

1. Replace Chapter 1 (General Provisions) with:

CHAPTER 1

GENERAL DEFINITIONS AND INITIAL PROVISIONS

Article 1.1

Objective

The objective of this Agreement is to reaffirm Member States' commitment towards achieving the free flow of goods in ASEAN as one of the principal means to establish a single market and production base for the deeper economic integration of the region under the ASEAN Economic Community.

Article 1.2

General Definitions

For the purposes of this Agreement, unless the context otherwise requires:

- (a) **AD Agreement** means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;
- (b) **AFTA Council** means the ASEAN Free Trade Area Council;
- (c) **Agreement on Agriculture** means the Agreement on Agriculture in Annex 1A to the WTO Agreement;
- (d) **ASW** means ASEAN Single Window as defined in subparagraph (a) of Article 5 (General Definitions)

of the *Protocol on the Legal Framework to Implement the ASEAN Single Window* done at Ha Noi, Viet Nam on 4 September 2015 (PLF);

- (e) **customs authority** means any authority that is responsible under the laws of each Member State for the administration and enforcement of its customs laws and regulations;
- (f) **customs duties** means any customs or import duty and a charge of any kind imposed in connection with the importation of a good, but does not include any:
 - (i) charge equivalent to an internal tax imposed consistently with Article III.2 of GATT 1994;
 - (ii) anti-dumping or countervailing duty applied consistently with Article VI of GATT 1994, the AD Agreement, and the SCM Agreement; or
 - (iii) fees or other charges commensurate with the cost of services rendered;
- (g) **Customs Valuation Agreement** means the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;
- (h) **days** means calendar days, including weekends and holidays;
- (i) **GATT 1994** means the General Agreement on Tariffs and Trade 1994, including its Notes and Supplementary Provisions, contained in Annex 1A to the WTO Agreement;

- (j) **Harmonized System** or **HS** means the Harmonized Commodity Description and Coding System set out in the Annex to the International Convention on the Harmonized Commodity Description and Coding System, including any amendments adopted and implemented by the Member States in their respective laws;
- (k) **Import Licensing Agreement** means the Agreement on Import Licensing Procedures in Annex 1A to the WTO Agreement;
- (l) **micro, small, and medium enterprise** or **MSME** means any micro, small, and medium enterprise, and may be further defined, where applicable, in accordance with the respective laws, regulations, or national policies of each Member State;
- (m) **most-favoured-nation** or **MFN** means Most-Favoured-Nation treatment in the WTO;
- (n) **NSW** means National Single Window as defined in subparagraph (c) of Article 5 (General Definitions) of the PLF;
- (o) **originating good** or **originating material** means a good or material which qualifies as originating in accordance with Chapter 3 (Rules of Origin);
- (p) **person** means a natural person or a juridical person;
- (q) **Preshipment Inspection Agreement** means the Agreement on Preshipment Inspection in Annex 1A to the WTO Agreement;
- (r) **Safeguards Agreement** means the Agreement on Safeguards in Annex 1A to the WTO Agreement;

- (s) **SCM Agreement** means the Agreement on Subsidies and Countervailing Measures in Annex 1A to the WTO Agreement;
- (t) **Second Protocol** means the *Second Protocol to Amend the ASEAN Trade in Goods Agreement*;
- (u) **SEOM** means the Senior Economic Officials Meeting;
- (v) **SPS Agreement** means the Agreement on the Application of Sanitary and Phytosanitary Measures in Annex 1A to the WTO Agreement;
- (w) **TBT Agreement** means the Agreement on Technical Barriers to Trade in Annex 1A to the WTO Agreement;
- (x) **this Agreement** or **ATIGA** means the *ASEAN Trade in Goods Agreement*;
- (y) **Trade Facilitation Agreement** means the Agreement on Trade Facilitation in Annex 1A to the WTO Agreement;
- (z) **Understanding on the Balance-of-Payments Provisions** means the Understanding on the Balance-of-Payments Provisions of the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement;
- (aa) **WTO** means the World Trade Organization; and
- (bb) **WTO Agreement** means the Marrakesh Agreement Establishing the World Trade Organization, done at Marrakesh on 15 April 1994 and the other agreements negotiated thereunder.

Article 1.3

Affirmation of the ASEAN Good Regulatory Practice Core Principles

Member States affirm the *ASEAN Good Regulatory Practice Core Principles*.