

2008 AMENDMENTS TO THE AGREEMENT ESTABLISHING THE ASEAN PROMOTION CENTRE ON TRADE, INVESTMENT AND TOURISM (ASEAN-JAPAN CENTRE)

Adopted on 20 November 2007

1. The second paragraph of the preamble of the Agreement is hereby amended as follows:

Recognizing the vital importance of promoting trade, investment, tourism and exchanges of persons to create a deeper and broader strategic partnership between Japan and the ASEAN member countries;

2. Article I 1. of the Agreement is hereby amended as follows:

1. There shall be established a promotion centre on trade, investment, tourism and exchanges of persons known as the ASEAN Promotion Centre on Trade, Investment and Tourism (hereinafter referred to as "the Centre").

3. Article II of the Agreement is hereby amended as follows:

The purpose of the Centre is to enhance an economic partnership between Japan and the ASEAN member countries by means of promoting trade from the ASEAN member countries to Japan, particularly that of semi-processed and manufactured products; to accelerate the flow of investment between Japan and the ASEAN member countries including the transfer of skill and technology; to vitalize tourist traffic between Japan and the ASEAN member countries; and to expand exchanges of persons through close cooperation between Japan and the ASEAN member countries.

4. Article III (1) of the Agreement is hereby amended as follows:

- (1) to introduce and publicize in Japan and the ASEAN member countries, products, industries, investment opportunities and tourism resources of both Japan and the ASEAN member countries as well as exchange programmes between Japan and the ASEAN member countries;

5. Article III (3) of the Agreement is hereby amended as follows:

- (3) to assist and advise, where appropriate, missions from and to the ASEAN member countries on trade, investment, tourism and exchanges of persons which will enhance the interests of both Japan and the ASEAN member countries;

6. Article III (4) of the Agreement is hereby amended as follows:

- (4) to serve as a channel for the meaningful exchange of information relevant to the enhancement of trade, investment, tourism and exchanges of persons between Japan and the ASEAN member countries including rules and regulations concerning market access, as well as to prepare and analyse data and information, and trends on markets;

7. Article III (5) of the Agreement is hereby amended as follows:

(5) to conduct researches and studies on trade, investment, tourism and, as appropriate, exchanges of persons;

8. Article III (6) of the Agreement is hereby amended as follows:

(6) to provide Members and, as appropriate, related organizations and persons with information on trade, investment, tourism and, as appropriate, exchanges of persons including those mentioned in subparagraph (4) above, as well as the results of researches and studies by the Centre;

9. Article III (7) of the Agreement is hereby amended as follows:

(7) to facilitate, whenever necessary, technical cooperation including transfer of technology related to trade, investment, tourism and, as appropriate, exchanges of persons;

10. Article III (8) of the Agreement is hereby amended as follows:

(8) to maintain close cooperation in the fields of trade, investment, tourism and exchanges of persons with the Governments of the Members and relevant regional and international organizations;

11. Article III (9) of the Agreement is hereby amended as follows:

(9) to undertake youth exchange programmes as may be deemed appropriate to promote mutual understanding, in particular among students; and

12. After Article III (9) of the Agreement a new paragraph is inserted reading as follows:

(10) to undertake such other activities as may be deemed necessary to achieve the purpose of the Centre.

13. Article X 2. of the Agreement is hereby amended as follows:

2. Except for the rent of the permanent ASEAN Trade, Investment and Tourism Exhibition Hall, which shall be born by Japan, the annual budget of the Centre shall be met in the following proportion: Japan: 87.5 per cent, the ASEAN member countries: 12.5 per cent.

(Decision of the Council by correspondence on November 20, 2007)

DECISION

THE AMENDMENTS TO THE AGREEMENT ESTABLISHING THE ASEAN PROMOTION CENTRE ON TRADE, INVESTMENT AND TOURISM (ADOPTION OF THE TEXT OF AMENDMENTS TO THE AGREEMENT ESTABLISHING THE ASEAN PROMOTION CENTRE ON TRADE, INVESTMENT AND TOURISM)

The Council,

Having considered the amendments to the Agreement Establishing the ASEAN Promotion Centre on Trade, Investment and Tourism (hereinafter referred to as "the Agreement") for the purpose of undertaking the reform of the ASEAN Promotion Centre on Trade, Investment and Tourism as instructed by the leaders at the Tenth ASEAN-Japan Summit held in Cebu, the Philippines on January 14, 2007,

1. Adopts, on the date of November 20, 2007, the revised text of amendments to the Agreement which reflected comments by the Members on its former proposed amendment communicated to the Members on the date of March 13, 2007. The details of the Articles and paragraphs amended were the second paragraph of the Preamble, Article I 1., Article II, Article III (1), (3), (4), (5), (6), (7), (8), (9), (10) and Article X 2. of the Agreement, the text of which is given as follows:

The second paragraph of the Preamble - Delete and replace by

Recognizing the vital importance of promoting trade, investment, tourism and exchanges of persons to create a deeper and broader strategic partnership between Japan and the ASEAN member countries;

ARTICLE I

1. - DELETE AND REPLACE BY

1. There shall be established a promotion centre on trade, investment, tourism and exchanges of persons known as the ASEAN Promotion Centre on Trade, Investment and Tourism (hereinafter referred to as "the Centre").

ARTICLE II - DELETE AND REPLACE BY

The purpose of the Centre is to enhance an economic partnership between Japan and the ASEAN member countries by means of promoting trade from the ASEAN member countries to Japan, particularly that of semi-processed and manufactured products; to accelerate the flow of investment between Japan and the ASEAN member countries including the transfer of skill and technology; to vitalize tourist traffic between Japan and the ASEAN member countries; and to expand exchanges of persons through close cooperation between Japan and the ASEAN member countries.

ARTICLE III (1) - DELETE AND REPLACE BY

- (1) to introduce and publicize in Japan and the ASEAN member countries, products, industries, investment opportunities and tourism resources of both Japan and the ASEAN member countries as well as exchange programmes between Japan and the ASEAN member countries;

ARTICLE III (3) - DELETE AND REPLACE BY

- (3) to assist and advise, where appropriate, missions from and to the ASEAN member countries on trade, investment, tourism and exchanges of persons which will enhance the interests of both Japan and the ASEAN member countries;

ARTICLE III (4) - DELETE AND REPLACE BY

- (4) to serve as a channel for the meaningful exchange of information relevant to the enhancement of trade, investment, tourism and exchanges of persons between Japan and the ASEAN member countries including rules and regulations concerning market access, as well as to prepare and analyse data and information, and trends on markets;

ARTICLE III (5) - DELETE AND REPLACE BY

- (5) to conduct researches and studies on trade, investment, tourism and, as appropriate, exchanges of persons;

ARTICLE III (6) - DELETE AND REPLACE BY

- (6) to provide Members and, as appropriate, related organizations and persons with information on trade, investment, tourism and, as appropriate, exchanges of persons including those mentioned in subparagraph (4) above, as well as the results of researches and studies by the Centre;

ARTICLE III (7) - DELETE AND REPLACE BY

- (7) to facilitate, whenever necessary, technical cooperation including transfer of technology related to trade, investment, tourism and, as appropriate, exchanges of persons;

ARTICLE III (8) - DELETE AND REPLACE BY

- (8) to maintain close cooperation in the fields of trade, investment, tourism and exchanges of persons with the Governments of the Members and relevant regional and international organizations;

ARTICLE III (9) - DELETE AND REPLACE BY

- (9) to undertake youth exchange programmes as may be deemed appropriate to promote mutual understanding, in particular among students; and

ARTICLE III (10)

- (10) to undertake such other activities as may be deemed necessary to achieve the purpose of the Centre.

ARTICLE X 2. - DELETE AND REPLACE BY

2. Except for the rent of the permanent ASEAN Trade, Investment and Tourism Exhibition Hall, which shall be born by Japan, the annual budget of the Centre shall be met in the following proportion: Japan: 87.5 per cent, the ASEAN member countries: 12.5 per cent.
2. Resolves that the amendments to the Agreement shall enter into force on the date when the Depository Authorities (the Government of Japan and the ASEAN Secretariat) receive the instruments of acceptance from all member countries in accordance with Article XXI3. of the Agreement.

I hereby certify that the foregoing is a true and complete copy of the AMENDMENTS TO THE AGREEMENT ESTABLISHING THE ASEAN PROMOTION CENTRE ON TRADE, INVESTMENT AND TOURISM, as adopted by correspondence on November 20, 2007.

KAZUYUKI YAMAZUKI, Director for Management and Coordination Division, Ministry of Foreign Affairs of Japan