

12. Replace Chapter 12 (Economic Co-operation) with:

## CHAPTER 12

### ECONOMIC CO-OPERATION

#### Article 1

#### Scope and Objectives

1. The Parties reaffirm the importance of ongoing economic co-operation initiatives between ASEAN, Australia and New Zealand, and agree to complement their existing economic partnership in areas where the Parties have mutual interests, taking into account the different levels of development of the Parties.
2. The Parties acknowledge the provisions to encourage and facilitate economic co-operation included in various Chapters of this Agreement.
3. Economic co-operation under this Chapter shall support implementation of this Agreement through economic co-operation activities which are trade or investment related as specified in the Work Programme.

#### Article 2

#### Definitions

For the purposes of this Chapter:

- (a) **implementing Party** or **implementing Parties** means, for each component of the Work Programme, the Party or Parties primarily responsible for the implementation of that component; and
- (b) **Work Programme** means the programme of economic co-operation activities, organised into components, mutually determined by the Parties prior to the entry into force of this Agreement.

### **Article 3 Resources**

1. Recognising the development gaps among the ASEAN Member States and among the Parties, the Parties shall contribute appropriately to the implementation of the Work Programme.
2. In determining the appropriate level of contribution to the Work Programme, the Parties shall take into account:
  - (a) the different levels of development and capacity of Parties;
  - (b) any in-kind contributions able to be made to Work Programme components by Parties; and
  - (c) that the appropriate level of contribution enhances the relevance and sustainability of co-operation, strengthens partnerships between Parties and builds Parties' shared commitment to the effective implementation and oversight of Work Programme components.

### **Article 4 Economic Co-operation Work Programme**

1. Each Work Programme component shall:
  - (a) be trade or investment related and support this Agreement's implementation;
  - (b) be specified in the Work Programme;
  - (c) involve a minimum of two ASEAN Member States, Australia or New Zealand;
  - (d) address the mutual priorities of the participating Parties; and

- (e) where possible, avoid duplicating existing economic co-operation activities.

2. The description of each Work Programme component shall specify the details necessary to provide clarity to the Parties regarding the scope and purpose of such component.

### **Article 5 Focal Points for Implementation**

1. Each Party shall designate a focal point for all matters relating to the implementation of the Work Programme and shall keep all Parties updated on its focal point's details.

2. The focal points shall be responsible for overseeing and reporting on the implementation of the Work Programme in accordance with Article 6 (Implementation and Evaluation of Work Programme Components) and Article 7 (Review of Work Programme), and for responding to inquiries from any Party regarding the Work Programme.

### **Article 6 Implementation and Evaluation of Work Programme Components**

1. Prior to the commencement of each Work Programme component, the implementing Party or implementing Parties, in consultation with relevant participating Parties, shall develop an implementation plan for that Work Programme component and provide that plan to each Party.

2. The implementing Party or implementing Parties for a Work Programme component may use existing mechanisms for the implementation of that component.

3. Until the completion of a Work Programme component, the implementing Party or implementing Parties shall regularly monitor and evaluate the relevant component and provide

periodic reports to each Party including a final component completion report.

**Article 7**  
**Review of Work Programme**

At the direction of the FTA Joint Committee, the Work Programme shall be reviewed to assess its overall effectiveness and recommendations may be made. The FTA Joint Committee may make modifications to the Work Programme taking into account the review and available resources.

**Article 8**  
**Non-Application of Chapter 20 (Consultations and  
Dispute Settlement)**

Chapter 20 (Consultations and Dispute Settlement) shall not apply to any matter arising under this Chapter.