

CHAPTER 14

COMPETITION

Article 1 Basic Principles

1. The Parties recognise the importance of co-operation in the promotion of competition, economic efficiency, consumer welfare and the curtailment of anti-competitive practices.
2. The Parties recognise the significant differences in capacity between ASEAN Member States, Australia and New Zealand in the area of competition policy.
3. The Parties respect the sovereign rights of each Party to develop, set, administer and enforce its own competition laws and policies.
4. Nothing in this Chapter requires a Party to develop specific competition related measures to address anti-competitive practices, or prevents a Party from adopting policies in other fields, for example to promote economic development.

Article 2 Co-operation

1. The Parties may engage in co-operation activities consistent with Article 1 (Basic Principles) in the field of competition, including:
 - (a) exchange of experience regarding the promotion and enforcement of competition law and policy;
 - (b) exchange of publicly available information about competition law and policy;

- (c) exchange of officials for training purposes;
- (d) exchange of consultants and experts on competition law and policy;
- (e) participation of officials as lecturers, consultants, or participants at training courses on competition law and policy;
- (f) participation of officials in advocacy programmes;
- (g) other related activities following the introduction of a competition law in a Party; and
- (h) any other form of technical co-operation as agreed upon by the Parties.

2. Mindful of this, where implementation of this Chapter is inhibited by capacity constraints, Australia and New Zealand may provide co-operation as they deem appropriate to assist ASEAN Member States with such implementation. Co-operation is subject to competition policy-related needs being identified and the availability of resources, having regards to respective Parties' laws and regulations.

Article 3 Contact Points

To ensure that technical co-operation under this Chapter occurs on an ongoing basis, the Parties shall designate contact points for technical co-operation and information exchange under this Chapter.

Article 4
Non-Application of Chapter 17 (Consultations and
Dispute Settlement)

Chapter 17 (Consultations and Dispute Settlement) shall not apply to any matter arising under this Chapter.