

8. Replace Chapter 8 (Sanitary and Phytosanitary Measures) with:

## **CHAPTER 8**

### **MICRO, SMALL, AND MEDIUM ENTERPRISES**

#### **Article 8.1**

##### **Objectives**

1. Member States recognise that MSMEs contribute significantly to economic growth, employment, and innovation, and therefore, seek to promote information sharing and co-operation to increase MSMEs' abilities to benefit from the opportunities created by this Agreement, and thus, increase the participation of MSMEs in intra-ASEAN trade.
2. Member States acknowledge that MSMEs are disproportionately affected by crisis and require targeted support to ensure business resilience and continuity during and post crisis situations.
3. Member States acknowledge that various Chapters in this Agreement contain provisions that contribute to encouraging and facilitating the participation of MSMEs in this Agreement.

#### **Article 8.2**

##### **Information Sharing**

1. Each Member State shall promote the sharing of information related to this Agreement that is relevant to MSMEs, including through the establishment and maintenance of a publicly accessible information platform, and through information exchange to share knowledge, experiences, and best practices among the Member States.

2. The information to be made publicly accessible referred to in paragraph 1 will include:

- (a) the full text of this Agreement;
- (b) information on trade and investment-related laws and regulations that each Member State considers relevant to MSMEs; and
- (c) additional business-related information that each Member State considers useful for MSMEs interested in benefitting from the opportunities provided by this Agreement.

3. Each Member State shall make publicly accessible the information referred to in paragraph 1 on a website established by the Member State.

4. In accordance with paragraph 3, where a Member State makes information publicly accessible, including through online means, that information may include links to any equivalent websites of the other Member States.

5. Each Member State shall, regularly or on request of another Member State, review the information referred to in paragraph 2 and the links referred to in paragraph 4 to ensure that the information provided is accurate and up-to-date.

6. Each Member State shall work towards ensuring that information made publicly accessible pursuant to this Article is presented in a manner that is easy to use for MSMEs. Where possible, each Member State shall endeavour to make the information referred to in paragraph 2 available in the English language.

## **Article 8.3**

### **Co-operation**

1. Member States shall strengthen their co-operation under this Chapter, which may include:

- (a) encouraging efficient and effective implementation of facilitative and transparent trade rules and regulations;
- (b) improving MSMEs' access to markets and participation in global value chains, including by promoting and facilitating partnerships among businesses;
- (c) enhancing MSMEs' knowledge of and technical capacities to utilise and benefit from this Agreement, including benefiting from the trade facilitation initiatives established under this Agreement;
- (d) promoting the usage of digital tools and technologies among MSMEs and governments to increase and facilitate MSMEs' participation in digital trade, including through the usage of digital business identities;
- (e) exchanging experiences and best practices of each Member State in supporting MSMEs and increasing MSMEs' participation in international trade with respect to, among other things, trade training programmes, trade education, trade finance, and identifying commercial partners in other Member States;
- (f) promoting awareness, understanding, and effective use of the intellectual property system among MSMEs;

- (g) promoting good regulatory practices and building capacity in formulating regulations, policies, and programmes that contribute to the development of MSMEs; and
- (h) sharing best practices on enhancing the capability and competitiveness of MSMEs, including exchanges to increase MSMEs' resilience in times of crisis.

2. Co-operation activities undertaken under this Chapter are subject to the availability of resources and any terms and conditions agreed between the Member States.

#### **Article 8.4**

##### **Contact Points**

Each Member State shall, within 30 days of the date of entry into force of the Second Protocol for that Member State, notify the other Member States of its contact point for this Chapter. Each Member State shall promptly notify the other Member States of any change to its contact point.

#### **Article 8.5**

##### **ASEAN Coordinating Committee on Micro, Small and Medium Enterprises**

1. The ASEAN Coordinating Committee on Micro, Small and Medium Enterprises (ACCMSME) shall be responsible for monitoring and ensuring the effective implementation of this Chapter in accordance with its Terms of Reference.
2. The functions of the ACCMSME in relation to the implementation of this Chapter shall be to:

- (a) identify ways to assist MSMEs of the Member States to take advantage of the commercial opportunities and benefits under this Agreement. This may include exchanging and sharing information on:
  - (i) seminars;
  - (ii) workshops; or
  - (iii) other activities, such as export counselling undertaken by the Member States;
- (b) consider any other matters pertaining to MSMEs as appropriate and as agreed by the Member States, including any issues raised by MSMEs regarding their ability to benefit from this Agreement; and
- (c) update the ATIGA Joint Committee as required and make recommendations to the ATIGA Joint Committee as appropriate.

3. The ACCMSME shall co-ordinate its work programme with other relevant bodies under this Agreement and shall submit a report of any activities undertaken to the ATIGA Joint Committee as appropriate.

## **Article 8.6**

### **Non-Application of Dispute Settlement**

Dispute settlement mechanisms in this Agreement shall not apply to any matter arising under this Chapter.