

CHAPTER 1

INITIAL PROVISIONS AND GENERAL DEFINITIONS

ARTICLE 1.1

Establishment of a Free Trade Area

The Parties to this Agreement hereby establish a free trade area, consistent with Article XXIV of GATT 1994 and Article V of GATS.

ARTICLE 1.2

Objectives

The objectives of this Agreement are to liberalise and facilitate trade and investment between the Parties in accordance with the provisions of this Agreement.

ARTICLE 1.3

Definitions of General Application

For the purposes of this Agreement, unless otherwise specified:

- (a) "Agreement on Agriculture" means the Agreement on Agriculture contained in Annex 1A of the WTO Agreement;

- (b) "Agreement on Government Procurement" means the Agreement on Government Procurement contained in Annex 4 of the WTO Agreement;
- (c) "Agreement on Preshipment Inspection" means the Agreement on Preshipment Inspection contained in Annex 1A of the WTO Agreement;
- (d) "Anti-Dumping Agreement" means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 contained in Annex 1A of the WTO Agreement;
- (e) "Customs Valuation Agreement" means the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 contained in Annex 1A of the WTO Agreement;
- (f) "day" means a calendar day;
- (g) "DSU" means the Understanding on Rules and Procedures Governing the Settlement of Disputes contained in Annex 2 of the WTO Agreement;
- (h) "GATS" means the General Agreement on Trade in Services contained in Annex 1B of the WTO Agreement;
- (i) "GATT 1994" means the General Agreement on Tariffs and Trade 1994 contained in Annex 1A of 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 implemented by the State Parties in their respective laws and regulations;
- (k) "IMF" means the International Monetary Fund;

- (l) "Import Licensing Agreement" means the Agreement on Import Licencing Procedures contained in Annex 1A of the WTO Agreement;
- (m) "measure" means any measure by a Party, whether in the form of a law, regulation, rule, procedure, decision, administrative action, practice or any other form, and includes measures taken by:
 - (i) central, regional or local governments and authorities;
 - (ii) non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities; and
 - (iii) MERCOSUR's decision-making bodies.
- (n) "natural person of a State Party" means any natural person who is a national of Singapore or of a Signatory MERCOSUR State, according to their respective domestic legislation;
- (o) "juridical person" means any legal entity duly constituted or otherwise organised under applicable law, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association;
- (p) "State Parties" means Signatory MERCOSUR States and Singapore;
- (q) "Parties" means Signatory MERCOSUR States, MERCOSUR and Singapore;
- (r) "person" means a natural person or a juridical person;
- (s) "person of a State Party" means a natural person or a juridical person of a State Party;

- (t) "Safeguards Agreement" means the Agreement on Safeguards contained in Annex 1A of the WTO Agreement;
- (u) "SCM Agreement" means the Agreement on Subsidies and Countervailing Measures contained in Annex 1A of the WTO Agreement;
- (v) "SPS Agreement" means the Agreement on the Application of Sanitary and Phytosanitary Measures contained in Annex 1A of the WTO Agreement;
- (w) "TBT Agreement" means the Agreement on Technical Barriers to Trade contained in Annex 1A of the WTO Agreement;
- (x) "territory" means:
 - (i) with respect to Singapore, its land territory, internal waters and territorial sea, including the airspace above them, as well as any maritime area situated beyond the territorial sea which has been or might in the future be designated under its national law, in accordance with international law, as an area within which Singapore may exercise sovereign rights and jurisdiction with regards to the sea, the sea-bed, the subsoil and the natural resources;
 - (ii) with respect to each Signatory MERCOSUR State, its land territory, internal waters and territorial sea, including the airspace above them, as well as any maritime area situated beyond the territorial sea which has been or might in the future be designated under its national law, in accordance with international law, as an area within which each Signatory MERCOSUR State may exercise sovereign rights and jurisdiction with regards to the sea, the sea-bed, the subsoil and the natural resources;

For greater certainty, this definition includes the exclusive economic zone and the continental shelf, in accordance with international law, including the UNCLOS.

- (y) "Treaty of Asunción" means the Treaty for the constitution of a Common Market between the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay and the Oriental Republic of Uruguay, done at Asunción on 26 March 1991;
- (z) "TRIPS Agreement" means the Agreement on Trade-Related Aspects of Intellectual Property Rights contained in Annex 1C of the WTO Agreement;
- (aa) "UNCLOS" means the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982;
- (bb) "WIPO" means the World Intellectual Property Organization;
- (cc) "WTO Agreement" means the Marrakesh Agreement Establishing the World Trade Organization done at Marrakesh on 15 April 1994;
- (dd) "WTO" means the World Trade Organization.

ARTICLE 1.4

Trade and investment relations governed by this Agreement

This Agreement applies to the trade and investment relations between, of the one part, Singapore, and of the other part, the Signatory MERCOSUR States and MERCOSUR. This Agreement does not apply to the trade and investment relations between individual Signatory MERCOSUR States.