

CHAPTER 13 : ELECTRONIC COMMERCE

ARTICLE 13.1 : GENERAL

1. The Parties recognize the economic growth and opportunities provided by electronic commerce and the importance of avoiding barriers to its use and development. To this end, a Party shall not:

- (a) impose customs duties on electronic transmissions;
- (b) impose unnecessary barriers on electronic transmission, including digital products; and
- (c) impede the supply through electronic means of services which the Party has committed to under this Agreement, subject to any reservation set out herein.

2. For general certainty, nothing in this Chapter shall be construed to prevent a Party from imposing internal taxes or other internal charges on the domestic sale of digital products, provided that such taxes or charges are imposed in a manner consistent with this Agreement.

ARTICLE 13.2 : PROTECTION FROM FRAUDULENT AND DECEPTIVE COMMERCIAL PRACTICES

The Parties recognize the importance of maintaining and adopting transparent and effective measures to protect consumers from fraudulent and deceptive commercial practices when they engage in electronic commerce.

ARTICLE 13.3 : DEFINITIONS

For the purposes of this Chapter:

1. **digital products** means any computer programs, text, video, images, sound recordings and other products that are digitally encoded, regardless of whether they are fixed on a carrier medium or transmitted electronically, but does not include digitized representations of financial instruments, including money; and
2. **electronic transmissions** or **transmitted electronically** means the transfer of digital products using any electromagnetic or photonic means.