

CHAPTER 21

SMALL AND MEDIUM-SIZED ENTERPRISES

ARTICLE 21.1

Objectives

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

ARTICLE 21.2

Information sharing

1. Each Party shall establish or maintain a digital medium, such as an SME-specific website, that allows the public in the Union and in New Zealand to easily access information regarding this Agreement, including:

- (a) a summary of this Agreement; and

- (b) information designed for SMEs that contains:
 - (i) a description of the provisions in this Agreement that each Party considers to be relevant to SMEs of both Parties; and
 - (ii) any additional information that the Party considers would be useful for SMEs interested in benefitting from the opportunities provided by this Agreement.
2. Each Party shall provide access through the digital medium referred to in paragraph 1, to the:
- (a) text of this Agreement, including its Annexes and Appendices, in particular tariff schedules, and product-specific rules of origin;
 - (b) equivalent digital medium of the other Party; and
 - (c) information from its own authorities and other appropriate entities that the Party considers would be useful to persons interested in trading, investing and doing business in that Party.
3. The information referred to in point (c) of paragraph 2 shall, as appropriate, include the following:
- (a) customs regulations and procedures for importation, exportation and transit as well as relevant forms, documents and other related information;

- (b) sanitary and phytosanitary measures as required by Chapter 6 (Sanitary and phytosanitary measures);
- (c) technical regulations and other matters as required by Chapter 9 (Technical barriers to trade);
- (d) rules on public procurement, a database containing public procurement notices and other relevant information pursuant to Chapter 14 (Public procurement);
- (e) regulations and procedures concerning intellectual property rights as required by Chapter 18 (Intellectual property);
- (f) business registration procedures; and
- (g) other information that the Party considers may be of assistance to SMEs.

4. Each Party shall provide access through the digital medium referred to in paragraph 1, such as through an internet link on a website to a searchable database or similar, to the following product-specific and generic information with respect to its market:

- (a) rates of customs duties and quotas, including most-favoured nation, rates concerning non most-favoured-nation countries and preferential rates and tariff rate quotas;
- (b) excise duties;

- (c) taxes (value added tax or sales tax);
- (d) customs or other fees, including other product-specific fees;
- (e) rules of origin as provided for in Chapter 3 (Rules of origin and origin procedures);
- (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, or when requested by the other Party, update the information made available under this Article to ensure it is up-to-date and accurate.

6. Each Party shall ensure that information referred to in this Article is presented in a form that is easy for SMEs to use. Each Party shall endeavour to make such information available in English.

7. A Party shall not apply a fee for access to the information referred to in this Article for a person of either Party.

ARTICLE 21.3

SME contact points

1. Each Party shall designate an SME contact point responsible for carrying out the functions listed in this Article and shall notify the other Party of the contact details for the SME contact point. Each Party shall promptly notify the other Party of any change of those contact details.

2. SME contact points shall:
 - (a) ensure that needs of SMEs are taken into account in the implementation of this Agreement so that SMEs of both Parties can take advantage of this Agreement;

 - (b) ensure that the information referred to in Article 21.2 (Information sharing) is up-to-date and relevant for SMEs. A Party may, through the SME contact point, suggest additional information that the other Party may include in the information to be provided in accordance with Article 21.2 (Information sharing);

 - (c) examine any matter relevant to SMEs in connection with the implementation of this Agreement, including:
 - (i) exchanging information and cooperating as appropriate to assist the Trade Committee in its task to monitor and implement the SME-related aspects of this Agreement; and

- (ii) assisting other committees, contact points and working groups established by this Agreement when 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. SME contact points shall meet as necessary and shall carry out their work in person or by other appropriate means, which may include electronic mail, videoconferencing, or other means.
4. SME contact points may seek to cooperate with experts and external organisations, as appropriate, in carrying out their activities.

ARTICLE 21.4

Non-application of dispute settlement

Chapter 26 (Dispute settlement) does not apply to this Chapter.