

CHAPTER 1 : ESTABLISHMENT OF A FREE TRADE AREA AND DEFINITIONS

ARTICLE 1.1 : GENERAL

1. The Parties to this Agreement, consistent with Article XXIV of GATT 1994 and Article V of GATS, hereby establish a free trade area in accordance with the provisions of this Agreement.
2. The Parties reaffirm their existing rights and obligations with respect to each other under existing bilateral and multilateral agreements to which both Parties are party, including the WTO Agreement.
3. This Agreement shall not be construed to derogate from any international legal obligation between the Parties that entitles goods or services, or suppliers of goods or services, to treatment more favorable than that accorded by this Agreement.

ARTICLE 1.2 : GENERAL DEFINITIONS

For purposes of this Agreement, unless otherwise specified:

1. **Customs Valuation Agreement** means the WTO Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994;
2. **days** means calendar days;
3. **enterprise** means any entity constituted or organized under applicable law, whether or not for profit, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, sole proprietorship, joint venture or other association;
4. **enterprise of a Party** means an enterprise constituted or organized under the law of a Party;
5. **GATS** means the General Agreement on Trade in Services;
6. **GATT 1994** means the General Agreement on Tariffs and Trade 1994;
7. **goods of a Party** means domestic products as these are understood in GATT 1994 or such goods as the Parties may agree, and includes originating goods of that Party;
8. **government procurement** means the process by which a government obtains the use of or acquires goods or services, or any combination thereof, for governmental purposes and not with a view to commercial sale or resale, or use in the production or supply of goods or services for commercial sale or resale;
9. **measure** includes any law, regulation, procedure, requirement or practice;

10. **national** means a natural person referred to in Annex 1A;
11. **originating good** has the meaning established in Chapter 3 (Rules of Origin);
12. **person** means a natural person or enterprise;
13. **person of a Party** means a national or an enterprise of a Party;
14. **territory** means for a Party the territory of that Party as set out in Annex 1A;
15. **TRIPS Agreement** means the Agreement on Trade-Related Aspects of Intellectual Property Rights;
16. **WTO** means the World Trade Organization; and
17. **WTO Agreement** means the Marrakesh Agreement Establishing the World Trade Organization.