***DISCLAIMER**: The Commission and Australia are publishing the texts of the Agreement following the announcement of conclusion of the negotiations on 24 March 2026. The texts are published in view of the public interest in the Agreement, for information purposes only and they may undergo further modifications, including as a result of the process of legal and linguistic revision. These texts are without prejudice to the final outcome of the Agreement between the EU and Australia. The texts will be final upon signature. The Agreement will become binding on the Parties under international law only after completion by each Party of its internal legal procedures necessary for the entry into force of the Agreement.*

CHAPTER 2

TRADE IN GOODS

ARTICLE 2.1

Objective

The Parties shall progressively liberalise trade in goods in accordance with the provisions of this Agreement.

ARTICLE 2.2

Scope

Except as otherwise provided in this Agreement, this Chapter applies to trade in goods of a Party.

ARTICLE 2.3

Definitions

For the purposes of this Chapter**:**

(a) "consular transactions" means the procedure of obtaining from a consul of the importing Party in the territory of the exporting Party, or in the territory of a third party, a consular invoice or a consular visa for a commercial invoice, certificate of origin, manifest, shipper's export declaration or any other customs documentation in connection with the importation of the good;

(b) "Customs Valuation Agreement" means the Agreement on Implementation of Article VII of GATT 1994 contained in Annex 1A to the WTO Agreement;

(c) "customs duty" means any duty or charge of any kind imposed on or in connection with the importation of a good. A 'customs duty' does not include any:

(i) charge equivalent to an internal tax imposed consistently with Article X.4 (National Treatment on Internal Taxation and Regulation)

(ii) anti-dumping, special safeguard, countervailing or safeguard duty applied in conformity with the GATT 1994, the Anti-dumping Agreement, the Agreement on Agriculture, the Agreement on Subsidies and Countervailing Measures and the Agreement on Safeguards, as appropriate.

(iii) fee or other charge commensurate with the cost of services rendered.

(d) "good of a Party" means a domestic good as this is understood in the GATT 1994, and includes originating goods.

(e) "Harmonized System" means the Harmonized Commodity Description and Coding System, including its General Rules of Interpretation, Section Notes and Chapter Notes, as adopted and administered by the World Customs Organisation and implemented by the Parties in their respective tariff laws;

(f) "Import Licensing Procedure" means an administrative procedure used for the operation of an importing licensing regime requiring the submission of an application or other documentation (other than that generally required for customs clearance purposes) to the relevant administrative body or bodies as a prior condition for importation into the territory of the importing Party;

(g) "Export Licensing Procedure" means an administrative procedure used for the operation of an exporting licensing regime requiring the submission of an application or other documentation (other than that generally required for customs clearance purposes) to the relevant administrative body or bodies as a prior condition for exportation from the territory of the exporting Party;

(h) "Repair" means any processing operation undertaken on a good to remedy operating defects or material damage and entailing the re-establishment of the good to its original function or to ensure compliance with technical requirements for its use, without which the good could no longer be used in the normal way for the purposes for which they were intended. Repair of goods includes restoration and maintenance but does not include an operation or process that:

(i) destroys the essential characteristics of a good, or creates a new or commercially different good;

(ii) transforms an unfinished good into a finished good; or

(iii) is used to substantially change the function of a good.

(i) "Remanufactured good" means a good classified in HS Chapters 84, 85, 86, 87 (except 8703 870120, 8702, 8704, 8711, 8716), 88, 89, 90 or 9402 that:

(i) is entirely or partially comprised of parts obtained from used goods;

(ii) has similar performance and working conditions compared to the equivalent good in new condition; and

(iii) is given the same warranty as the equivalent good in new condition.

(j) "Originating good" means a good qualifying under the rules of origin set out in (Protocol on Rules of Origin);

(k) "Staging category" means the timeframe for the elimination of customs duties ranging from 0 to 7 years, after which a good is free of customs duty (unless otherwise specified in the Schedules);

(l) "Performance requirement" means a requirement that:

(i) a given quantity, value or percentage of goods be exported;

(ii) goods of the Party granting an import licence be substituted for imported goods;

(iii) a person benefiting from an import licence purchase other goods in the territory of the Party granting the import licence, or accord a preference to domestically produced goods;

(iv) a person benefiting from an import licence produce goods in the territory of the Party granting the import licence, with a given quantity, value or percentage of domestic content; or

(v) relates in whatever form to the volume or value of imports, to the volume or value of exports or to the amount of foreign exchange inflows.

ARTICLE 2.4

National Treatment on Internal Taxation and Regulation

1. Each Party shall accord national treatment to the goods of the other Party in accordance with Article III of the GATT 1994, including its Notes and Supplementary Provisions[1]. To this end, Article III of the GATT 1994 and its Notes and Supplementary Provisions is incorporated into and made part of this Agreement, *mutatis mutandis***.**

ARTICLE 2.5

[1] *note: Reference to notes and supplementary provisions to be included, unless the matter is dealt with more generally in other parts of the text (ex. final provisions).*

Elimination of Customs Duties

1. Except as otherwise provided for in this Agreement, each Party shall reduce or eliminate customs duties on goods originating in the other Party in accordance with its Schedule in Annex [X-x] (Tariff Elimination Schedules).

2. For the purpose of paragraph 1, the base rate of customs duties shall be the one specified for each good in the Schedules in Annex [X-x] (Tariff Elimination Schedules).

3. If a Party reduces an applied most favoured nation customs duty rate, that duty rate shall apply to the originating good of the other Party for as long as it is lower than the customs duty rate for that good determined pursuant to its Schedule in Annex [X-x] (Tariff Elimination Schedules).

4. No earlier than 2 years after the date of entry into force of this Agreement, on the request of a Party, the Parties shall, within the Committee on Trade in Goods, consult to consider accelerating, or broadening the scope of, the reduction or elimination of customs duties set out in the Schedules in Annex [X-x] (Tariff Elimination Schedules) between the Parties. Accordingly, the Trade Committee may take a decision to amend Annex [X-x] (Tariff Elimination Schedules).

ARTICLE 2.6

Standstill

1. Except as otherwise provided in this Agreement, neither Party shall increase any customs duty set as base rate in Annex [X-x] (Tariff Elimination Schedule) or introduce a new customs duty on a good originating in the other Party.

2. For greater certainty, a Party may raise a customs duty to the level set out in Annex [X-x] (Tariff Elimination Schedule) for the respective [year] [*option, if staging is not annual use*: staging period**]** following a unilateral reduction.

ARTICLE 2.7

Export Duties, Taxes or Other Charges

1. No Party shall introduce or maintain any duty, tax or other charge of any kind imposed on, or in connection with, the exportation of a good to the other Party, or any internal tax or other charge on a good exported to the other Party that is in excess of the tax or charge that would be imposed on like goods when destined for domestic consumption.

2. Nothing in this Article shall prevent a Party from imposing on the exportation of a good a fee or charge that is permitted under Article X.8 (Fees and Formalities)**.**

ARTICLE 2.8

Fees and Formalities

1. Each party shall ensure, in accordance with Article VIII:1 of GATT 1994 that all fees and charges of whatever character (other than customs duties, charges equivalent to an internal tax or any other internal charges applied consistently with Article III:2 of GATT 1994, and anti-dumping and countervailing duties) imposed on or in connection with importation or exportation are limited in amount to the approximate cost of services rendered and do not represent an indirect protection to domestic goods or a taxation of imports or exports for fiscal purposes.

2. Each Party shall make publically available, including through publication, a current list of fees and charges it imposes in connection with importation and exportation.

3. No Party shall require consular transactions, including related fees and charges, in connection with the importation of any good of the other Party.

ARTICLE 2.9

Repaired Goods

1. Neither Party shall apply a customs duty to a good, regardless of its origin, that re-enters the Party's customs territory after that good has been temporarily exported from its customs territory to the customs territory of the other Party for repair.[2]

2. Paragraph 1 does not apply to a good imported in bond, into free trade zones, or in similar status, that is then exported for repair and is not re-imported in bond, into free trade zones, or in similar status.

3. Neither Party shall apply a customs duty to a good, regardless of its origin, imported temporarily from the customs territory of the other Party for repair.[3]

ARTICLE 2.10

Remanufactured Goods

1. Neither party shall accord to remanufactured goods of the other Party a treatment that is less favourable than that it accords to equivalent goods in new condition.
[**footnote:** Paragraph 1 shall not apply to consumer guarantees provided for in a Party's laws and regulations.]

2. Article [X] (Import and Export Restrictions) shall apply to import and export prohibition and restrictions on remanufactured goods. If a Party adopts or maintains import and export prohibitions or restrictions to used goods, it shall not apply those measures to remanufactured goods.

3. Subject to its obligations under this Agreement and the WTO Agreement, a Party may require that remanufactured goods be identified as such for distribution or sale in its territory and that they meet all applicable technical requirements that apply to equivalent goods in new condition.

[2] In the EU, the outward processing procedure as laid down in Regulation (EU) No 952/2013 is used for the purpose of this paragraph.
[3] In the EU, the inward processing procedure as laid down in Regulation (EU) No 952/2013 is used for the purpose of this paragraph

ARTICLE 2.11

Import and Export Restrictions

1. Neither Party shall adopt or maintain any prohibition or restriction on the importation of any good of the other Party or on the exportation or sale for export of any good destined for the territory of the other Party, except in accordance with Article XI of GATT 1994, including its Notes and Supplementary Provisions. To this end, Article XI of the GATT 1994 and its Notes and Supplementary Provisions are incorporated into and made part of this Agreement, *mutatis mutandis*.

2. Accordingly, no Party shall adopt or maintain**:**

(a) export and import price requirements[1], except as permitted in enforcement of countervailing and antidumping duty orders and undertakings; or

(b) import licensing conditioned on the fulfilment of a performance requirement[2];

1 For greater certainty, this provision is not meant to prevent a Party from relying on the price of imports in order to determine the applicable rate of a customs duty [in accordance with this Agreement].

2 For greater certainty, this paragraph does not apply to temporary admission pursuant to Article X.14 (Temporary Admission) of Chapter X (Customs and Trade Facilitation), duty drawback or duty deferral programs, including but not limited to measures governing foreign-trade zones, bonded warehouses, and inward processing programs.

ARTICLE 2.12

Import and Export Monopolies

No Party shall designate or maintain a designated import or export monopoly. For the purposes of this Article, import or export monopoly means the exclusive right or grant of authority by a Party to an entity to import a good from, or export a good to, the other Party.

ARTICLE 2.13

Origin Marking

1. Where Australia requires a mark of origin on the importation of goods other than those listed in Annex XX (Origin Marking Product List), Australia shall accept the origin mark "Made in the EU" under conditions that are no less favourable than those applied to marks of origin of Member States of the Union.

2. At the request of the Union, the Parties shall periodically review the product coverage of Annex XX (Origin Marking Product List), and the Trade Committee may decide on potential additional goods for which Australia shall accept the origin mark "Made in the EU" in accordance with this Article.

3. For the purposes of the origin mark "Made in the EU", Australia shall treat the Union as a single territory.

ARTICLE 2.14

Import Licensing Procedures

1. Articles 1 to 3 of the Agreement on Import Licensing Procedures are incorporated into and made part of this Agreement, *mutatis mutandis*.

2. A Party that institutes licensing procedures, or changes to existing licensing procedures, shall notify the other Party of such within 60 days of publication The notification shall include the information specified in Article 5(2) of the Agreement on Import Licensing Procedures. A Party shall be deemed to be in compliance with this provision if it has notified the relevant import licensing procedure, or any modifications thereof, to the Committee on Import Licensing provided for in Article 4 of the Import Licensing Agreement**,** including the information specified in Article 5(2) of that Agreement.

3. Upon request of a Party, the other Party shall promptly provide any relevant information, including the information specified in Article 5(2) of the Agreement on Import Licensing

Procedures, regarding any import licensing procedure that it intends to adopt, has adopted or maintains, or changes to existing licensing procedures.

ARTICLE 2.15

Export Licensing Procedures

1. Each Party shall publish any new export licensing procedure, or any modification to an existing export licensing procedure, in such a manner as to enable governments, traders and other interested parties to become acquainted with them. Such publication shall take place as early as possible before the procedure or modification takes effect, and no later than the date such procedure or modification takes effect. Notwithstanding this, in exceptional and urgent cases, such publication may take place no later than 10 days after the procedure or modification comes into effect.

2. The publication of export licensing procedures shall include the following information:

(a) the texts of its export licensing procedures, including any modifications it makes to those procedures;

(b) the goods subject to each licensing procedure;

(c) for each procedure, a description of the process for applying for a license and any criteria an applicant must meet to be eligible to apply for a license, such as possessing an activity license, establishing or maintaining an investment, or operating through a particular form of establishment in a Party's territory;

(d) a contact point or points from which interested persons can obtain further information on the conditions for obtaining an export license;

(e) the administrative body or bodies to which an application for a license or other relevant documentation must be submitted;

(f) a description of or citation to a publication reproducing in full any measure or measures that the export licensing procedure is designed to implement;

(g) the period during which each export licensing procedure will be in effect, unless the procedure will remain in effect until withdrawn or revised in a new publication;

(h) if the Party intends to use a licensing procedure to administer an export quota, the overall quantity and, if applicable, the value of the quota and the opening and closing dates of the quota; and

(i) any exemptions or exceptions available to the public that replace the requirement to obtain an export license, how to request or use those exemptions or exceptions, and the criteria for granting them.

3. Within 30 days after the date of entry into force of this Agreement, each Party shall notify the other Party of the publications in which its export licensing procedures, if any, are set out, including addresses of relevant government websites.

4. For greater certainty, nothing in this Article requires a Party to grant an export license, or prevents a Party from implementing its obligations under any international agreement, including but not limited to those under United Nations Security Council Resolutions, as well as its commitments under multilateral non-proliferation regimes and export control arrangements, including but not limited to the *Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, the Australia Group, the Nuclear Suppliers Group,* and the *Missile Technology Control Regime*. Accordingly, if a Party has published, provided information on, or notified any export licensing procedure pursuant to another bilateral agreement with the other Party, or under an international agreement or arrangement to which both Parties are a party, it shall be deemed to have met the requirements of this article.

ARTICLE 2.16

Customs Valuation

Each Party shall determine the customs value of goods of the other Party imported into their territory in accordance with Article VII of the GATT 1994 and the Customs Valuation Agreement. To this 0end, Article VII of the GATT 1994, including its Notes and Supplementary Provisions, and

Articles 1 to 9 and 15 of the Customs Valuation Agreement, including its General Introductory Commentary and Interpretative Notes, are incorporated into and made part of this Agreement, *mutatis mutandis*.

ARTICLE 2.17

Non-tariff measures

1. The Parties recognise the importance of preventing and reducing non-tariff measures, consistently with this Agreement, in facilitating trade between the Parties and contributing to an open and transparent trading system.

2. Without prejudice to Chapter X [Dispute Settlement], a Party may request that a non-tariff measure relating to trade in goods is discussed within the Committee on Trade in Goods, with a view to ensuring that it does not constitute an unnecessary or unjustified obstacle to trade between the Parties[4].

ARTICLE 2.18

Preference utilisation

1. For the purpose of monitoring the functioning of the Agreement and calculating preference utilisation rates, the Parties shall annually exchange non-confidential import statistics for a period starting one year from the date of entry into force of this Agreement until 10 years after tariff elimination is completed for all goods in accordance with each Party's Schedule in Annex [X-x] (Tariff Elimination Schedules). Unless the [Trade Committee] decides otherwise, this period shall be automatically extended for five years, and thereafter the Committee may decide to extend it.

[4] For greater certainty, such discussion within the Committee on Trade in Goods shall take place after the measure has been considered by the relevant specialised committee, or jointly with such committee, unless otherwise agreed between the Parties.

2. The exchange of import statistics shall cover data pertaining to the most recent year available, including value and, where applicable, volume, at the tariff line level for imports of all goods of the other Party and identify those imports:

(a) benefitting from preferential duty treatment under this Agreement;

(b) that received non-preferential treatment, including under the different regimes used by the Parties upon importation; and

(c) as appropriate, benefitting from other relevant international preference systems.

3. These import statistics as well as preference utilisation rates may be discussed in the Committee of Trade in Goods and presented to the Trade Committee for an exchange of views.

ARTICLE 2.19

Specific measures concerning the management of preferential treatment

1. The Parties shall co-operate in preventing, detecting and combating breaches of customs legislation, including breaches by individual traders and systematic breaches, related to the relevant preferential treatment granted under this Chapter, in accordance with their obligations under the Chapter on Rules of Origin and the Protocol on Mutual Administrative Assistance in Customs Matters.

2. A Party may, in accordance with the procedure laid down in paragraphs 3 to 8, temporarily suspend the relevant preferential treatment of the goods concerned when:

(a) a Party has made a finding, on the basis of objective, compelling and verifiable information, that systematic breaches of customs legislation related to the preferential treatment granted under this Chapter have been committed, which results in a significant loss of revenue to that Party; and

(b) the other Party repeatedly and unjustifiably refuses or fails to comply with the obligations referred to in paragraph 1.

3. A Party that has made a finding referred to in paragraph 2 (the Importing Party) shall, without undue delay, notify that finding to the [Trade Committee] and provide the related information. Following the notification, both Parties shall enter into consultations within the [Trade Committee] with a view to reaching a mutually acceptable solution.

4. If during the consultations, the conditions set out in paragraph 2(a) and 2(b) remain and the Parties fail to agree on a mutually acceptable solution within three months after the date of the notification, the Importing Party may decide to suspend temporarily the relevant preferential treatment of the goods concerned. This includes the temporary suspension of preferential treatment for all traders of the goods concerned, if the Importing Party deems it necessary to combat the breaches in customs legislation.

5. The Importing Party shall notify the [Trade Committee] of the temporary suspension including the start date, once determined, and the period during which it intends the temporary suspension to apply, without undue delay. The temporary suspension referred to in this Article shall apply only for such a period as necessary to counteract the breaches of customs legislation and to protect the financial interests of the Importing Party, and in any event not longer than six months.

6. The Parties shall keep the situation under review. Where the conditions as set out in paragraph 2(a) or 2(b) that gave rise to the temporary suspension are no longer met, the Importing Party shall cease the temporary suspension without undue delay before the end of the period notified to the [Trade Committee].

7. Where the conditions as set out in paragraphs 2(a) and 2(b), that gave rise to the temporary suspension persist at the expiry of the six-month period, the Importing Party may decide to renew the temporary suspension pursuant to paragraphs 5 and 6. The Importing Party shall notify the [Trade Committee] prior to the renewal of the measure including the additional period of the temporary suspension. The Parties shall review, on a periodic basis, any pending temporary suspension through consultations within the [Trade Committee].

8. The Importing Party shall publish, in accordance with its internal procedures, notices to importers about any decision concerning temporary suspensions referred to in this Article.

9. Notwithstanding paragraphs 4 to 7, if an importer satisfies the Importing Party's customs authority that its goods comply with the Importing Party's customs legislation, the requirements of

this Agreement, and any other appropriate conditions related to the temporary suspension established by the Importing Party in accordance with its laws and regulations, the Importing Party shall allow the importer to apply for preferential treatment and recover any customs duties paid in excess of the applicable preferential customs duties when the goods were imported.

Article 2.20

Committee on Trade in Goods

1. This Article complements and further specifies Article 21.6 (Functions of specialised committees).

2. The functions of the Committee with respect to this Chapter shall include:

   a. promoting trade in goods between the Parties, including through consultations on accelerating tariff elimination under this Agreement;
   b. discussing non-tariff measures in accordance with Article X.17 (Non-Tariff Measures);
   c. addressing issues relating to each Party's administration of its tariff rate quotas, [or the application of product specific safeguard measures], including to promote transparency in their administration;
   d. considering any necessary amendments to Annex XX (Tariff Elimination Schedules) in order to reflect, as appropriate, future amendments to the Harmonised System; and
   e. if tasked by the Trade Committee, considering amendments to Annex XX (Tariff Elimination Schedule) that may be necessary to take into account potential effects of the accession of a third country to the Union.