

**Memorandum of Understanding on Cooperation  
between  
the State Administration for Industry and Commerce of  
the People's Republic of China  
and  
the Australian Competition and Consumer Commission**

The State Administration for Industry and Commerce of the People's Republic of China (SAIC) and the Australian Competition and Consumer Commission (ACCC) (hereinafter referred to as "the Participants"),

*Recognizing* the importance of mutual cooperation in promoting effective enforcement of relevant laws in respective countries, maintaining a regulated and harmonized market environment of fairness, justice and good faith, and protecting consumers' legitimate rights and interests;

*Aiming* to establish and develop cooperation in competition enforcement, consumer protection as well as regulation on on-line goods transaction and related services between the Participants,

Hereby agree as follows:

**Article 1 Purpose**

The purpose of this Memorandum is to set up an institutional partnership between the Participants by establishing a general framework for bilateral cooperation.

**Article 2 Scope of Cooperation**

The Participants will, within their respective jurisdiction, cooperate in the fields of competition enforcement, consumer protection as well as regulation of on-line goods transactions and related services, including, but not necessarily limited to:

1. Exchange of the policies, laws and rules regarding competition and consumer protection as well as the progress of legislation and enforcement, which is allowed by the laws of respective countries;
2. Jointly holding workshops as needed to exchange views on related issues of common concern in the fields of competition and consumer protection;
3. Conducting mutual visits, exchange and training of personnel;

4. Other issues agreed upon by the Participants.

### **Article 3 Consultation**

The Participants agree to:

1. Formally meet at intervals to review progress under this Memorandum and determine specific cooperative projects. Such meetings will alternate between the Offices of both Participants, or to be held on the margins of other events attended by both participants, with the timing to be agreed by the Participants. Generally, once a year is preferred.
2. Appoint a Liaison Department from their respective offices to ensure adequate communication between the Participants.

SAIC:

Liaison Department: Department of International Cooperation

Tel: 86-10-68010463/68013447

Fax: 86-10-68010463/68013447

Email: intl@saic.gov.cn

international@saic.gov.cn

ACCC:

Liaison Department: The International Unit, Intelligence, Infocentre and Policy  
Liaison Branch, Executive and Compliance Division

Tel: 61-2-62431251

Fax: 61-2-62431078

Email: internationalACCC@acc.gov.au

### **Article 4 Resources**

All commitments made in this Memorandum are subject to the availability of funds and each Participant's budget priorities. This Memorandum is not meant to obligate the expenditure of funds.

### **Article 5 Confidentiality**

It is understood that the Participants do not intend to communicate information to the other Participant if such communication is prohibited by the laws governing the Participant possessing the information or would be incompatible with that Participant's interests.

Unless agreements are reached through negotiations, each Participant shall keep the

information provided by the other according to this Memorandum confidential in line with laws of its country.

#### **Article 6 Limitations**

This Memorandum and the expressed intentions of the Participants will be subject to all the effective applicable laws and regulations in their respective countries. This Memorandum does not affect the rights and obligations of the Participants acquired under existent agreements or memoranda in which the Participants are themselves involved. This Memorandum is not legally binding.

#### **Article 7 Resolution of Disputes**

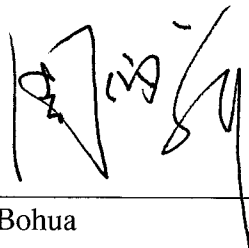
The Participants will resolve any discrepancies or disputes arising out of the interpretation or application of this Memorandum through consultations.

#### **Article 8 Miscellaneous Provisions**

This Memorandum enters into effect on the date of signature. This Memorandum may be modified at any time by mutual agreement between the Participants. Either participant may terminate the Memorandum upon ninety (90) days written notice to the other participant.

Done in duplicate in Canberra on this 18<sup>th</sup> day of September 2012 in the Chinese and English languages, both texts being equally authentic.

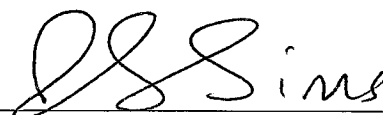
for the State Administration for Industry  
and Commerce of the People's Republic  
of China



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Mr. Zhou Bohua  
Minister of the State Administration for  
Industry and Commerce of the People's  
Republic of China

for the Australian Competition and  
Consumer Commission



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Mr. Rod Sims  
Chairman of the Australian  
Competition and Consumer  
Commission