

CHAPTER 1

INITIAL PROVISIONS AND GENERAL DEFINITIONS

Article 1.1: Establishment of the Regional Comprehensive Economic Partnership as a Free Trade Area

The Parties, consistent with Article XXIV of GATT 1994 and Article V of GATS, hereby establish the Regional Comprehensive Economic Partnership as a free trade area in accordance with the provisions of this Agreement.

Article 1.2: General Definitions

For the purposes of this Agreement, unless otherwise provided in this Agreement:

- (a) **AD Agreement** means the *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement;
- (b) **Agreement** means the Regional Comprehensive Economic Partnership Agreement;
- (c) **Agreement on Agriculture** means the *Agreement on Agriculture* in Annex 1A to the WTO Agreement;
- (d) **Customs Valuation Agreement** means the *Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement;
- (e) **days** means calendar days, including weekends and holidays;
- (f) **existing** means in effect on the date of entry into force of this Agreement;
- (g) **GATS** means the *General Agreement on Trade in Services* in Annex 1B to the WTO Agreement;
- (h) **GATT 1994** means the *General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement;

- (i) **GPA** means the *Agreement on Government Procurement* in Annex 4 to the WTO Agreement;
- (j) **Harmonized System** or **HS** means the Harmonized Commodity Description and Coding System, including its General Rules of Interpretation, Section Notes, Chapter Notes, and Subheading Notes, as adopted and administered by the World Customs Organization, set out in the Annex to the *International Convention on the Harmonized Commodity Description and Coding System* done at Brussels on 14 June 1983, as may be amended, adopted and implemented by the Parties in their respective laws;
- (k) **IMF** means the International Monetary Fund;
- (l) **IMF Articles of Agreement** means the *Articles of Agreement of the International Monetary Fund* adopted at Bretton Woods on 22 July 1944;
- (m) **Import Licensing Agreement** means the *Agreement on Import Licensing Procedures* in Annex 1A to the WTO Agreement;
- (n) **judicial person** means any entity constituted or organised under applicable law, whether or not for profit, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship, association, or similar organisation;
- (o) **Least Developed Country** means any country designated as such by the United Nations and which has not obtained graduation from the least developed country category;
- (p) **Least Developed Country Party** means any Party that is a Least Developed Country;
- (q) **measure** means any measure by a Party, whether in the form of a law, regulation, rule, procedure, decision, administrative action, or any other form;
- (r) **Party** means any State or separate customs territory for which this Agreement is in force;

- (s) **perishable goods** means goods that rapidly decay due to their natural characteristics, in particular in the absence of appropriate storage conditions;
- (t) **person** means a natural person or a juridical person;
- (u) **personal information** means any information, including data, about an identified or identifiable individual;
- (v) **Preshipment Inspection Agreement** means the *Agreement on Preshipment Inspection* in Annex 1A to the WTO Agreement;
- (w) **RCEP** means the Regional Comprehensive Economic Partnership;
- (x) **RCEP Joint Committee** means the RCEP Joint Committee established pursuant to Article 18.2 (Establishment of the RCEP Joint Committee);
- (y) **Safeguards Agreement** means the *Agreement on Safeguards* in Annex 1A to the WTO Agreement;
- (z) **SCM Agreement** means the *Agreement on Subsidies and Countervailing Measures* in Annex 1A to the WTO Agreement;
- (aa) **small and medium enterprise** means any small and medium enterprise, including any micro enterprise, and may be further defined, where applicable, in accordance with the respective laws, regulations, or national policies of each Party;
- (bb) **SPS Agreement** means the *Agreement on the Application of Sanitary and Phytosanitary Measures* in Annex 1A to the WTO Agreement;
- (cc) **TBT Agreement** means the *Agreement on Technical Barriers to Trade* in Annex 1A to the WTO Agreement;
- (dd) **trade administration documents** means forms issued or controlled by a Party which must be completed by or for an importer or exporter in relation to the import or export of goods;

- (ee) **Trade Facilitation Agreement** means the *Agreement on Trade Facilitation* in Annex 1A to the WTO Agreement;
- (ff) **TRIPS Agreement** means the *Agreement on Trade-Related Aspects of Intellectual Property Rights* in Annex 1C to the WTO Agreement;
- (gg) **Understanding on the Balance-of-Payments Provisions** means the *Understanding on the Balance-of-Payments Provisions of the General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement;
- (hh) **WTO** means the World Trade Organization; and
- (ii) **WTO Agreement** means the *Marrakesh Agreement Establishing the World Trade Organization* done at Marrakesh on 15 April 1994.

Article 1.3: Objectives

The objectives of this Agreement are to:

- (a) establish a modern, comprehensive, high-quality, and mutually beneficial economic partnership framework to facilitate the expansion of regional trade and investment and contribute to global economic growth and development, taking into account the stage of development and economic needs of the Parties especially of Least Developed Country Parties;
- (b) progressively liberalise and facilitate trade in goods among the Parties through, *inter alia*, progressive elimination of tariff and non-tariff barriers on substantially all trade in goods among the Parties;
- (c) progressively liberalise trade in services among the Parties with substantial sectoral coverage to achieve substantial elimination of restrictions and discriminatory measures with respect to trade in services among the Parties; and
- (d) create a liberal, facilitative, and competitive investment environment in the region, that will enhance investment opportunities and the promotion, protection, facilitation, and liberalisation of investment among the Parties.