

## **CHAPTER 14**

### **FINAL PROVISIONS**

#### **Article 1**

##### **Annexes and Footnotes**

The Annexes and footnotes to this Agreement constitute an integral part of this Agreement.

#### **Article 2**

##### **Amendments**

This Agreement may be amended by the Parties by agreement in writing.

#### **Article 3**

##### **Succession of Treaties or International Agreements**

If any international agreement, or a provision therein, referred to in this Agreement (or incorporated into this Agreement) is amended, the Parties shall consult one another on whether it is necessary to amend this Agreement, unless this Agreement otherwise provides.

#### **Article 4**

##### **Entry into Force**

1. This Agreement shall be subject to ratification, acceptance or approval. The instrument of ratification,

acceptance or approval by a Party shall be deposited with the depositary who shall promptly notify all other Parties of each deposit. This Agreement shall enter into force on 1 January 2019 for the Parties that have deposited their instruments of ratification, acceptance or approval provided that Hong Kong, China and at least four ASEAN Member States have deposited their instruments of ratification, acceptance or approval.

2. If this Agreement does not enter into force on the date referred to in paragraph 1, it shall enter into force, for the Parties that have deposited their instruments of ratification, acceptance or approval, 60 days after the date by which Hong Kong, China and at least four ASEAN Member States have deposited their instruments of ratification, acceptance or approval.

3. After the entry into force of this Agreement pursuant to paragraph 1 or 2, this Agreement shall enter into force for any other Party 60 days after the date of the deposit of its instrument of ratification, acceptance or approval.

4. Notwithstanding the entry into force of this Agreement for a Party pursuant to paragraph 1, 2, or 3 of this Article, the rights and obligations in this Agreement except Article 6 (Withdrawal and Termination) shall not take effect for the Party unless such Party is, at the same time, a party to the AHK Investment Agreement.

## **Article 5**

### **Depositary**

This Agreement including its amendments shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof to each Party.

## **Article 6**

### **Withdrawal and Termination**

1. Any Party may withdraw from this Agreement by giving 180 days' advance notice in writing to the depositary who shall promptly notify the same to all other Parties.
2. Any other Party may request, in writing, consultations concerning any matter that may arise from the withdrawal of a Party from this Agreement no later than 60 days after the date of receipt of the notification referred to in paragraph 1 from the depositary. The requested Party shall enter into consultations in good faith upon receipt of the request.
3. Any Party giving a notice of withdrawal pursuant to:
  - (a) paragraph 1 to withdraw from this Agreement shall be deemed to have given a notice of withdrawal at the same time under paragraph 1 of Article 28 (Withdrawal and Termination) of the AHK Investment Agreement; and
  - (b) paragraph 1 of Article 28 (Withdrawal and Termination) of the AHK Investment Agreement shall be deemed to have given a

notice of withdrawal at the same time under paragraph 1 to withdraw from this Agreement.

4. This Agreement shall terminate if, pursuant to paragraph 1:

- (a) Hong Kong, China withdraws; or
- (b) this Agreement is in force for less than four ASEAN Member States.

5. The AHK Investment Agreement shall automatically terminate upon the termination of this Agreement pursuant to paragraph 4.

## **Article 7**

### **Review**

The Parties shall undertake a general review of this Agreement with a view to furthering its objectives within three years from the date of entry into force of this Agreement, and every five years thereafter, unless otherwise agreed by the Parties.

**IN WITNESS WHEREOF**, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

**DONE** at \_\_\_\_\_, this \_\_\_\_\_,  
in a single original in the English language.

**For the Government of  
Brunei Darussalam**

**For the Government of the  
Hong Kong Special  
Administrative Region of the  
People's Republic of China**

**PEHIN DATO LIM JOCK SENG**  
Minister at the Prime Minister's  
Office and Second Minister of  
Foreign Affairs and Trade

**EDWARD YAU TANG-WAH**  
Secretary for Commerce and  
Economic Development

**For the Government of  
the Kingdom of Cambodia**

**PAN SORASAK**  
Minister of Commerce

**For the Government of  
the Republic of Indonesia**

**ENGGARTIASTO LUKITA**  
Minister of Trade

**For the Government of  
the Lao People's Democratic  
Republic**

**KHEMMANI PHOLSENA**  
Minister of Industry and Commerce

**For the Government of  
Malaysia**

**DATO' SRI MUSTAPA MOHAMED**  
Minister of International Trade and  
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**For the Government of  
the Republic of the Union of  
Myanmar**

**KYAW WIN**  
Union Minister for Planning  
and Finance

**For the Government of  
the Republic of the Philippines**

**RAMON M. LOPEZ**  
Secretary of Trade and Industry

**For the Government of  
the Republic of Singapore**

**LIM HNG KIANG**  
Minister for Trade and Industry  
(Trade)

**For the Government of  
the Kingdom of Thailand**

**APIRADI TANTRAPORN**  
Minister of Commerce

**For the Government of  
the Socialist Republic of Viet Nam**

**TRAN TUAN ANH**  
Minister of Industry and Trade