

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.

3. Each Member State shall encourage the use of alternative dispute resolution to facilitate the resolution of claims over e-commerce transactions.

4. Member States shall endeavour to recognise the importance of the principle of technology neutrality and recognise the need for alignment in policy and regulatory approaches among Member States to facilitate cross border e-commerce.

ARTICLE 6 COOPERATION

1. Each Member State shall cooperate in areas including:
 - (a) Information and Communication Technology (ICT) infrastructure;
 - (b) education and technology competency;
 - (c) online consumer protection;
 - (d) e-commerce legal and regulatory frameworks;
 - (e) electronic transaction security, including protection of online personal information;
 - (f) electronic payment and settlement;
 - (g) trade facilitation;
 - (h) intellectual property rights;
 - (i) competition;
 - (j) cybersecurity; and
 - (k) logistics to facilitate e-commerce.