

CHAPTER 19

SMALL AND MEDIUM-SIZED ENTERPRISES

Article 19.1

General Provisions

1. The Parties recognise the importance of:
 - (a) SMEs in their bilateral trade and investment relations; and
 - (b) provisions in this Agreement that are of particular benefit to SMEs.
2. The Parties affirm their commitment to promoting an environment that:
 - (a) facilitates and supports the development, growth, and competitiveness of SMEs;
 - (b) promotes job creation in SMEs; and
 - (c) enhances SMEs' ability to benefit from this Agreement.
3. Where appropriate, the Parties recognise the importance of initiatives, efforts, and work on SMEs developed in relevant international fora, and in taking into account their findings and recommendations.
4. The Parties also recognise the relevance of:
 - (a) working cooperatively to identify and address barriers to SMEs' access to international markets;
 - (b) considering the needs of SMEs when formulating new laws and regulations; and
 - (c) assessing the effect of globalisation on SMEs and, in particular, examining issues related to SMEs' access to financing, technology, and support for innovation.

Article 19.2

Information Sharing

1. Each Party shall establish or maintain its own free, publicly-accessible website containing information regarding this Agreement, including:
 - (a) the full text of this Agreement;
 - (b) a summary of this Agreement; and
 - (c) information designed for SMEs that contains:

- (i) a description of the provisions in this Agreement that the Party considers to be relevant to SMEs; and
 - (ii) any additional information that the Party considers useful for SMEs interested in benefitting from the opportunities provided by this Agreement.
- 2. Each Party shall include in its website referred to in paragraph 1 links to:
 - (a) the equivalent website of the other Party; and
 - (b) where appropriate, the websites of its own government authorities and other entities that provide information the Party considers useful to any SME interested in trading, investing, or doing business in that Party's territory.
- 3. Subject to the Parties' law and available resources, the information described in subparagraph 2(b) may include:
 - (a) customs regulations and procedures;
 - (b) enquiry points;
 - (c) regulations and procedures concerning intellectual property rights;
 - (d) technical regulations, standards, conformity assessment procedures, and sanitary and phytosanitary measures relating to importation and exportation;
 - (e) foreign investment regulations;
 - (f) business registration procedures;
 - (g) employment regulations;
 - (h) taxation information;
 - (i) trade promotion programmes;
 - (j) information related to the temporary entry of business persons; and
 - (k) rules on government procurement.
- 4. Each Party shall endeavour to include on the website referred to in paragraphs 1 and 2 a link to a database that is electronically searchable, including where possible by HS code, which contains information with respect to access to its market. That information may include:
 - (a) rates of customs duty to be applied by the Party to the originating goods of the other Party;
 - (b) the most-favoured-nation applied rates of customs duty;

- (c) tariff rate quotas established by the Party;
 - (d) rules of origin; and
 - (e) other relevant measures as agreed by the Parties.
5. Each Party shall regularly, or on request of the other Party, review the information and links on the website referred to in paragraphs 1 and 2 to ensure that the information and links are up to date and accurate.
 6. A Party may recommend to the other Party additional information that the other Party may consider including on its website referred to in paragraphs 1 and 2.

Article 19.3

Contact Points

1. Each Party shall designate and notify to the other Party a contact point on SMEs.
2. Each Party shall promptly notify the other Party of any change to its contact point.
3. The contact points shall:
 - (a) facilitate communications between the Parties on any matter a Party considers relevant to SMEs;
 - (b) exchange information to assist in monitoring the implementation of this Agreement as it relates to SMEs; and
 - (c) where appropriate, facilitate coordination between the Parties and any committee, working group, or other subsidiary body established by this Agreement, on any matter covered by this Chapter.

Article 19.4

Cooperation to Increase Trade and Investment Opportunities for SMEs

1. The Parties acknowledge the importance of cooperating to achieve progress in facilitating the development, growth, and competitiveness of SMEs, and reducing barriers to SMEs' access to international markets.
2. The Parties may undertake activities to strengthen cooperation under this Chapter including:
 - (a) identifying ways to assist SMEs of the Parties to take advantage of the commercial opportunities under this Agreement;

- (b) exchanging and discussing each Party's experiences and best practices in supporting and assisting SMEs with respect to, among other things:
 - (i) training programmes;
 - (ii) trade education;
 - (iii) trade finance;
 - (iv) identifying commercial partners in the other Party;
 - (v) establishing good business credentials; and
 - (vi) payment practices in the other Party's market.
 - (c) identifying non-tariff barriers that adversely affect trade outcomes for SMEs and considering ways to minimise those barriers;
 - (d) promoting the participation in international trade of SMEs owned or led by under-represented groups, including women, youth, persons with a disability, and minority groups;
 - (e) facilitating the development of programmes to assist SMEs to participate in and integrate effectively into global markets and supply chains;
 - (f) fostering innovation and improving SMEs' access to digital skills and technology;
 - (g) promoting cooperation between the Parties' small business infrastructure, including dedicated SME centres, incubators, and accelerators; and
 - (h) considering any other matter pertaining to SMEs, including any issues raised by SMEs regarding their ability to benefit from this Agreement.
3. In carrying out any activities pursuant to paragraph 2, the Parties may collaborate with experts, international organisations, or the private sector, as appropriate.
 4. Any cooperation under this Article shall be undertaken only to the extent that it is compatible with each Party's law and within the Parties' available resources.

Article 19.5

Other Provisions that Benefit SMEs

1. The Parties recognise that, in addition to this Chapter, there are provisions in this Agreement that seek to enhance cooperation between the Parties on SME issues or that may be of benefit to SMEs.

2. To enable SMEs to make best use of the opportunities created by this Agreement, the Joint Committee shall, at its first meeting, adopt a joint statement describing the ways in which this Agreement benefits SMEs and outlining the provisions that may be of particular benefit to SMEs.
3. The Parties may, at any time, adopt a joint statement outlining the cooperation activities that have occurred, or will occur, in accordance with Article 19.3 (Contact Points).

Article 19.6

Non-Application of Dispute Settlement

Neither Party shall have recourse to dispute settlement under Chapter 29 (Dispute Settlement) for any matter arising under this Chapter.