

[Date]

In connection with the Agreement on Investment among the Governments of the Hong Kong Special Administrative Region of the People's Republic of China and the Member States of the Association of Southeast Asian Nations ("the Investment Agreement") signed on this day, we hereby confirm the following agreement reached by the Governments of the Hong Kong Special Administrative Region of the People's Republic of China ("the HKSAR"), Brunei Darussalam, Malaysia and the Republic of Singapore ("Singapore").

Notwithstanding the definition of "natural person of a Party" under Article 1(i) (Definitions) of the Investment Agreement read with Article 22 (Work Programme) (including any amendments to such definition), for the application of the Investment Agreement among the HKSAR, Brunei Darussalam, Malaysia and Singapore, the term "natural person of a Party" shall mean:

- (a) in respect of the HKSAR, a permanent resident under its law; and
- (b) in respect of each of Brunei Darussalam, Malaysia and Singapore, a national or citizen or a permanent resident under their respective laws.

The above shall constitute an integral part of the Investment Agreement as among the parties to this Side Agreement, and

shall enter into force between any two of the parties to this Side Agreement on the date on which the Investment Agreement enters into force between such parties.

**For the Government of
Brunei Darussalam**

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

**For the Government of
Malaysia**

DATO' SRI MUSTAPA MOHAMED
Minister of International 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
Hong Kong Special
Administrative Region of the
People's Republic of China**

EDWARD YAU TANG-WAH
Secretary for Commerce and
Economic Development