procedures which the former Party intends to adopt, has adopted or maintains, as well as the criteria for granting or allocating import or export licenses.
7. In applying export restrictions to a good in the form of a quota, a Party shall aim at a distribution of trade in that good approaching as closely as possible the shares which would be expected in the absence of that restriction.
8. If a Party adopts or maintains export licensing procedures, the Parties shall hold consultations, on request of the other Party, on any issues related to the implementation of those procedures, and give due consideration to the results of those consultations.

2. 每一方应根据第1条第1至9段和进口许可证程序协定的第3条制定或维持出口许可程序。一方可根据进口许可证程序协定的第2条制定或维持出口许可程序。为此，进口许可证程序协定的相关规定并入本协定，作相应修改，并适用于双方之间的出口许可程序。第2至8段适用于附件2-B中列出的任何商品。
3. 每一方应确保所有出口许可程序在适用上具有中性，并以公平、平等、非歧视和透明的方式管理。
4. 每一方仅在实现行政目的的其他适当程序无法合理获得时，方可采用或维持进口或出口许可程序。
5. 一方不得采用或维持非自动进口或出口许可程序，除非有必要实施与本协定一致的措施。采用非自动许可程序的一方应明确表明通过此类许可程序实施的措施。
6. 每一方应在60天内回应另一方关于其意图采用、已采用或维持的进口或出口许可程序，以及授予或分配进口或出口许可证标准的任何查询。
7. 在对配额形式的商品实施出口限制时，一方应旨在使该商品的贸易分配尽可能接近在不存在该限制的情况下预期的份额。
8. 如果一方采用或维持出口许可程序，缔约方应根据另一方的请求，就与实施这些程序相关的问题进行磋商，并充分考虑磋商的结果。

ARTICLE 2.18

Remanufactured goods

1. Unless otherwise provided for in this Agreement, each Party shall provide that remanufactured goods are treated as new goods. Each Party may require that remanufactured goods be identified as such for distribution or sale.
2. For the purposes of this Article, "remanufactured goods" means goods classified under heading 40.12, Chapters 84 to 90 or heading 94.02 of the Harmonized System that:¹
- (a) are entirely or partially composed of parts obtained from used goods;
 - (b) have a similar life expectancy and performance compared to such goods, when new; and
 - (c) have a factory warranty similar to that applicable to such goods, when new.

ARTICLE 2.19

Non-tariff measures

1. Specific commitments relating to non-tariff measures on goods by each Party are set out in Annexes 2-C and 2-D.

¹ For greater certainty, the references to the tariff classification number of the Harmonized System in this Chapter are based on the Harmonized System, as amended on 1 January 2017.

ARTICLE 2.18

再制造商品

1. 除非本协议另有规定，否则每一方应规定再制造商品应被视为新商品。每一方可以要求再制造商品在分销或销售时被标明为该类商品。
2. 对于本条的目的，“再制造商品”是指根据协调制度第40.12章、第84章至第90章或第94.02章分类的货物，该货物：¹
- (a) 完全或部分由从旧商品中获得的零件组成；(b) 与新商品相比，具有相似的使用寿命和性能；以及(c) 当新时，具有与新商品适用的类似工厂保修。

ARTICLE 2.19

非关税措施

1. 各方就货物非关税措施的具体承诺载于附件2-C和2-D。

¹ 为明确起见，本章中关于协调制度的关税分类号的引用基于2017年1月1日修订的协调制度。

2. After 10 years from the date of entry into force of this Agreement, or on request of a Party, the Parties shall evaluate whether issues resulting from non-tariff measures on goods can be addressed effectively within the framework of this Agreement. As a result of this evaluation, the Parties shall enter into consultations to consider broadening the scope of existing commitments or undertaking additional commitments of mutual interest on non-tariff measures on goods, including on cooperation. On the basis of those consultations, the Parties may agree to enter into negotiations of mutual interest. In implementing this paragraph, the Parties shall take into account the experience gained during the preceding period of implementation of this Agreement.

ARTICLE 2.20

Restrictions to safeguard the balance of payments

1. Nothing in this Agreement shall be construed as preventing a Party from taking any measures for balance-of-payments purposes. A Party taking such measures shall do so in accordance with the conditions established in 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.
2. Nothing in this Agreement shall preclude the use by a Party of exchange controls or exchange restrictions in accordance with the Articles of Agreement of the International Monetary Fund.

ARTICLE 2.21

General exceptions

1. For the purposes of this Chapter, Article XX of GATT 1994 is hereby incorporated into and made part of this Agreement, *mutatis mutandis*.
2. If a Party intends to take any measures in accordance with subparagraphs (i) and (j) of Article XX of GATT 1994, the Party shall:

2. 自本协议生效之日起10年后，或应一方要求，缔约方应评估货物非关税措施产生的问题是否能在本协议框架内得到有效解决。根据此项评估结果，缔约方应进行磋商，考虑扩大现有承诺的范围或就货物非关税措施，包括合作，采取互利的额外承诺。基于这些磋商，缔约方可能同意就互利的谈判达成一致。在实施本段时，缔约方应考虑在本协议上一个实施期间所获得的经验。

ARTICLE 2.20

为保障国际收支而采取的限制措施

1. 本协议的任何规定均不得解释为禁止一方为国际收支目的而采取任何措施。采取此类措施的一方应遵循1994年关税及贸易总协定第XII条以及世界贸易协定附件1A中关于1994年关税及贸易总协定国际收支条款谅解所规定的条件。
2. 本协议的任何规定均不得排除一方根据国际货币基金组织协定条款使用外汇管制或外汇限制。

ARTICLE 2.21

一般例外情况

1. 根据本章的规定，1994年关税及贸易总协定第二十条现被纳入本协议并成为其一部分，作相应修改。
2. 如果一方打算根据1994年关税及贸易总协定第二十条第(i)项和第(j)项分项段落采取任何措施，该方应当：

- (a) provide the other Party with all relevant information; and
 - (b) upon request, provide the other Party with a reasonable opportunity for consultation with respect to any matter related to such measure, with a view to seeking a mutually acceptable solution.
3. The Parties may agree on any means needed to put an end to the matters subject to consultation referred to in subparagraph 2(b).
4. If exceptional and critical circumstances requiring immediate action make prior provision of information or examination impossible, a Party intending to take the measures concerned may apply immediately the measures necessary to deal with the circumstances and shall immediately inform the other Party thereof.

SECTION C

Facilitation of wine product export

ARTICLE 2.22

Scope

The provisions of this Section do not apply to any goods other than wine products classified under the heading 22.04 of the Harmonized System.

- (a) 向另一方提供所有相关信息；和
 - (b) 应要求，为另一方就与该措施相关的任何事项提供合理的磋商机会，以期寻求双方可接受的解决方案。
3. 缔约方可以就第2(b)分项款所述磋商事项达成任何必要的手段以结束该事项。
4. 如果需要立即采取行动的例外和紧急情况使得事先提供信息或审查成为不可能，意图采取相关措施的当事人可立即采取必要的措施处理该情况，并应立即将此情况通知另一方。

C部分

促进葡萄酒产品出口

第2.22条

范围

本第A部分的规定不适用于根据协调制度第22.04税号分类的任何除葡萄酒产品以外的货物。

ARTICLE 2.23

General principle

Unless otherwise provided for in Articles 2.24 to 2.27, the importation and sale of wine products traded between the Parties covered by this Section shall be conducted in compliance with the laws and regulations of the importing Party.

ARTICLE 2.24

Authorisation of oenological practices – phase one

1. The United Kingdom shall authorise the importation and sale of wine products for human consumption in the United Kingdom originating in Japan and produced in accordance with:
- (a) product definitions and oenological practices authorised and restrictions applied in Japan for the sale of Japan wine as referred to in Section A of Part 2 of Annex 2-E provided that they comply with product definitions and oenological practices and restrictions as referred to in Section A of Part 1 of Annex 2-E; and

(b) the oenological practices as referred to in Section B of Part 2 of Annex 2-E.
2. Japan shall authorise the importation and sale of wine products for human consumption in Japan originating in the United Kingdom and produced in accordance with:
- (a) product definitions and oenological practices authorised and restrictions applied in the United Kingdom as referred to in Section A of Part 1 of Annex 2-E provided that they comply with product definitions and oenological practices and restrictions as referred to in Section A of Part 2 of Annex 2-E; and

(b) the oenological practices as referred to in Section B of Part 1 of Annex 2-E.

第2.23条

一般原则

除非第2.24条至第2.27条另有规定，否则本第A部分所涵盖的缔约方之间交易的葡萄酒产品的进口和销售应遵守进口方的法律法规。

第2.24条

酿造实践授权——第一阶段

1. 英国应授权进口和销售源自日本并在英国根据下列规定生产的供人类消费的葡萄酒产品：
- (a) 在附件2-E第2部分第A部分中授权并施加限制的日本葡萄酒销售的产品定义和酿造实践，前提是它们符合附件2-E第1部分第A部分中提到的产品定义和酿造实践及限制；以及

(b) 附件2-E 第2部分 第B部分中提到的酿造实践。
2. 日本应授权进口和在日本销售源自英国、并根据以下规定生产的供人类消费的葡萄酒产品：
- (a) 英国授权并施加限制的产品定义和酿造实践 以及附件2-E 第1部分 第A部分中提到的产品定义和酿造实践，前提是它们符合附件2-E 第2部分 第A部分中提到的产品定义和酿造实践及限制；和

(b) 附件2-E 第1部分 第B部分所述的酿造实践。

ARTICLE 2.25

Authorisation of oenological practices – phase two

- 1. The United Kingdom shall expeditiously take necessary steps with a view to authorising the oenological practices as referred to in Section C of Part 2 of Annex 2-E and notify Japan that its procedures for that authorisation have been completed.
- 2. Japan shall expeditiously take necessary steps with a view to authorising the oenological practices as referred to in Section C of Part 1 of Annex 2-E and notify the United Kingdom that its procedures for that authorisation have been completed.
- 3. The authorisation referred to in paragraphs 1 and 2 shall enter into force on the date of the latter notification by either Party.

ARTICLE 2.26

Authorisation of oenological practices – phase three

- 1. The United Kingdom shall take necessary steps with a view to authorising the oenological practices as referred to in Section D of Part 2 of Annex 2-E and notify Japan that its procedures for that authorisation have been completed.
- 2. Japan shall take necessary steps with a view to authorising the oenological practices as referred to in Section D of Part 1 of Annex 2-E and notify the United Kingdom that its procedures for that authorisation have been completed.
- 3. The authorisation referred to in paragraphs 1 and 2 shall enter into force on the date of the latter notification by either Party.

第2.25条

酿造实践的授权——第二阶段

- 1. 英国应迅速采取必要措施，以授权附件2-E 第2部分 第C部分所述的酿造实践，并通知日本其授权程序已完成。
- 2. 日本应迅速采取必要措施，以授权附件2-E第1部分C部分所述的酿造实践，并通知英国其授权程序已完成。
- 3. 第1段和第2段所述的授权应在任何一方发出该通知之日起生效。

第2.26条

酿造实践的授权——第三阶段

- 1. 英国应采取必要措施，旨在授权附件2-E第1部分D部分中提到的酿造实践，并通知日本其授权程序已完成。
- 2. 日本应采取必要措施，旨在授权附件2-E第2部分D部分中提到的酿造实践，并通知英国其授权程序已完成。
- 3. 第1段和第2段所述的授权应当自任何一方发出的后者通知之日起生效。

ARTICLE 2.27

Self-certification

1. A certificate authenticated in conformity with the laws and regulations of Japan, including a self-certificate established by a producer authorised by the competent authority of Japan, shall suffice as documentation serving as evidence that the requirements for the importation and sale in the United Kingdom of wine products originating in Japan referred to in Article 2.24, 2.25 or 2.26 have been fulfilled.
2. The Working Group on Wine established pursuant to Article 23.4 shall adopt, upon the entry into force of this Agreement, by decision, the modalities:
- (a) for the implementation of paragraph 1, in particular the forms to be used and the information to be provided on the certificate; and
- (b) for the cooperation between the contact points designated by the Parties.
3. No certificate or other equivalent documentation is required as evidence that the requirements for the importation and sale in Japan of wine products originating in the United Kingdom referred to in Article 2.24, 2.25 or 2.26 have been fulfilled.

ARTICLE 2.28

Review, consultations and temporary suspension of self-certification

1. The Parties shall review the implementation of:
- (a) Article 2.25 regularly and at least once a year during the two years after the date of entry into force of this Agreement; and

ARTICLE 2.27

自我认证

1. 一份符合日本法律法规的认证证书，包括由日本主管当局授权的生产者建立的自我证明，应足以作为证明，证明第2.24条、2.25条或2.26条所述的源自日本的葡萄酒产品在英国进口和销售的符合要求已得到满足的文件。
2. 根据第23.4条设立的葡萄酒工作组，在本协议生效后，应通过决定，制定以下安排：
- (a) 为实施第1段，特别是应使用的表格以及证书上应提供的信息；和
- (b) 为缔约方指定的联系点之间的合作。
3. 无需提供证书或其他同等文件，作为证据证明第2.24、2.25或2.26条中提到的原产于英国并在日本进口和销售的葡萄酒产品已满足要求。

ARTICLE 2.28

审查、磋商和自我认证的临时暂停

1. 缔约方应当审查下列事项的实施情况：
- (a) 第2.25条定期并且在协议生效日期后的两年内至少一年一次；以及

(b) Article 2.26 no later than three years after the date of entry into force of this Agreement.

2. If the Parties find, in the process of review of the implementation of Article 2.25, that the notifications provided for in Article 2.25 have not been exchanged within two years of the date of entry into force of this Agreement, the Parties shall enter into consultations with a view to agreeing on a practical solution.

3. Where the notification referred to in paragraph 2 of Article 2.25 has not been sent within two years of the date of entry into force of this Agreement and the notification referred to in paragraph 1 of Article 2.25 has been sent, the United Kingdom may temporarily suspend the acceptance of self-certification of wine products provided for in Article 2.27, if a practical solution as referred to in paragraph 2 is not agreed upon within three months of the initiation of the consultations referred to in paragraph 2.

4. The temporary suspension of the acceptance of the self-certification referred to in paragraph 3 shall be immediately terminated when Japan sends the notification provided for in paragraph 2 of Article 2.25 to the United Kingdom.

5. If the Parties find, in the process of review on the implementation of Article 2.26 referred to in subparagraph 1(b), that the notifications provided for in Article 2.26 have not been exchanged within five years of the date of entry into force of this Agreement, the Parties shall enter into consultations.

6. Nothing in this Article shall affect the rights and obligations of a Party under the SPS Agreement.

ARTICLE 2.29

Standstill

1. For matters covered by Articles 2.24 to 2.27, a Party shall not impose less favourable conditions than those provided for in this Section or in its laws and regulations in force on the date of signature of this Agreement.

(b) 第2.26条在协议生效日期后的三年内。

2. 如果缔约方在审查第2.25条的实施情况时发现，根据第2.25条规定提供的通知在本协议生效之日起两年内未进行交换，缔约方应当进行磋商，以就一个切实可行的解决方案达成一致。

3. 如果根据第2.25条第2段提到的通知在本协议生效之日起两年内未发送，并且根据第2.25条第1段提到的通知已发送，且在根据第2.25条第2段提到的磋商启动后三个月内未就第2段提到的切实可行的解决方案达成一致，英国可以临时暂停接受第2.27条规定的葡萄酒产品的自我认证。

4. 根据第3段提到的自我认证的接受临时暂停，应立即终止，当日本向英国发送第2.25条第2段规定的通知时。

5. 如果缔约方在审查第2.26条（第1款（b）项）的实施情况时发现，根据第2.26条规定应进行的交换通知未在本协议生效之日起五年内进行，缔约方应当进行磋商。

6. 本条任何规定均不影响缔约方根据实施卫生与植物卫生措施协定享有的权利和应履行的义务。

ARTICLE 2.29

停滞

1. 对于第2.24条至第2.27条所涵盖的事项，一方不得施加比本第A部分或本协议签署时有效的其法律法规所规定的条件更不利的条件。

2. Paragraph 1 shall be without prejudice to the right of the Parties to take sanitary and phytosanitary measures necessary for the protection of human, animal or plant life or health, provided that such measures are not inconsistent with the provisions of the SPS Agreement.

ARTICLE 2.30

Amendments

The Joint Committee may adopt decisions amending Annex 2-E, to add, delete or modify references to oenological practices, restrictions and other elements, in accordance with paragraph 3 of Article 24.2.

SECTION D

Other provisions

ARTICLE 2.31

Exchange of information

1. For the purpose of monitoring the functioning of this Agreement and for the period of 10 years after the entry into force of this Agreement, or for such period of time as may be decided by the Committee on Trade in Goods established pursuant to Article 23.3, the Parties shall annually exchange import statistics for the period covering the most recent calendar year available.
2. The exchange of import statistics referred to in paragraph 1 shall cover, to the extent possible, data pertaining to the period covering the most recent calendar year available, including value and volume, or such data as may be decided by the Committee on Trade in Goods, based on the nomenclature of the Party, of imports of goods of the other Party benefitting from preferential tariff treatment under this Agreement and those that do not receive preferential tariff treatment.

2. 第1段不妨碍缔约方采取为保护人类、动物或植物生命或健康所必需的卫生与植物卫生措施的权利，前提是该等措施与实施卫生与植物卫生措施协定（SPS协定）的规定不一致。

第2.30条

修订

联合委员会可以作出决定，修订附件2-E，以增加、删除或修改对酿造实践、限制和其他要素的引用，并依据第24.2条第3段的规定。

D部分

其他规定

第2.31条

信息交换

1. 为监督本协议的运作，并在本协议生效之日起10年内，或由根据第23.3条设立的货物贸易委员会决定的期限内，缔约方应每年交换涵盖最近可用日历年期间进口统计。
2. 第1段中提到的进口统计交换应尽可能涵盖最近可用日历年度的数据，包括价值和数量，或由货物贸易委员会根据该方分类目录决定的其他数据，涉及根据本协议享有优惠关税待遇的货物以及未享有优惠关税待遇的货物。受益于本协议项下优惠关税待遇的货物以及未受益于优惠关税待遇的货物。

Special measures concerning the management of preferential tariff treatment

1. The Parties recognise that breaches of their customs legislation relating to the preferential tariff treatment under this Agreement could adversely affect the domestic industry and agree to cooperate on preventing, detecting and combating such breaches in accordance with the relevant provisions of Chapter 3 and an agreement on cooperation and mutual administrative assistance in customs matters to be concluded between the Governments of the Parties (hereinafter referred to as "CMAA").
2. A Party may, in accordance with the procedure laid down in paragraphs 4 to 7, temporarily suspend the preferential tariff treatment under this Agreement for the goods concerned which are related to the systematic breaches referred to in subparagraph (a), if the Party has made a finding, on the basis of objective, compelling and verifiable information, that:
 - (a) systematic breaches in its customs legislation related to the preferential tariff treatment under this Agreement for a certain good have been committed; and
 - (b) the other Party has systematically and unjustifiably refused or has otherwise failed to conduct the cooperation referred to in paragraph 1 in relation to the systematic breaches referred to in subparagraph (a).
3. Notwithstanding paragraph 2, the temporary suspension shall not be applied to traders who fulfil the compliance criteria agreed by the Parties through the consultations referred to in paragraph 4.

与优惠关税待遇管理相关的特殊措施

1. 缔约方认识到，其与本协议项下优惠关税待遇相关的海关法规的违规行为可能对国内产业产生不利影响，并同意根据第3章的相关规定以及缔约方政府之间（以下简称“海关合作与相互行政协助协定”）缔结的合作与相互行政协助协议，合作预防、检测和打击此类违规行为。
2. 一方可以，根据第4至7段规定的程序，暂时中止本协议项下与第(a)项所指系统性违规相关的相关货物所享受的优惠关税待遇，如果该方已基于客观、有力且可核实的证据作出认定，即：
 - (a) 该方在其海关法规中与本协议项下某项货物的优惠关税待遇相关的系统性违规行为已被实施；并且
 - (b) 另一方已系统地且无正当理由地拒绝或以其他方式未能就第(a)项所指的系统性违规行为开展第1段所述的合作。
3. 不论第2段如何规定，临时暂停不得适用于符合第4段所述磋商中缔约方商定的合规标准的贸易商。

4. The Party which has made the finding referred to in paragraph 2 shall, without undue delay, notify the other Party of that finding with sufficient information to justify the initiation of consultations, including a summary of essential facts related to subparagraphs 2(a) and (b), and enter into consultations with the other Party in the Committee on Trade in Goods with a view to reaching a solution acceptable to both Parties and agreeing on the compliance criteria with regard to the requirements of this Agreement and the relevant customs legislation.

5. The Party which has made the finding referred to in paragraph 2 shall, before a final decision is made, inform all interested parties of its intention to apply a temporary suspension, and shall ensure that they have a full opportunity for defending their interests. A temporary suspension shall not be applied to interested parties, provided that they objectively and satisfactorily demonstrate to the Party which has made the finding that they are not involved in the systematic breaches referred to in subparagraph 2(a).

6. Following the processes referred to in paragraphs 4 and 5, if the Parties have failed to agree on an acceptable solution within six months of the notification, the Party which has made the finding may decide to suspend temporarily the preferential tariff treatment under this Agreement for the goods concerned, duly taking into account the exception provided for in paragraph 3. A temporary suspension shall be notified to the other Party without undue delay.

7. A temporary suspension shall be applied only for the period necessary to counteract the breaches and no longer than six months. If a Party has made a finding that the conditions that gave rise to the initial suspension persist at the expiry of the temporary suspension, that Party may decide to renew the temporary suspension, after notifying the other Party of such a finding with sufficient information to justify the renewal. Any temporary suspension shall be terminated on a date no later than two years from the initial suspension unless it has been demonstrated to the Committee on Trade in Goods that the conditions that gave rise to the initial suspension still persist at the expiry of the period of each renewal.

8. The applied temporary suspensions shall be subject to periodic consultations in the Committee on Trade in Goods.

4. 作出第2段所述认定的该方应当立即将该项认定通知另一方，并提供充分信息证明磋商的启动是合理的，包括与第2(a)项和第2(b)项相关的要点事实摘要，并与另一方在货物贸易委员会中进行磋商，以期达成双方均可接受的解决方案，并就与本协议要求及相关海关法规相关的合规标准达成一致。

5. 有关在第2段中作出认定的当事人，在作出最终决定之前，应当通知所有相关方其拟采取临时暂停措施的意图，并确保它们有充分的机会维护其利益。如相关方客观上且令人满意地向作出认定的当事人证明其未参与第2(a)项所指的系统性违规行为，则不得对其采取临时暂停措施。

6. 依照第4段和第5段所述的程序，如缔约方在通知后六个月内未能就可接受的解决方案达成一致，则作出认定的当事人可决定暂停实施本协议项下与相关货物有关的优惠关税待遇，并应适当考虑第3段规定的例外情况。临时暂停措施应立即通知另一方。

7. 临时暂停措施仅应适用足以纠正违规行为所需的时间，且不超过六个月。如一方当事人认定，在第2项所指的临时暂停措施到期时，导致初始中止的条件仍然存在，则该当事人可决定续期临时暂停措施，但须在通知另一方时提供充分的信息以证明续期的理由。任何临时暂停措施均应在初始中止之日起两年内终止，除非已向货物贸易委员会证明，在每次续期期间届满时，导致初始中止的条件仍然存在。

8. 临时中止的适用应提交货物贸易委员会进行定期磋商。

9. The Party which has made the finding referred to in paragraph 2 or 7 shall publish, in accordance with its internal procedures, notices to importers about any notification and decision concerning temporary suspensions referred to in paragraphs 4 to 7.

10. A temporary suspension shall not apply to traders other than the traders referred to in paragraph 3 and the interested parties referred to in paragraph 5, provided that they objectively and satisfactorily demonstrate to the Party which has made the finding referred to in paragraph 2 or 7 that they are not involved in the systematic breaches referred to in subparagraph 2(a).

11. For greater certainty, nothing in this Article shall be construed as preventing traders or interested parties from claiming compensation for damage illegally incurred by the measures referred to in paragraph 6, against the Party which has made the finding referred to in paragraph 2 or 7, in accordance with its laws and regulations.

ARTICLE 2.33

Committee on Trade in Goods

1. The Committee on Trade in Goods established pursuant to Article 23.3 (hereinafter referred to in this Article as "the Committee") shall be responsible for the effective implementation and operation of this Chapter.

2. The Committee shall have the following functions:

- (a) reviewing and monitoring the implementation and operation of this Chapter;
- (b) reporting the findings of the Committee to the Joint Committee;
- (c) reviewing and monitoring the design and operation of the scheme set out in Section B of Part 3 of Annex 2-A to provide the greatest possible market access for the goods covered by that Section;

9. 作出第2段或第7段所述认定的当事人应根据其内部程序，公布关于第4段至第7段所述临时中止的通知和决定，通知进口商。

10. 临时暂停不适用于第3段所述的贸易商以及第5段所述的相关方，前提是他们客观且令人满意地向作出第2段或第7段所述认定的该方证明，他们未参与第2(a)项所述的系统性违规行为。

11. 为进一步明确，本章任何规定均不得解释为禁止贸易商或相关方根据其法律法规，针对作出第2段或第7段所述认定的该方，就第6段所述措施非法造成的损害主张赔偿。

ARTICLE 2.33

货物贸易委员会

1. 根据第23.3条设立的货物贸易委员会（以下简称“该委员会”）负责本章的有效实施和运作。

2. 该委员会应履行以下职能：

- (a) 审查和监督本章的实施和运行；
- (b) 向联合委员会报告该委员会的认定；
- (c) 审查和监督附件2-A第3部分第B节中规定的方案的设计和运作，以 为所涉货物提供最大可能的市场准入；

- (d) deciding on the matters concerning the exchange of information referred to in Article 2.31;
and
 - (e) carrying out other functions as may be delegated by the Joint Committee pursuant to subparagraph 5(b) of Article 23.1.
3. The Committee shall hold meetings at such times and venues, or by such means, as may be agreed by the representatives of the Parties.

ARTICLE 2.34

Working Group on Wine

1. The Working Group on Wine established pursuant to Article 23.4 shall be responsible for the effective implementation and operation of Section C and Annex 2-E.
2. The Working Group on Wine shall have the following functions:
- (a) adopting the modalities concerning the self-certification referred to in paragraph 2 of Article 2.27;
 - (b) monitoring the implementation of Articles 2.24 to 2.28, including the review and consultations under Article 2.28; and
 - (c) considering amendments of Annex 2-E and making recommendations to the Joint Committee regarding the adoption of a decision with respect to those amendments.
3. The Working Group on Wine shall hold its first meeting on the date of entry into force of this Agreement.

- (d) 决定与附件2-A第2.31条中提到的信息交换相关的事宜； 和
 - (e) 执行联合委员会根据第23.1条第5(b)分项段落可能授予的其它职能。
3. 该委员会应根据缔约方代表可能商定的日期、地点或方式举行会议。

第2.34条

葡萄酒工作组

1. 根据第23.4条设立的葡萄酒工作组应负责第C部分和附件2-E的有效实施和运作。
2. 葡萄酒工作组应具有以下职能：
- (a) 采纳第2.27条第2段所述的自我认证安排；
 - (b) 监督第2.24条至第2.28条的实施情况， 包括第2.28条下的审查和磋商； 以及
 - (c) 审议附件2-E的修订， 并向联合委员会就有关这些修订的决议的通过提出建议。
3. 葡萄酒工作组应于本协议生效日期举行首次会议。