

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE
CANBERRA

Agreement between the Government of Australia and the Government of the Slovak
Republic on Trade and Economic Cooperation

(Canberra, 23 April 1999)

Entry into force: 8 June 2000

AUSTRALIAN TREATY SERIES
2000 No. 21

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AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE
GOVERNMENT OF THE SLOVAK REPUBLIC ON TRADE AND ECONOMIC
COOPERATION

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
SLOVAK REPUBLIC, hereinafter referred to as "the Contracting Parties",

DESIRING to promote and expand mutually beneficial trade and economic cooperation
between their two countries,

HAVING REGARD to their respective international rights and obligations, including
their rights and obligations as Members of the World Trade Organization ("WTO"),

HAVE AGREED as follows:

Article 1

The Contracting Parties shall, subject to the laws and regulations of their respective
countries, take all appropriate measures to facilitate, strengthen and diversify trade and
economic cooperation between their countries in respect of both traditional and potential
exports, including trade in goods and services, with the aim of achieving a sustained
expansion of mutually beneficial trade.

Article 2

To advance the objectives of Article 1 of this Agreement, both Contracting Parties shall
encourage and facilitate:

- (a) the negotiation and conclusion of commercial contracts between legal and natural
persons of both countries;
- (b) the development of economic, industrial and technical cooperation between legal
and natural persons of both countries;
- (c) the interchange of commercial and technical representatives, groups and
delegations between both countries;
- (d) the holding of, and participation in, trade fairs, trade exhibitions and other
promotional activities in the field of trade and technology in each country by legal
and natural persons of the other country;
- (e) the participation of small and medium sized enterprises in trade and industrial
cooperation; and
- (f) the encouragement of economic cooperation in third markets, in particular through
information exchanges.

Article 3

Trade between both countries shall be effected in accordance with the principle of Most Favoured Nation treatment and other rights and obligations arising from their participation as Members of the World Trade Organization in accordance with the provisions of the Marrakesh Agreement establishing the World Trade Organization (WTO Agreement) of 1994,¹ as may be rectified, amended or modified in the future, and multilateral agreements negotiated under its auspices, in which both countries participate.

Article 4

The provisions of Article 3 shall not apply to preferences or advantages accorded by either Contracting Party in accordance with any agreement or arrangement constituting or leading to the establishment of a free trade area or a customs union; or accorded to adjacent countries in order to facilitate frontier traffic; or under any other preference system permitted by the agreements and associated legal instruments of the WTO.

Article 5

In encouraging and facilitating activities under Article 2, the Contracting Parties shall encourage legal and natural persons to have due regard to the protection of intellectual property in their commercial contracts. The Contracting Parties shall take full account of commitments arising under the WTO Agreement on Trade Related Aspects of Intellectual Property Rights.

Article 6

Bilateral commercial transactions will be concluded by legal and natural persons authorised to carry on foreign trade activities, and shall be in accordance with the laws and regulations in force in both countries.

Article 7

1. All payments arising from trade and economic cooperation between legal and natural persons of both countries shall be effected in mutually acceptable freely convertible currency subject to the foreign exchange regulations in force at the time when payments are effected.
2. The provisions of paragraph 1 do not preclude legal and natural persons of both countries entering, by mutual agreement, into other payment arrangements, subject to laws and regulations in force in both countries at the time the arrangements are made.

Article 8

The Contracting Parties agree to encourage and develop a close and constructive dialogue which will facilitate the development of bilateral trade and economic cooperation. To this end:

- (a) The Contracting Parties shall encourage and, where appropriate, facilitate contact of trade missions with government officials and commercial representatives in both countries.
- (b) Where the Contracting Parties agree, there shall be meetings of government officials or business representatives (or both) to:
 - i. discuss the development and enhancement of the bilateral trading relationship;
 - ii. seek possible solutions to any problems that may arise in the course of developing that relationship;
 - iii. examine possibilities of increasing and diversifying mutual trade relations between the two countries;
 - iv. review the implementation of this Agreement;
 - v. submit and study appropriate proposals with the aim of recommending to the Contracting Parties measures for the dynamic development of trade cooperation;
 - vi. discuss any other issues arising out of this Agreement.

Article 9

Any dispute between the Contracting Parties relating to the interpretation or implementation of this Agreement shall be resolved, without unreasonable delay, by friendly consultations and negotiations.

Article 10

1. The Agreement shall enter into force on the date of the latter notification by which the Contracting Parties have informed each other that the legal and other procedures necessary for bringing into force the Agreement have been completed.²
2. The Agreement shall remain in force for a period of five years. Thereafter, it shall remain in force until the expiration of six months from the date on which either Contracting Party receives from the other written notice of its intention to terminate the Agreement.

Article 11

1. In the event of expiration of the validity of the present Agreement in accordance with Article 10, its provisions shall continue to apply to unfulfilled obligations under contracts entered into during the period of validity of this Agreement, until their fulfilment.

2. Any amendments to this Agreement, or its termination, shall in no way affect the contracts previously concluded between legal and natural persons of both countries.

Article 12

The Agreement on Trade Relations between the Commonwealth of Australia and the Czechoslovak Socialist Republic, done at Canberra on 16 May 1972,³ shall cease to be in force as between the Commonwealth of Australia and the Slovak Republic on the date that this Agreement enters into force.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE in two originals at Canberra on this April 23rd day of 1999, each in the English and Slovak languages, both texts being equally authentic.

FOR THE GOVERNMENT OF
AUSTRALIA:

[Signed:]
DAVID SPENCER

FOR THE GOVERNMENT OF
THE SLOVAK REPUBLIC:

[Signed:]
PETER BRNO

¹ ATS 1995 No. 8.

² Notes to this effect were exchanged at Canberra 10 November 1999 and 8 June 2000. The Agreement entered into force 8 June 2000.

³ ATS 1972 No. 19; UNTS 955 p. 213.