

CHINA- AUSTRALIA

FREE TRADE AGREEMENT



Factsheet: Electronic Commerce, Intellectual Property, Competition Policy and Government Procurement

The China-Australia Free Trade Agreement (ChAFTA) includes chapters on electronic commerce and intellectual property, as well as commitments on competition policy and government procurement. These commitments provide a framework for the growth of electronic commerce between Australia and China; reaffirm international intellectual property obligations; promote cooperation and coordination between Australian and Chinese competition agencies; and provide for future negotiations on access to China's government procurement market.

Electronic commerce

The Electronic Commerce Chapter assists Australian business in harnessing the efficiencies of electronic commerce, while ensuring the protection of consumers engaging online.

Key commitments include:

- **Customs duties:** To maintain the practice of not imposing customs duties on electronic transmissions between the two countries, subject to the WTO Work Programme on Electronic Commerce.
- **Online consumer protection:** To protect consumers engaged in electronic commerce, in a manner at least equivalent to protections for consumers engaged in other forms of commerce.
- **Cooperation:** To share information and experiences in relation to online consumer protection and measures used to regulate unsolicited spam.

Intellectual property

ChAFTA includes a chapter on intellectual property that reaffirms the parties' existing international obligations and includes provisions on various issues including national treatment, enforcement, border measures, geographical indications and cooperation.

Competition policy

ChAFTA promotes cooperation between Australian and Chinese competition authorities through the exchange of information, consultation and the notification and coordination of enforcement activities. Such cooperation will assist in addressing any anti-competitive activities which could undermine the trade and investment liberalisation achieved through the Agreement.

Government procurement

ChAFTA contains a commitment to negotiate a reciprocal agreement on government procurement after the completion of China's negotiations to join the WTO Government Procurement Agreement.

