

CHAPTER 6

SANITARY AND PHYTOSANITARY MEASURES

ARTICLE 6.1 OBJECTIVES

The objectives of this Chapter are to protect human, animal, or plant life or health in the territories of the Parties, and to provide a framework to address any bilateral sanitary and phytosanitary (hereinafter referred to as “SPS”) matters so as to facilitate trade between the Parties.

ARTICLE 6.2 GENERAL PRINCIPLES

1. When implementing this Chapter, the Parties shall:
 - (a) not apply their SPS measures in a manner which would constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade; and
 - (b) ensure that any SPS measure is applied only to the extent necessary to protect human, animal or plant life or health, is based on scientific principles and is not maintained without sufficient scientific evidence.
2. The principles set out in paragraph 1 shall be applied in accordance with the *WTO Agreement on the Application of Sanitary and Phytosanitary Measures* which is hereby incorporated into and made part of this Agreement, *mutatis mutandis*.

ARTICLE 6.3 CONSULTATION AND COOPERATION

1. Each Party shall give favourable consideration to any reasonable request by the other Party about the SPS measures and shall provide relevant documentation within a reasonable time.
2. The Parties shall explore opportunities for further cooperation and collaboration on SPS matters of mutual interest consistent with the provisions of this Chapter.
3. The Parties shall give favourable consideration to accepting the equivalence of each other’s SPS measures consistent with the purpose of this Chapter.

ARTICLE 6.4 COORDINATORS

1. To facilitate the implementation of this Chapter and cooperation between the Parties, each Party shall designate a Coordinator, who shall be responsible for coordinating with competent SPS authorities in the Party’s territory and communicating with the other Party’s Coordinator in all matters pertaining to this Chapter. The Coordinator may also facilitate the establishment of Technical Working Groups, as mutually agreed by the Parties.

2. Upon entry into force of this Agreement, the Parties shall exchange information on the Coordinators and the competent SPS authorities. The Parties shall notify each other of any significant change on the structures, organisations and divisions of the competent SPS authorities and Coordinators.