

## CHAPTER 14

### SMALL AND MEDIUM-SIZED ENTERPRISES

#### ARTICLE 14.1

##### General principles

1. The Parties recognise that SMEs contribute significantly to trade, economic growth, employment and innovation. The Parties affirm their intention to support the growth and development of SMEs by enhancing their ability to participate in, and benefit from, the opportunities created by this Agreement.
  
2. The Parties acknowledge the importance of reducing non-tariff barriers which place a disproportionate burden on SMEs. They also acknowledge that, in addition to the provisions in this Chapter, there are other provisions in this Agreement that seek to enhance cooperation between the Parties on issues of relevance to SMEs or that otherwise may be of particular benefit to SMEs.

#### ARTICLE 14.2

##### Information sharing

1. Each Party shall establish or maintain its own publicly accessible website containing information regarding this Agreement, including:
  - (a) the text of this Agreement, including all Annexes, tariff schedules and product specific rules of origin;
  
  - (b) a summary of this Agreement; and
  
  - (c) information designed for SMEs containing:

- (i) a description of the provisions in this Agreement that such Party considers to be relevant to SMEs; and
  - (ii) any additional information that such Party considers to be useful for SMEs interested in benefitting from the opportunities provided by this Agreement.
2. Each Party shall include links on the website referred to in paragraph 1 to:
- (a) the equivalent website of the other Party;
  - (b) the websites of its own government authorities and other appropriate entities that the Party considers would provide useful information to persons interested in trading, investing or otherwise doing business in the territory of that Party, including available information related to the following:
    - (i) rates of most-favoured-nation and preferential customs duties and quotas, rules of origin and customs or other fees imposed at the border;
    - (ii) customs regulations and procedures for importation, exportation and transit as well as other required forms and documents therefor;
    - (iii) regulations and procedures concerning intellectual property rights;
    - (iv) technical regulations including, where necessary, obligatory conformity assessment procedures;
    - (v) links to lists of conformity assessment bodies, as provided for in Chapter 5;
    - (vi) SPS measures relating to importation and exportation as provided for in Chapter 6;
    - (vii) government procurement, transparency rules and publication of procurement notices as well as other relevant provisions contained in

Chapter 12;

- (viii) business registration procedures; and
  - (ix) other information which the SMEs coordinators agree may be of assistance to SMEs.
- (c) a database that is electronically searchable by tariff nomenclature code and that includes the information referred to in point (b)(i) as well as the following information:
- (i) excise duties;
  - (ii) taxes (value added tax or sales tax);
  - (iii) other tariff measures;
  - (iv) deferral or other types of relief that result in the reduction, refund or waiver of customs duties;
  - (v) criteria used to determine the customs value of the good;
  - (vi) if applicable, country of origin marking requirements, including placement and method of marking;
  - (vii) information needed for import procedures; and
  - (viii) information related to non-tariff measures.

3. Each Signatory MERCOSUR State shall make its best efforts to ensure that no later than 3 (three) years after the entry into force of this Agreement, the websites and the database referred to in paragraphs 1 and 2 are put into place, containing as much information as possible with respect to access to its markets.

4. Each Party shall update the information and links referred to in paragraphs 1 and 2 regularly or if requested by the other Party.

5. Each Party shall ensure that information set out in this Article is presented in a manner that is easy to use for SMEs. If possible, each Party shall endeavour to make the information available in English.

6. A Party shall not apply any fee for access to the information provided pursuant to paragraphs 1 and 2 to any person of a Party.

## ARTICLE 14.3

### SME coordinators

1. Each Party shall communicate to the other Party, through the SME coordinators, its SME coordinator responsible for carrying out the functions listed in this Article as well as any change in the contact details of its SME coordinator. The SME coordinators shall:

(a) develop a work plan to carry out the tasks referred to in this Article;

- (b) carry out their work through the communication channels agreed by the SME coordinators, which may include email, meeting in person, meeting or communicating by telephone conference or by video conference or communicating by other means; and
- (c) report periodically on their activities to the Trade Committee for its consideration.

2. The tasks of the SME coordinators shall be to:

- (a) ensure that SME needs are taken into account in the implementation of this Agreement;
- (b) monitor the implementation of Article 14.2 with a view to ensuring that it remains up to date and relevant for SMEs;
- (c) recommend additional information that may be included in the Parties' websites referred to in Article 14.2;
- (d) cooperate and exchange information so that SMEs of the European Union and of MERCOSUR take advantage of new opportunities under this Agreement to increase trade and investment;
- (e) address any other matters of relevance to SMEs in connection with the implementation of this Agreement;
- (f) if appropriate, participate in the work of subcommittees established pursuant to Article 22.3, when those subcommittees consider matters of relevance to SMEs;

- (g) exchange information to assist the Trade Committee in monitoring and implementing this Agreement as it relates to SMEs; and
- (h) consider any other matter arising under this Agreement pertaining to SMEs.

3. SME coordinators may cooperate with experts and external organisations, as appropriate, in carrying out their activities.

#### ARTICLE 14.4

##### Non-application of dispute settlement

No Party shall have recourse to dispute settlement under Chapter 21 for any matter arising under this Chapter.