



**SECOND PROTOCOL TO AMEND THE AGREEMENT  
ESTABLISHING THE ASEAN-AUSTRALIA-NEW  
ZEALAND FREE TRADE AREA**

## **TABLE OF CONTENTS**

Preamble

Article 1. Amendment to the Agreement

Article 2. Entry into Force

Article 3. Depositary

Appendix

## **PREAMBLE**

The Governments of Brunei Darussalam, the Kingdom of Cambodia (Cambodia), the Republic of Indonesia (Indonesia), the Lao People's Democratic Republic (Lao PDR), Malaysia, the Republic of the Union of Myanmar (Myanmar), the Republic of the Philippines (Philippines), the Republic of Singapore (Singapore), the Kingdom of Thailand (Thailand) and the Socialist Republic of Viet Nam (Viet Nam), collectively, the Member States of the Association of Southeast Asian Nations, and Australia and New Zealand;

**RECALLING** the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area, signed at Cha-am, Petchaburi, Thailand on 27 February 2009, as amended by the First Protocol to Amend the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area, done at Nay Pyi Taw, Myanmar on 26 August 2014 (the "Agreement");

**RECOGNISING** the need to upgrade the Agreement, including in the areas of trade in goods, rules of origin, customs procedures and trade facilitation, trade in services, investment, movement of natural persons, electronic commerce, competition and consumer protection, micro, small and medium enterprises, trade and sustainable development, and government procurement, to ensure that the Agreement retains its relevance to business and adds value to developments in other fora including the Regional Comprehensive Economic Partnership (RCEP) signed on 15 November 2020;

**DESIRING** to modernise the Agreement to take account of changing global business and trade practices and the evolving regional economic architecture, including incorporating and implementing provisions to facilitate trade and investment and remove unnecessary barriers to accelerate post-pandemic recovery; and

**NOTING** that Article 6 (Amendments) of Chapter 18 (Final Provisions) of the Agreement provides for amendments thereto to be agreed in writing by the Parties,

**HAVE AGREED AS FOLLOWS:**

### **Article 1 Amendment to the Agreement**

1. In accordance with Article 6 (Amendments) of Chapter 18 (Final Provisions), the Parties have agreed to amend the Agreement on the terms set out in the Appendix to this Protocol.
2. This Protocol shall form an integral part of the Agreement.

### **Article 2 Entry into Force**

1. This Protocol shall be subject to ratification, acceptance or approval by each Party in accordance with its applicable legal procedures. The instrument of ratification, acceptance or approval of a Party shall be deposited with the Depositary, who shall promptly notify all other Parties of each deposit.
2. This Protocol shall enter into force 60 days after the date on which Australia, New Zealand and at least four ASEAN Member States have deposited their instruments of ratification, acceptance or approval.
3. For each Party ratifying, accepting or approving the Protocol after the date on which Australia, New Zealand and at least four ASEAN Member States have deposited their instruments of ratification, acceptance or approval in accordance with Paragraph 2, this Protocol shall enter into force for that Party 60 days after the date of the deposit of its own instrument of ratification, acceptance or approval.



For the Government of Brunei Darussalam:

**DATO DR. AMIN LIEW ABDULLAH**  
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Minister of Finance and Economy II

For the Government of the Kingdom of Cambodia:

**(NAME IN BOLD AND CAPS)**  
(Designation)

For the Government of the Republic of Indonesia:

**ZULKIFLI HASAN**  
Minister of Trade



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

**(NAME IN BOLD AND CAPS)**  
(Designation)

For the Government of Malaysia:

**TENGGU DATUK SERI UTAMA ZAFRUL TENGGU ABDUL AZIZ**  
Minister of Investment, Trade and Industry

For the Government of the Republic of the Union of Myanmar:

**(NAME IN BOLD AND CAPS)**  
(Designation)

For the Government of the Republic of the Philippines:

**(NAME IN BOLD AND CAPS)**  
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For the Government of the Republic of Singapore:

**GAN KIM YONG**  
Minister for Trade and Industry

For the Government of the Kingdom of Thailand:

**(NAME IN BOLD AND CAPS)**  
(Designation)

For the Government of the Socialist Republic of Viet Nam:

**(NAME IN BOLD AND CAPS)**  
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For the Government of Australia:

**TIM WATTS**  
Assistant Minister for Foreign Affairs



For the Government of New Zealand:

**RINO TIRIKATENE**  
Minister of State for Trade and Export Growth