

Joint Committee Decision on the Requests of the People's Republic of China and Canada to  
Commence Accession Processes to the Digital Economy Partnership Agreement (DEPA)  
12<sup>th</sup> August 2022

*Taking into consideration* the formal request to commence negotiations for accession to the Digital Economy Partnership Agreement (herein after referred to as "DEPA") received from the People's Republic of China (hereinafter referred to as "China") on 1<sup>st</sup> November 2021 and from Canada on 9<sup>th</sup> May 2022; and

*Pursuant* to Article 12.2 (a) (Functions of the Joint Committee), Article 12.3 (Decision-Making), Article 12.4 (Rules of Procedure of the Joint Committee) and Article 16.4 (Accession) of the DEPA, and the Accession Process agreed by Chile, New Zealand and Singapore on 13<sup>th</sup> May 2021 (hereinafter referred to as "Accession Process");

*The Joint Committee decides as follows:*

**1. Commencement of the Accession Process for China:**

Pursuant to paragraph 3 ("Request to commence accession process") of the Accession Process, the accession process requested by China as an aspirant economy will commence on 18<sup>th</sup> August 2022.

**2. Establishment of an Accession Working Group for China:**

A working group to negotiate the accession of China (hereinafter referred to as "Accession Working Group for China") will be established on 18<sup>th</sup> August 2022:

(a) Terms of Reference: Pursuant to Article 16.4 (Accession) of the DEPA and paragraph 4 of the Accession Process, the Accession Working Group for China is tasked to (i) examine the request of China to accede to the DEPA, including documentation provided by China to demonstrate its ability to comply with the terms of the DEPA and any other information requested from China during the accession process; (ii) conduct negotiations on China's accession to the DEPA and, (iii) submit to the Joint Committee, after finalising negotiations, a written report making a recommendation regarding the terms for China's accession to the DEPA.

(b) Membership: The Accession Working Group for China will comprise government representatives from the DEPA Parties.

(c) Chair: Chile will act as Chair for the Accession Working Group for China. The responsibilities of the Chair include: coordinating the overall conduct of the Accession Working Group for China, including its organizational matters; presiding over all meetings of the Accession Working Group for China; and coordinating the drafting of a written report of the Accession Working Group for China.

The Accession Working Group for China does not include government representatives from China. However, it may invite China to its meetings to review the accession terms, or for any other reasons that the Accession Working Group for China may decide.

**3. Commencement of the Accession Process for Canada:**

Pursuant to paragraph 3 (“Request to commence accession process”) of the Accession Process, the accession process requested by Canada as an aspirant economy will commence on 25<sup>th</sup> August 2022.

#### **4. Establishment of an Accession Working Group for Canada:**

A working group to negotiate the accession of Canada (hereinafter referred to as “Accession Working Group for Canada”) will be established on 25<sup>th</sup> August 2022:

(a) Terms of Reference: Pursuant to Article 16.4 (Accession) of the DEPA and paragraph 4 of the Accession Process, the Accession Working Group for Canada is tasked to (i) examine the request of Canada to accede to the DEPA, including documentation provided by Canada to demonstrate its ability to comply with the terms of the DEPA and any other information requested from Canada during the accession process; (ii) conduct negotiations on Canada’s accession to the DEPA and, (iii) submit to the Joint Committee, after finalising negotiations, a written report making a recommendation regarding the terms for Canada’s accession to the DEPA.

(b) Membership: The Accession Working Group for Canada will comprise government representatives from the DEPA Parties.

(c) Chair: New Zealand will act as Chair for the Accession Working Group for Canada. The responsibilities of the Chair include: coordinating the overall conduct of the Accession Working Group for Canada, including its organizational matters; presiding over all meetings of the Accession Working Group for Canada; and coordinating the drafting of a written report of the Accession Working Group for Canada.

The Accession Working Group for Canada does not include government representatives from Canada. However, it may invite Canada to its meetings to review the accession terms, or for any other reasons that the Accession Working Group for Canada may decide.

#### **5. Effective Date of Decision**

This Joint Committee Decision is effective as of 12<sup>th</sup> August 2022, and shall be made publicly available by the DEPA Parties through individual public statements. The public statements regarding the decisions for China and Canada may be sequenced.