

2011 PROTOCOL TO IMPLEMENT THE SECOND PACKAGE OF SPECIFIC COMMITMENTS UNDER THE AGREEMENT ON TRADE IN SERVICES OF THE FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC COOPERATION BETWEEN ASEAN AND CHINA

Signed in Bali, Indonesia on 16 November 2011

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, Member States of the Association of Southeast Asian Nations (hereinafter collectively referred to as "ASEAN" or "ASEAN Member States" or singularly as "ASEAN Member State"), and the People's Republic of China (hereinafter referred to singularly as "the Party" and collectively as "the Parties"),

RECALLING the Agreement on Trade in Services of the Framework Agreement on Comprehensive Economic Cooperation Between the Association of Southeast Asian Nations and the People's Republic of China, (hereinafter referred to as the "Agreement"), signed on 14 January 2007 in Cebu, the Philippines;

RECALLING the aim of substantially improving on the first package of specific commitments of each Party;

REAFFIRMING the commitment to the progressive liberalisation of trade in services between the Parties; and

RECOGNISING the agreement to conclude the second package of specific commitments within a year from the date of entry into force of the Agreement,

HAVE AGREED as follows:

ARTICLE 1 GENERAL PROVISIONS

1. Pursuant to paragraph 2 of Article 2:3 of the Agreement, the second package of specific commitments of each Party is hereby annexed to this Protocol. This Protocol and its Annexes shall form an integral part of the Agreement.
2. This Protocol shall apply to the Parties that have signed this Protocol and submitted their respective specific commitments to the Secretary-General of ASEAN.¹

¹ Cambodia is exempted from the requirement of the submission of the Second Package of Specific Commitments (8th AEM-MOFCOM Consultations).

ARTICLE 2 ENTRY INTO FORCE

1. This protocol shall enter into force on 1 January 2012.
2. The Parties undertake to complete their internal procedures for the entry into force of this Protocol by 1 January 2012.
3. Where a Party is unable to complete its internal procedures for the entry into force of this Protocol by 1 January 2012, the rights and obligations of that Party under this Protocol shall commence on the date of completion of such internal procedures.
4. A Party shall upon the completion of its internal procedures for the entry into force of this Protocol notify all the other Parties in writing.

ARTICLE 3 DEPOSITARY

For the ASEAN Member States, this Protocol shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified true copy thereof, to each ASEAN Member State.

IN WITNESS WHEREOF, the undersigned being duly authorised by their respective Governments, have signed the Protocol to implement the Second Package of Specific Commitments under the Agreement on Trade in Services of the Framework Agreement on the Comprehensive Economic Co-operation between the Association of the Southeast Asian Nations and the People's Republic of China.

Done at Bali, Indonesia, this 16th Day of November in the Year Two Thousand and Eleven, in duplicate copies in the English language.

For Brunei Darussalam: **LIM JOCK SENG**, Second Minister of Foreign Affairs and Trade

For the People's Republic of China: **CHEN DEMING**, Minister of Commerce

For the Kingdom of Cambodia: **CHAM PRASIDH**, Senior Minister and Minister of Commerce

For the Republic of Indonesia: **GITA WIRJAWAN**, Minister of Trade

For the Lao People's Democratic Republic: **NAM VIYAKETH**, Minister of Industry and Commerce

For Malaysia: **MUSTAPA MOHAMED**, Minister of International Trade and Industry

For the Republic of the Union of Myanmar: **U TIN NAING THEIN**, Union Minister, Ministry of National Planning and Economic Development

For the Republic of the Philippines: **GREGORY L. DOMINGO**, Secretary Trade and Industry

For the Republic of Singapore: **LIM HNG KIANG**, Minister for Trade and Industry

For the Kingdom of Thailand: **KITTIRATT NA-RANONG**, Deputy Prime Minister and Minister of Commerce

For the Socialist Republic of Viet Nam: **VU HUY HOANG**, Minister of Industry and Trade