

2013 PROTOCOL TO AMEND CERTAIN ASEAN ECONOMIC AGREEMENTS RELATED TO TRADE IN GOODS

Signed in Ha Noi, Viet Nam on 8 March 2013

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Signed in Ha Noi, Viet Nam on 8th March 2013

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, 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 (ASEAN) (hereinafter collectively referred to as "Member States" or singularly as "Member State");

RECOGNISING the need to amend certain ASEAN economic agreements related to trade in goods to take into account the entry into force of the ASEAN Trade in Goods Agreement (hereinafter referred to as "the ATIGA") signed on 26 February 2009 in Cha-am, Thailand, which is intended to supersede, among others, the Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area as amended;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Article 2(A)(2) of the Framework Agreement on Enhancing ASEAN Economic Cooperation signed on 28 January 1992 in Singapore shall be amended by substituting Article 2(A)(2) with the following:

"2. The ASEAN Trade in Goods Agreement (ATIGA) shall be the main mechanism for the AFTA. For products not covered by the ATIGA, any other agreed mechanism may be used."

ARTICLE 2

1. Article 6(1) of the e-ASEAN Framework Agreement signed on 24 November 2000 in Singapore shall be amended by substituting Article 6(1) with the following:

"1. Member States shall enter into negotiations which shall be directed towards accelerating commitments of the Member States relating to ICT products, ICT services and investments under the ASEAN Trade in Goods Agreement, the ASEAN Framework Agreement on Services and the ASEAN Comprehensive Investment Agreement."

2. Article 14 of the e-ASEAN Framework Agreement signed on 24 November 2000 in Singapore shall be amended by substituting Article 14 with the following:

"Except as otherwise provided specifically in this Agreement, the provisions of the ASEAN Trade in Goods Agreement, the ASEAN Framework Agreement on Services and its Protocols, and the ASEAN Comprehensive Investment Agreement, including but not limited to the provisions relating to safeguard measures and exceptions, shall not be prejudiced by, and shall apply to, this Agreement."

ARTICLE 3

Article 4(1) of ASEAN Framework Agreement for the Integration of Priority Sectors signed on 29 November 2004 in Vientiane, Lao PDR, as amended by the ASEAN Framework (Amendment)

Agreement for the Integration of Priority Sectors signed on 8 December 2006 in Cebu, the Philippines, shall be further amended by substituting Article 4(1) with the following:

"1. Each Member State shall eliminate import duties on Priority Integration Sectors (PIS) products in accordance with Article 19(2) (a) (i) and Article 19(2) (c) of the ASEAN Trade in Goods Agreement.

ARTICLE 4

Article 3 of the ASEAN Sectoral Integration Protocol for Agro-Based Products signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 5

Article 3 of the ASEAN Sectoral Integration Protocol for Automotives signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 6

Article 3 of the ASEAN Sectoral Integration Protocol for e- ASEAN signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 7

Article 3 of the ASEAN Sectoral Integration Protocol for Electronics signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 8

Article 3 of the ASEAN Sectoral Integration Protocol for Fisheries signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 9

Article 3 of the ASEAN Sectoral Integration Protocol for Healthcare signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 10

Article 3 of the ASEAN Sectoral Integration Protocol for Rubber-Based Products signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 11

Article 3 of the ASEAN Sectoral Integration Protocol for Textiles and Apparel Products signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 12

Article 3 of the ASEAN Sectoral Integration Protocol for Wood-Based Products signed on 29 November 2004 in Vientiane, Lao PDR shall no longer apply.

ARTICLE 13

1. This Protocol shall enter into force after all Member States have deposited their instruments of ratification or acceptance with the Secretary-General of ASEAN.
2. This Protocol shall be deposited with the Secretary - General of ASEAN, who shall promptly furnish a certified copy thereof to each Member State.

IN WITNESS THEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed the Protocol to Amend Certain ASEAN Economic Agreements Related to Trade in Goods.

DONE at Ha Noi, Viet Nam, this 8th day of March in the year Two Thousand and Thirteen, in a single original copy in the English Language.

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

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

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

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

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

For the Government of the Republic of the Union of Myanmar: **DR. KAN ZAW**, Union Minister of Ministry of National Planning and Economic Development

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

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

For the Government of the Kingdom of Thailand: **BOONSENG TERIYAPIROM**, Minister of Commerce

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