

## Chapter II: General Definitions

### Article II.01 Definitions of General Application

*For the purposes of this Agreement, except otherwise specified:*

**citizen** means, for each Party, a national of that Party as set out in Annex II.01;

**Coordinators** means the Free Trade Coordinators established by Article I.07 (The Free Trade Coordinators);

**Customs Valuation Agreement** means the *Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade of 1994*, including its interpretative notes, which is part of the WTO Agreement;

**days** means calendar days, including weekends and holidays;

**Dispute Settlement Understanding (DSU)** means the *Understanding on Rules and Procedures Governing the Settlement of Disputes*, which is part of the WTO Agreement;

**enterprise** means any entity constituted or organized under applicable law, whether or not for profit, and whether privately owned or governmentally owned, including any corporation, trust, partnership, sole proprietorship, joint venture or other association;

**exporting Party** means the Party from whose territory a good or service is exported;

**GATT 1994** means the *General Agreement on Tariffs and Trade of 1994*, which is part of the WTO Agreement;

**Harmonized System** means the Harmonized Commodity Description and Coding System, including the General Classification Rules and its explanatory notes;

**Heading** means a tariff classification code of the Harmonized System at the four-digit level;

**import duty** includes customs duty as defined in the national legislation of each Party and all other duties, taxes or charges that are collected on or in connection with the importation of goods, but does not include:

- (a) charges equivalent to an internal tax imposed consistently with the relevant provisions of GATT 1994;
- (b) any antidumping or countervailing duty that is applied pursuant to a Party's domestic law;
- (c) any fee or other charge in connection with importation commensurate with the cost of services rendered; and
- (d) any premium offered or collected on an imported good arising out of any tendering system in respect of the administration of quantitative import restrictions, tariff rate quotas or tariff preference levels;

**importing Party** means the Party into whose territory a good or service is imported;

**identical or similar goods** means "identical goods" and "similar goods", respectively, as defined in the Customs Valuation Agreement;

**Joint Council** means the Joint Council of Costa Rica and CARICOM established by Article I.06 (The Joint Council);

**Less Developed Countries of CARICOM** means Antigua and Barbuda, Belize, Dominica, Grenada, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines;

**measure** includes any law, regulation, procedure, administrative requirement or practice;

**national** means a natural person who has the nationality or citizenship of a Party in accordance with its legislation. It is understood that the term equally applies to a natural person who, in accordance with that Party's legislation, has the status of permanent resident in its territory;

**originating good** means a good complying with the rules of origin established in Chapter IV (Rules of Origin);

**Party** means any State with respect to which this Agreement has entered into force in accordance with Article XIX.03 (Entry into Force) and Article XIX.04 (Provisional Application);

**person** means a natural person or legal person;

**subheading** means a tariff classification code of the Harmonized System at the six-digit level;

**Tariff Elimination Schedule** means the schedule referred to in the Annexes on Tariff Elimination Schedule to Chapter III (National Treatment and Market Access of Goods);

**territory** means, for each Party, the territory of that Party as set out in Annex II.01; and

**WTO Agreement** means the *Marrakesh Agreement Establishing the World Trade Organization*, done on April 15, 1994, or any successor Agreement to which both Parties are party.