

- (i) **Natural person of another Member State** means a natural person who under the law of that Member State:
 - (i) is a national or citizen of that Member State; or
 - (ii) has the right of permanent residence in that Member State, where both that Member State and the Member State in which the person supplies services recognise permanent residents and accord substantially the same treatment to their respective permanent residents as they accord to their respective nationals in respect of measures affecting trade in services;
- (j) **Personal information** means any information, including data, about an identified or identifiable individual; and
- (k) **Trade administration documents** means forms issued or controlled by a Member State which must be completed by or for an importer or exporter in relation to the import or export of goods.

ARTICLE 2 OBJECTIVES

The objectives of this Agreement are to:

- (a) facilitate cross-border e-commerce transactions in the ASEAN region;
- (b) contribute to creating an environment of trust and confidence in the use of e-commerce in the ASEAN region; and
- (c) deepen cooperation among Member States to further develop and intensify the use of e-commerce

to drive inclusive growth and narrow development gaps in the ASEAN region.

ARTICLE 3 SCOPE

1. This Agreement shall apply to measures adopted or maintained by a Member State that affect e-commerce.
2. This Agreement shall not apply to government procurement.

ARTICLE 4 RELATION TO OTHER AGREEMENTS

1. Nothing in this Agreement shall derogate from the existing rights and obligations of a Member State under any other relevant ASEAN agreements¹ to which it is a party.
2. In the event of any inconsistency between this Agreement and any other relevant ASEAN agreement, that ASEAN agreement shall prevail to the extent of the inconsistency.

ARTICLE 5 PRINCIPLES

1. In the development and promotion of e-commerce, the role of each Member State shall be geared towards providing an enabling legal and regulatory environment, providing a conducive and competitive business environment, and protecting the public interest.
2. The legal and regulatory frameworks in each Member State to support e-commerce shall take into account internationally adopted model laws, conventions, principles or guidelines.

¹ The ATISA shall be deemed to be a relevant ASEAN agreement under this paragraph regardless of the date of entry into force of the ATISA.