

Chapter 2 General Definitions

Article 2.1 Definitions of General Application

For purposes of this Agreement, unless otherwise specified:

Commission means the Free Trade Commission established under Article 14.1 (The Free Trade Commission);

customs authorities means the competent authority, which is responsible for the enforcement of national customs legislation;

days mean calendar days;

existing means in effect on the date of entry into force of this Agreement;

GATT 1994 means the *General Agreement on Tariffs and Trade 1994*, which is part of the WTO Agreement;

goods of a Party means domestic products as these are understood in the GATT 1994 or such goods as the Parties may agree and includes originating goods of that Party;

Harmonized System (HS) means the *Harmonized Commodity Description and Coding System*, adopted by World Customs Organization;

heading means the first four digits in the tariff classification number under the Harmonized System;

subheading means the first six digits in the tariff classification number under the Harmonized System;

customs duty includes any duty or charge of any kind imposed in connection with the importation of a good, but does not include:

(a) any charge equivalent to an internal tax imposed consistently with Article III.2 of GATT 1994;

(b) any anti-dumping or countervailing duty applied consistently with the provisions of Article VI of GATT 1994, the *WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994*, or the *WTO Agreement on Subsidies and Countervailing Measures*, any duty applied consistently with Article XIX of GATT 1994 and *WTO Agreement on Safeguards*; and

(c) any fee or other charge in connection with importation commensurate with the cost of services rendered;

base rate of customs duty means the MFN customs duty rate applied on January 1, 2021 provided by each Party;

goods and products shall be understood to have the same meaning, unless the context otherwise requires;

measure includes any law, regulation, procedure, requirement, or practice;

originating means qualifying under the Rules of Origin set out in Chapter 4 (Rules of Origin and Implementation Procedures);

person means a natural person or a legal person, or any other entity established in accordance with domestic law;

preferential tariff means the import customs duty rate applicable under this Agreement to an originating good;

SPS Agreement means the *Agreement on the Application of Sanitary and Phytosanitary Measures* which is a part of the WTO Agreement;

TBT Agreement means the *Agreement on Technical Barriers to Trade* which is a part of the WTO Agreement;

WTO means the World Trade Organization; and

WTO Agreement means the *Marrakesh Agreement Establishing the World Trade Organization*, done on April 15, 1994.