

No. 9734

**AUSTRALIA
and
REPUBLIC OF CHINA**

**Trade Agreement (with agreed minutes). Signed at
Canberra on 22 April 1968**

Authentic texts: English and Chinese.

Registered by Australia on 30 July 1969.

**AUSTRALIE
et
RÉPUBLIQUE DE CHINE**

**Accord commercial (avec procès-verbal d'accord). Signé à
Canberra le 22 avril 1968**

Textes authentiques: anglais et chinois.

Enregistré par l'Australie le 30 juillet 1969.

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF CHINA

The Government of the Commonwealth of Australia and the Government of the Republic of China,

Desiring to facilitate and extend the commercial relations between their two States,

Have agreed as follows:

Article I

The parties shall take all appropriate measures to facilitate trade between their States in respect of both traditional and potential export goods and commodities of either State.

Article II

With respect to

- (a) customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports,
- (b) the method of levying such duties and charges,
- (c) all rules and formalities in connection with importation and exportation,
- (d) the application of internal taxes to exported products,
- (e) all internal taxes and other internal charges of any kind imposed on or in connection with imported products,
- (f) all laws, regulations and requirements affecting internal sale, offering for sale, purchase, distribution or use of imported products,

any advantage, favour, privilege or immunity which has been or may hereafter be granted by either party to any product originating in or destined for any third State shall be accorded to the like product originating in or destined for the other party.

Article III

1. With regard to prohibitions or restrictions whether made effective through quotas, import or export licences or other measures, instituted or

¹ Came into force on 22 April 1968 by signature, in accordance with article XI (1).

maintained by either party on the importation of any product of the other party or on the exportation or sale for export of any product destined for the other party

- (a) no such prohibition shall be applied by either party unless a like prohibition is applied to all third States; and
- (b) such restriction shall be formulated and administered in such a way as to accord to the other party treatment no less favourable than is accorded to any third State.

2. In the allocation of foreign exchange for transactions involving the importation and exportation of goods, and in the administration of foreign exchange restrictions in relation to such transactions, each party shall accord to the other party treatment no less favourable than it accords to any third State.

Article IV

1. The provisions of Articles II and III of this Agreement shall not apply to:

- (a) tariff preferences or other advantages accorded by the Government of the Republic of China in respect of imports under:
 - (i) specific bilateral agreements concluded and/or to be concluded with those developing countries which are in need of the co-operation of the Republic of China to promote their two way trade and/or which have co-operation projects with the Republic of China producing goods to meet the requirement of both the Republic of China and the developing country;
 - (ii) bi-lateral long term credit arrangements with, and/or
 - (iii) military and economic aid programmes of, any foreign government, corporation or association or of the United Nations and the specialized agencies brought into relationship with the United Nations in accordance with the provisions of the Charter of the United Nations;
- (b) tariff preferences or other advantages accorded by the Government of the Commonwealth of Australia to:
 - (i) the external territories for whose international relations Australia is responsible,
 - (ii) any other State at present a member of the Commonwealth of Nations including the external territories for whose international relations that Government is responsible,
 - (iii) Ireland;
- (c) tariff preferences or other advantages accorded by either party to any third State, which are not inconsistent with the General Agreement on