

(iii) the Operational Procedures referred to in Article 45;

- (b) considering any other matter as the Parties may agree related to this Chapter;
- (c) reporting the findings of the Sub-Committee to the Joint Committee; and
- (d) carrying out other functions as may be delegated by the Joint Committee in accordance with Article 11.

3. The Sub-Committee shall be:

- (a) composed of representatives of the Governments of the Parties; and
- (b) co-chaired by officials of the Governments of the Parties.

4. The Sub-Committee may invite representatives of relevant entities other than the Governments of the Parties with the necessary expertise relevant to the issues to be discussed.

5. The Sub-Committee shall meet at such venues and times as may be agreed by the Parties.

Chapter 4
Customs Procedures

Article 48
Scope and Objectives

1. This Chapter shall apply to customs procedures required for the clearance of goods traded between the Parties.
2. This Chapter shall be implemented by the Parties in accordance with the laws and regulations of each Party and within the available resources of their respective customs authorities.
3. The objectives of this Chapter are to establish a framework to ensure transparency, proper application of customs laws and prompt clearance of goods and to promote cooperation in the field of customs procedures, with a view to facilitating trade in goods between the Parties.

(iii) 第45条中提到的操作程序;

(b) 考虑任何其他与本章相关的事项, 缔约方可达成协议; (c) 将分委员会的调查结果报告给联合委员会; 以及 (d) 根据第11条执行联合委员会可能授权的其他职能。

3. 分委员会应:

(a) 由缔约方政府的代表组成; 以及 (b) 由缔约方政府的官员共同主持。

4. 分委员会可以邀请除缔约方政府以外的相关实体代表参加, 这些代表需具备与将要讨论的问题相关的专业知识。

5. 分委员会应在缔约方商定的场所和时间举行会议。

第4章 海关程序 第48条 范围和目标

1. 本章适用于缔约方之间贸易货物的清关所需海关程序。
2. 各方应根据各方的法律和法规, 并在其各自海关当局可用的资源范围内实施本章。
3. 本章的目标是建立框架, 以确保透明度、海关法律的正确适用以及货物的快速清关, 并促进海关程序领域的合作, 以便利缔约方之间的货物贸易。

Article 49
Definition

For the purposes of this Chapter, “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.

Article 50
Transparency

1. Each Party shall ensure that all relevant information of general application pertaining to its customs laws is readily available to any interested person.
2. When information that has been made available must be revised due to changes in its customs laws, each Party shall make the revised information readily available, wherever possible in advance of the entry into force of the changes, to enable interested persons to take account of them.
3. At the request of any interested person of the Parties, each Party shall provide, as quickly and as accurately as possible, information relating to the specific customs matters raised by the interested person and pertaining to its customs laws. Each Party shall supply not only the information specifically requested but also any other pertinent information which it considers the interested person should be made aware of.

Article 51
Customs Clearance

1. Both Parties shall apply their respective customs procedures in a predictable, consistent and transparent manner.
2. For prompt customs clearance of goods traded between the Parties, each Party shall:
 - (a) make use of information and communications technology;
 - (b) simplify its customs procedures;

Article 49
Definition

就本章而言,“海关法律”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,与其与关税、费用和其他税收的关系有关,或与受控物品在各方海关领土边界上的移动相关的禁止、限制和其他类似管制有关。

Article 50
Transparency

1. 每一方应确保所有与其海关法律相关的普遍适用相关信息均可被任何利害关系人获取。
2. 当已提供的信息因海关法律的变化而必须修订时,每一方应在可能的情况下,在变化生效之前提前使修订后的信息可被获取,以便利利害关系人能够考虑到这些变化。
3. 应任何一方利害关系人的要求,每一方应以尽可能快和尽可能准确的方式,提供与其海关法律相关的、由利害关系人提出的具体海关事项的信息。每一方不仅应提供具体要求的信息,还应提供其认为利害关系人应知晓的任何其他相关信息。

Article 51 Customs
Clearance

1. 双方应以其各自的海关程序以可预测、一致和透明的方式适用。
2. 为促进双方之间货物的海关清关,每一方应:
 - (a) 利用信息和通信技术;
 - (b) 简化其海关程序;

- (c) harmonise its customs procedures, as far as possible, with relevant international standards and recommended practices such as those made under the auspices of the Customs Co-operation Council; and
- (d) promote cooperation, wherever appropriate, between its customs authority and:
 - (i) other national authorities of the Party;
 - (ii) the trading communities of the Party; and
 - (iii) the customs authorities of non-Parties.

3. Each Party shall provide affected parties with easily accessible processes of judicial or administrative review in relation to the action taken by the Party. Such review shall be independent of the authorities entrusted with the administrative enforcement of such actions and shall be carried out in an impartial and fair manner.

Article 52 Goods in Transit

Each Party shall continue to facilitate customs clearance of goods in transit from or to the other Party in accordance with paragraph 3 of Article V of the GATT 1994.

Article 53 Cooperation and Exchange of Information

1. The Parties shall, subject to the laws and regulations of each Party, cooperate and exchange information with each other in the field of customs procedures, including their enforcement against the trafficking of prohibited goods and the importation and exportation of goods suspected of infringing intellectual property rights.
2. Such cooperation and exchange of information shall be implemented as provided for in the Implementing Agreement.

Article 54 Sub-Committee on Customs Procedures

1. For the purposes of the effective implementation and operation of this Chapter, a Sub-Committee on Customs Procedures (hereinafter referred to in this Article as "Sub-Committee") shall be established on the date of entry into force of this Agreement.

- (c) 协调其海关程序，尽可能可能，并符合相关的国际标准和建议做法，例如海关合作理事会制定的那些标准和建议做法；以及

- (d) 在适当的情况下，促进其海关当局与：(i) 该方的其他国家当局；(ii) 该方的贸易社区；以及 (iii) 非缔约方的海关当局之间的合作。

3. 每一方应向受影响方提供易于访问的司法或行政复审程序，以针对该方采取的行动。此类复审应独立于负责此类行动行政执行当局，并应以公正和公平的方式执行。

Article 52 转运货物

每一方应根据1994年关税及贸易总协定第V条第3款的规定，继续便利从或至另一方转运货物的海关清关。

Article 53 合作与信息交换

1. 各方应根据各方的法律和法规，在海关程序领域合作与信息交换，包括对禁止货物贸易的执法以及对涉嫌侵犯知识产权的货物进出口的执法。
2. 此合作与信息交换应按照实施协定中规定的方式实施。

第54条 海关程序分委员会

1. 为有效实施和运作本章，应于本协定生效之日起设立海关程序分委员会（以下简称本章中称“分委员会”）。

2. The functions of the Sub-Committee shall be:
 - (a) reviewing the implementation and operation of this Chapter;
 - (b) reporting the findings of the Sub-Committee to the Joint Committee;
 - (c) identifying areas, relating to this Chapter, to be improved for facilitating trade between the Parties; and
 - (d) carrying out other functions as may be delegated by the Joint Committee in accordance with Article 11.
3. The composition of the Sub-Committee shall be specified in the Implementing Agreement.
4. The Sub-Committee shall meet at such venues and times as may be agreed by the Parties.

Chapter 5 Investment

Article 55 Scope

1. This Chapter shall apply to measures adopted or maintained by a Party relating to:
 - (a) investors of the other Party; and
 - (b) investments of investors of the other Party in the Area of the former Party.
2. This Chapter shall not apply to:
 - (a) government procurement; and
 - (b) services supplied in the exercise of governmental authority as defined in subparagraph (q) of Article 74.
3. In the event of any inconsistency between this Chapter and Chapter 6:
 - (a) with respect to matters covered by Articles 57, 58 and 61, Chapter 6 shall prevail to the extent of inconsistency; and

2. 分委员会的职能如下:

(a) 审查本章的实施和运作; (b) 将分委员会的调查结果报告给联合委员会; (c) 确定与本章相关的、为促进缔约方之间贸易而需要改进的领域; 以及 (d) 根据第11条, 执行联合委员会可能授权的其他职能。

3. 分委员会的组成应在实施协定中规定。

4. 分委员会应在缔约方同意的场所和时间举行会议。

第五章 投 资 第55条 范 围

1. 本章应适用于一方为与另一方投资者及其在原方区域的投资相关的措施。

(a) 另一方的投资者; 以及 (b) 另一方的投资者在原方区域的投资。

2. 本章不适用于:

(a) 政府采购; 以及 (b) 作为第74条第(q)项中定义的行使政府权威时提供的服务。

3. 如果本章与第6章之间存在任何不一致:

(a) 就第57条、第58条和第61条所涵盖的事项而言, 第6章在不一致范围内优先适用; 以及