

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. The Parties recognise the importance of current initiatives, efforts and work on SMEs developed in relevant international fora, and in taking into account their findings and recommendations, where appropriate.
4. The Parties recognise the importance of the participation of SMEs owned or led by under-represented groups, such as women, youth, indigenous peoples, persons with a disability and minority groups in international trade.
5. 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 legislation, regulation and product standards; and
 - (c) assessing the effects of globalisation on SMEs and, in particular, examining issues related to SMEs' access to financing and to support for innovation.

Article 19.2
Information Sharing

1. Each Party shall establish or maintain its own 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) the websites of its own government agencies or authorities and other appropriate entities that provide information the Party considers useful to any person interested in trading, investing or doing business in that Party's territory.

3. Subject to each Party's laws and regulations, the information described in subparagraph 2(b) may include:
 - (a) customs regulations and procedures;¹
 - (b) enquiry points;
 - (c) regulations and procedures concerning intellectual property rights;
 - (d) technical regulations, standards, and sanitary and phytosanitary measures relating to importation and exportation;
 - (e) foreign investment regulations;

¹ This may include links to information on customs or other fees, including product-specific fees, imposed or in connection with importation and exportation; and duty drawback, deferral or other types of relief that reduce, refund or exempt customs duties.

- (f) business registration procedures;
 - (g) employment regulations;
 - (h) taxation information;
 - (i) trade promotion programmes;
 - (j) information related to the temporary entry of business persons as defined in Chapter 11 (Temporary Entry for Business Persons); and
 - (k) rules on government procurement.
4. Each Party shall include in the website referred to in paragraphs 1 and 2 a link to a database that is electronically searchable including where possible by HS code, and that may include, if the Party considers applicable, the following information with respect to access to its market:
- (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 such information and links are up to date and accurate.
6. Each Party may recommend additional information that the other Party may consider including on its website referred to in paragraphs 1 and 2.

Article 19.3
Contact Points on SMEs

1. Each Party shall designate and notify 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 the 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 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) facilitating the development of programmes to assist SMEs to participate in and integrate effectively into global markets and supply chains;
 - (d) identifying non-tariff barriers that adversely affect trade outcomes for SMEs and considering ways to minimise these barriers;

- (e) exchanging information relating to the participation of SMEs in digital trade and e-commerce, with a view to assisting SMEs to take advantage of opportunities resulting from this Agreement; and
 - (f) 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 or programmes pursuant to paragraph 2, the Parties may seek to collaborate with experts, international organisations, or the private sector, as appropriate.

Article 19.5
Other Provisions that Benefit SMEs

The Parties recognise that, in addition to the provisions in 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.

Article 19.6
Non-Application of Dispute Settlement

Neither Party shall have recourse to dispute settlement under Chapter 30 (Dispute Settlement) for any matter arising under this Chapter.