

CHAPTER 23

SMALL AND MEDIUM-SIZED ENTERPRISES

Article 23.1: General Provisions

1. The Parties acknowledge the importance of promoting an environment that facilitates and supports the development, growth and competitiveness of SMEs, recognising their participation in domestic markets as well as in international trade, and their contribution in achieving inclusive economic growth, sustainable development and enhanced productivity.
2. The Parties recognise the importance of current initiatives, efforts and work on SMEs developed under the aegis of the OECD, WTO, APEC and any other relevant fora, and in taking into account their findings and recommendations, where appropriate.
3. The Parties also recognise the relevance of:
 - (a) working cooperatively to achieve progress in reducing barriers to SMEs' access to international markets;
 - (b) considering the needs of SMEs when formulating new legislation, regulation and product standards; and
 - (c) assessing the effects of globalisation on SMEs and, in particular, examining issues related to SMEs' access to financing and to support for innovation.

Article 23.2: Information Sharing

1. Each Party shall establish or maintain its own publicly accessible website containing information regarding this Agreement, including:
 - (a) the text of this Agreement, including all Annexes, tariff schedules and product specific rules of origin;
 - (b) a summary of this Agreement; and
 - (c) information designed for SMEs that contains:
 - (i) a description of the provisions in this Agreement that the Party considers to be relevant to SMEs; and

- (ii) any additional information that the Party considers useful for SMEs interested in benefitting from the opportunities provided by this Agreement.
- 2. Each Party shall include in its website links to:
 - (a) the equivalent website of the other Party; and
 - (b) the websites of its government agencies and other appropriate entities that provide information the Party considers useful to any person interested in trading, investing or doing business in that Party's territory.
- 3. Subject to each Party's laws and regulations, the information described in paragraph 2(b) may include:
 - (a) customs regulations and procedures;
 - (b) regulations and procedures concerning intellectual property rights;
 - (c) technical regulations, standards, and sanitary and phytosanitary measures relating to importation and exportation;
 - (d) foreign investment regulations;
 - (e) business registration procedures;
 - (f) employment regulations; and
 - (g) taxation information.
- 4. Each Party shall regularly review the information and links on the website referred to in paragraphs 1 and 2 to ensure that such information and links are up-to-date and accurate.

Article 23.3: Activities and Contact Points on SMEs

- 1. Each Party shall designate and notify a contact point on SMEs, to facilitate communications between the Parties on any matter covered by this Chapter.
- 2. Where appropriate, the contact points shall facilitate the coordination of meetings between government representatives of each Party to address any matter covered by this Chapter.
- 3. The Parties shall, to the extent possible:

- (a) discuss ways to assist SMEs of the Parties to take advantage of the commercial opportunities under this Agreement, including but not limited to, considering ways to develop mechanisms in order to foster partnerships and the development of productive chains;
- (b) exchange and discuss each Party's experiences and best practices in supporting and assisting SME exporters with respect to, among other things, training programmes, trade education, trade finance, identifying commercial partners between the Parties and establishing good business credentials;
- (c) facilitate access to trade promotion networks, business fora, business cooperation instruments, and any other relevant information for SME exporters;
- (d) promote seminars, workshops or other activities to inform SMEs of the benefits available to them under this Agreement;
- (e) explore opportunities for capacity building to assist each Party in developing and enhancing SME export counselling, assistance and training programmes;
- (f) explore opportunities for the development of programmes to assist SMEs to participate and integrate effectively into the global supply chain;
- (g) exchange information to assist in monitoring the implementation of this Agreement as it relates to SMEs;
- (h) facilitate provision of recommendations to the Joint Commission; and
- (i) consider any other matter pertaining to SMEs, including any issues raised by SMEs regarding their ability to benefit from this Agreement.

4. The Parties may seek to collaborate with appropriate experts and international donor organisations in carrying out their programmes and activities.

Article 23.4: Non-Application of Dispute Settlement

Neither Party shall have recourse to dispute settlement under Chapter 27 (Dispute Settlement) for any matter arising under this Chapter.