

# 2004 PROTOCOL TO AMEND THE PROTOCOL GOVERNING THE IMPLEMENTATION OF THE ASEAN HARMONIZED TARIFF NOMENCLATURE

*Signed in Jeju Island, Korea on 15 May 2004*

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, Union of Myanmar, the Republic of Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam of the Association of South East Asian Nations (hereinafter referred to as "ASEAN"):

**RECALLING** the Protocol Governing the Implementation of the ASEAN Harmonised Tariff Nomenclature (hereinafter referred to as "the AHTN Protocol") signed on 7 August 2003;

**NOTING** that the AHTN Protocol may be amended by mutual agreement of all Member States as specified by Article 10(1) of the AHTN Protocol;

**RECOGNISING** the need to specify the exact version of the harmonised tariff nomenclature and related documents as stated in Articles 3(2) and 10(2) of the AHTN Protocol;

**SEEKING** to incorporate Interpretative Notes of the AHTN Protocol into the said Protocol;

**SEEKING** to ensure certainty, transparency and uniformity in the application of the AHTN;

**HAVE AGREED AS FOLLOWS:**

## ARTICLE 1 AMENDMENT OF ARTICLE 3

Article 3(2) of the AHTN Protocol shall be substituted with the following:

2. The AHTN and the Supplementary Explanatory Notes (hereinafter referred to as "SEN") relating to the ASEAN subheadings, referred herein, are the ASEAN Harmonised Tariff Nomenclature, Edition 2002/1, year 2002, and the Supplementary Explanatory Notes Edition 2002/1, year 2002, and their respective amendments thereto. The AHTN and the SEN and their respective amendments are annexed to the Protocol. The SEN shall form an integral part of the AHTN.

## ARTICLE 2 AMENDMENT OF ARTICLE 10

Article 10(2) of the Protocol shall be substituted with the following:

2. Annexes may be introduced to the Protocol and shall form an integral part thereof. The Interpretative Notes of the Protocol are annexed to and shall form an integral part of the Protocol. Any reference to the Protocol is deemed to include also a reference to the Annexes.

### ARTICLE 3 FINAL PROVISIONS

1. This Protocol shall enter into force on the date of its signature.
2. The Protocol shall be deposited with the Secretary-General of ASEAN who shall promptly furnish a certified copy thereof to each Member State.

**IN WITNESS WHEREOF** the undersigned, being duly authorised to sign the Protocol, have signed this Protocol to amend the Protocol Governing the Implementation of the ASEAN Harmonised Tariff Nomenclature.

**DONE** at Jeju Island, Korea, on the 15th day of May 2004, in a single copy in the English Language.

For the Government of Brunei Darussalam: **PEHIN DATO DR HAJI AHMAD JUMAT**, Minister Representing the Ministry of Finance

For the Government of the Kingdom of Cambodia: **KEAT CHHON**, Senior Minister, Minister of Economy and Finance

For the Government of the Republic of Indonesia: **BOEDIONO**, Minister of Finance

For the Government of the Lao People's Democratic Republic: **CHANSY PHOSIKHAM**, Minister of Finance

For the Government of Malaysia: **TAN SRI NOR MOHAMED YAKCOP**, Minister of Finance II

For the Government of the Union of Myanmar: **MAJOR GENERAL HLA TUN**, Minister of Finance and Revenue

For the Government of the Republic of the Philippines: **JUANITA D. AMATONG**, Secretary of Finance

For the Government of the Republic of Singapore: **LIM HNG KIANG**, Minister, Prime Minister's Office and Second Minister for Finance

For the Government of the Kingdom of Thailand: **SOMKID JATUSRIPITAK**, Minister of Finance

For the Government of the Socialist Republic of Viet Nam: **DR. LE THI BANG TAM**, Vice Minister of Finance