

NAFTA-USMCA-TPP Comparison

USMCA Chapter No 19: Digital Trade							
Description of Provision	USMCA					NAFTA Provision (if any)	TPP Provision (if any)
	Provision Number	New	No Changes	Minor Changes	Significant Changes		
Definitions	Article 19.1				Some new definitions	N/A	Article 14.1
Scope and General Provisions	Article 19.2				USMCA contains fewer provisions than TPP	N/A	Article 14.2
Customs Duties	Article 19.3			Similar to TPP		N/A	Article 14.3
Non-Discriminatory Treatment of Digital Products	Article 19.4				USMCA contains fewer provisions than TPP	N/A	Article 14.4
Domestic Electronic Transactions Framework	Article 19.5			Similar to TPP		N/A	Article 14.5
Electronic Authentication and Electronic Signatures	Article 19.6			Similar to TPP		N/A	Article 14.6
Online Consumer Protection	Article 19.7			Similar to TPP		N/A	Article 14.7
Personal Information Protection	Article 19.8			Similar to TPP		N/A	Article 14.8
Paperless Trading	Article 19.9			Similar to TPP		N/A	Article 14.9

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Principles on Access to and Use of the Internet for Digital Trade	Article 19.10			Similar to TPP		N/A	Article 14.10
Cross-Border Transfer of Information by Electronic Means	Article 19.11			Similar to TPP		N/A	Article 14.11
Location of Computing Facilities	Article 19.12				USMCA contains fewer provisions than TPP	N/A	Article 14.13
Unsolicited Commercial Electronic Communications	Article 19.13				USMCA is more extensive than TPP	N/A	Article 14.14
Cooperation	Article 19.14			Similar to TPP	USMCA requires significantly more cooperation	N/A	Article 14.15
Cybersecurity	Article 19.15				USMCA is rather different from TPP	N/A	Article 14.16
Source Code	Article 19.16				USMCA is rather different from TPP	N/A	Article 14.17
Interactive Computer Services	Article 19.17	New				N/A	
Open Government Data	Article 19.18	New				N/A	

Special Annex for Mexico	Annex 19-A	New				N/A	N/A
PLEASE NOTE that the comparison chart is subjective to a degree. References to TPP are not to the CPTPP.							

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