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CHAPTER 19

SMALL AND MEDIUM-SIZED ENTERPRISES

ARTICLE 19.1

Objective

The Parties recognise the importance of SMEs in their bilateral trade and investment relations and affirm their commitment to enhance the ability of SMEs to benefit from this Agreement.

ARTICLE 19.2

Information sharing

1. Each Party shall establish or maintain a publicly accessible website containing information regarding this Agreement, including:
 - (a) a summary of this Agreement; and
 - (b) information designed for SMEs that includes:
 - (i) a description of the provisions in this Agreement that each Party considers to be relevant to SMEs; and

(ii) any additional information that each Party considers would be useful for SMEs interested in benefitting from the opportunities provided by this Agreement.

2. Each Party shall, on the website referred to in paragraph 1, include links to the:

- (a) text of this Agreement, including all Annexes;
- (b) equivalent website of the other Party; and
- (c) websites of its own authorities or agencies that the Party considers would provide useful information to persons interested in trading, investing or doing business in that Party.

3. Each Party shall, on the website referred to in paragraph 1, include a link to websites of that Party with information related to the following:

- (a) customs regulations and procedures for importation, exportation and transit as well as relevant forms, documents and other information as provided for in Chapter 2 (Trade in Goods) and Chapter 4 (Customs and trade facilitation);
- (b) sanitary and phytosanitary measures relating to importation and exportation as provided for in Chapter 6 (Sanitary and phytosanitary measures);
- (c) technical regulations, including conformity assessment procedures and lists of conformity assessment bodies in cases where third-party conformity assessment is mandatory, as provided for in Chapter 8 (Technical barriers to trade);
- (d) rules on government procurement, databases containing government procurement notices and other relevant information as provided for in Chapter 13 (Government procurement);
- (e) regulations and procedures concerning intellectual property rights, including copyright, patents, trademarks, industrial designs and geographical indications, as provided for in Chapter 17 (Intellectual property);
- (f) business registration procedures;

(g) any other matter covered by this Agreement; and

(h) any other information that the Party considers may be of assistance to SMEs.

4. Each Party shall, on the website referred to in paragraph 1, include a link to a database that is searchable by tariff nomenclature code and that includes the following information with respect to access to its market:

(a) rates of customs duties and quotas, including preferential rates and tariff-quotas, most-favoured nation rates and any other rates and quotas;

(b) excise duties;

(c) taxes (value added tax or goods and services tax);

(d) customs or other fees, including other product specific fees;

(e) rules of origin as provided for in Chapter 3 (Rules of origin);

(f) duty drawback, deferral, or other types of relief that reduce, refund, or waive customs duties;

(g) criteria used to determine the customs value of the good;

(h) other tariff measures;

(i) information needed for import procedures; and

(j) information related to non-tariff measures or regulations.

5. Each Party shall regularly review the information and links referred to in paragraphs 1 to 4 to ensure they are as up-to-date and as accurate as possible.

6. Each Party shall ensure that information set out in this Article is presented in an easy-to-understand manner to be used by SMEs. Each Party shall endeavour to make this information available in English.

7. A Party shall not charge a fee for access to the information referred to in paragraphs 1 to 4 for a person of either Party.

ARTICLE 19.3

SME contact points

1. Each Party shall communicate to the other Party its SME contact point and shall promptly notify the other Party of any change to the details of that contact point.

2. The SME contact points shall:

(a) each assist its Party to ensure that SMEs' needs are considered in the implementation of this Agreement so that SMEs of both Parties can take advantage of new opportunities under this Agreement;

(b) ensure that the information referred to in Article 19.2 (Information sharing) is up-to-date and relevant for SMEs;

(c) examine any matter relevant to SMEs in connection with the implementation of this Agreement, including:

(i) exchanging information to assist the Trade Committee in its task to monitor and implement the SME-related aspects of this Agreement;

(ii) assisting other committees, contact points and working groups established by this Agreement in considering matters of relevance to SMEs;

(d) report periodically on their activities, jointly or individually, to the Trade Committee for its

consideration; and

- (e) consider any other matter arising under this Agreement pertaining to SMEs as the Parties may agree.
3. The SME contact points shall meet as necessary and shall carry out their work through appropriate communication channels which may include electronic mail, videoconferencing or other means.
 4. The SME contact points may, jointly or individually, seek to cooperate with experts and external organisations, as appropriate, in carrying out their functions.
 5. A Party may, through its SME contact point, suggest additional information that the other Party may include on its website so that it is maintained in conformity with Article 19.2 (Information sharing).

ARTICLE 19.4

Non-application of dispute settlement

Chapter 24 (Dispute settlement) does not apply to this Chapter.