

15. The following shall be Chapter 15:

## **CHAPTER 15**

### **INSTITUTIONAL PROVISIONS**

#### **Article 15.1**

##### **Meetings of the AFTA Council**

1. The AFTA Council shall meet within one year of the date of entry into force of the Second Protocol, and every year thereafter unless the Member States agree otherwise, to consider any matter relating to this Agreement.
2. The AFTA Council shall take decisions or any actions referred to it by the ATIGA Joint Committee, referred to in Article 15.2 (ATIGA Joint Committee), including the endorsement of any amendments of Annexes and Appendices to this Agreement pursuant to paragraph 2 of Article 17.4 (Amendments).

#### **Article 15.2**

##### **ATIGA Joint Committee**

1. Member States hereby establish the ATIGA Joint Committee consisting of senior-level officials designated by each Member State.
2. The functions of the ATIGA Joint Committee shall be to:
  - (a) consider any matter relating to the implementation and operation of this Agreement;
  - (b) discuss differences that may arise with regard to the interpretation or application of this Agreement and to issue interpretations of the provisions of this

Agreement as it may deem appropriate and necessary;

- (c) refer matters, assign tasks, or delegate functions to any subsidiary body established pursuant to paragraph 1 of Article 15.3 (Relevant Bodies of the ATIGA) (hereinafter referred to as “subsidiary body” in this Chapter), ACCSQ, and ACCMSME;
- (d) supervise and co-ordinate the work of all relevant bodies<sup>1</sup> in relation to the implementation of this Agreement;
- (e) adopt, where appropriate, decisions and recommendations of relevant bodies in relation to the implementation of this Agreement;
- (f) re-organise or dissolve any subsidiary body, if necessary;
- (g) recommend to the AFTA Council, for its endorsement, any proposals on amendments to this Agreement, including amendments relating to Annexes and Appendices to this Agreement;
- (h) oversee the implementation of areas not covered by any subsidiary body; and
- (i) carry out any other functions as may be agreed by Member States.

3. The ATIGA Joint Committee shall report to the AFTA Council and may, as appropriate, refer matters to the AFTA Council for consideration and decision.

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<sup>1</sup> For greater certainty, “relevant bodies” refer to subsidiary bodies established pursuant to paragraph 1 of Article 15.3 (Relevant Bodies of the ATIGA), ACCSQ and ACCMSME in this Chapter.

4. The ATIGA Joint Committee shall establish its rules and procedures at its first meeting.

5. The ATIGA Joint Committee shall meet within one year of the date of entry into force of the Second Protocol and prior to the meeting of the AFTA Council, and every year thereafter, unless Member States agree otherwise.

6. The ATIGA Joint Committee shall keep the SEOM updated on the implementation of this Agreement.

### **Article 15.3**

#### **Relevant Bodies of the ATIGA**

1. The ATIGA Joint Committee shall establish at its first meeting the following subsidiary bodies:

- (a) Committee on Rules of Origin established pursuant to Article 3.17 (Committee on Rules of Origin);
- (b) Committee on Sanitary and Phytosanitary Measures established pursuant to Article 5.17 (Committee on Sanitary and Phytosanitary Measures);
- (c) Committee on Trade Remedies established pursuant to Article 7.12 (Committee on Trade Remedies); and
- (d) Committee on Customs Procedures and Trade Facilitation established pursuant to Article 4.22 (Committee on Customs Procedures and Trade Facilitation).

2. The ATIGA Joint Committee may establish additional subsidiary bodies, including *ad hoc* bodies, as it deems necessary.

3. The ACCSQ shall be responsible for monitoring and ensuring the effective implementation of Chapter 6 (Standards, Technical Regulations, and Conformity Assessment Procedures), pursuant to Article 6.11 (Implementation).

4. The ACCMSME shall be responsible for monitoring and ensuring the effective implementation of Chapter 8 (Micro, Small, and Medium Enterprises), pursuant to Article 8.5 (ASEAN Coordinating Committee on Micro, Small and Medium Enterprises).

#### **Article 15.4**

##### **The ASEAN Secretariat**

The ASEAN Secretariat shall:

- (a) provide support to the AFTA Council, the ATIGA Joint Committee, and its relevant bodies in supervising, co-ordinating, and reviewing the implementation of this Agreement as well as assistance in all related matters; and
- (b) monitor and regularly report to the ATIGA Joint Committee on the progress in the implementation of this Agreement.

## **Article 15.5**

### **Contact Point**

Each Member State shall, within 30 days of the date of entry into force of the Second Protocol, designate an overall contact point to facilitate communication among the Member States on any matter relating to this Agreement, and notify the other Member States of the contact details of that contact point. Each Member State shall promptly notify the other Member States of any change to those contact details.