2. Each Member State shall undertake the following cooperation initiatives, as appropriate:

(a) sharing of information and experiences, and identifying best practices;

(b) implementing programmes or projects to provide assistance to Member States to enhance their domestic regulatory frameworks in support of e-commerce and to promote broader application of e-commerce; and

(c) establishing cooperation mechanisms among competent authorities to facilitate prompt investigation and resolution of fraudulent incidents related to e-commerce transactions and other matters agreed to by Member States.

ARTICLE 7
FACILITATING CROSS-BORDER E-COMMERCE

1. Paperless Trading

Each Member State shall expand the use of electronic versions of trade administration documents and facilitate the exchange of electronic documents through the use of ICT consistent with the provisions of the *ASEAN Agreement on Customs* signed on 30 March 2012 in Phnom Penh, Cambodia, and other international agreements on paperless trading to which Member States are parties.

2. Electronic Authentication and Electronic Signatures

(a) Except in circumstances otherwise provided for under its laws and regulations, a Member State shall not deny the legal validity of a signature solely on the basis that the signature is in electronic form.

Note: Cambodia, Lao PDR and Myanmar shall not be obliged to implement subparagraph (a) for a period of five years after the date of entry into force of this Agreement.

(b) Each Member State shall maintain or adopt, as soon as practicable, measures based on international norms for electronic authentication that:

(i) permit participants in electronic transactions to determine the appropriate authentication technologies and implementation models for their electronic transactions;

(ii) do not limit the recognition of authentication technologies and implementation models; and

(iii) permit participants in electronic transactions to have the opportunity to prove that their electronic transactions comply with that Member State's laws and regulations with respect to authentication.

(c) Notwithstanding subparagraph (b), each Member State may require that, for a particular category of electronic transactions, the method of authentication meet certain performance standards or be certified by an authority accredited in accordance with the laws and regulations of that Member State.

(d) Each Member State shall encourage the use of interoperable electronic authentication.

3. Online Consumer Protection

(a) Member States recognise the importance of adopting and maintaining transparent and effective consumer protection measures for e-commerce as well as other measures conducive to the development of consumer confidence.

(b) Each Member State shall provide protection for consumers using e-commerce that affords a similar level of protection to that provided for consumers of other forms of commerce under its relevant laws, regulations and policies.

Note: Cambodia, Lao PDR and Myanmar shall not be obliged to implement subparagraph (b) for a period of five years after the date of entry into force of this Agreement.

(c) Member States recognise the importance of cooperation between their respective competent authorities in charge of consumer protection on activities related to e-commerce in order to enhance consumer protection.

4. Cross-border Transfer of Information by Electronic Means

(a) Member States recognise the importance of allowing information to flow across borders through electronic means, provided that such information shall be used for business purposes, and subject to their respective laws and regulations.

(b) Member States agree to facilitate cross-border e-commerce by working towards eliminating or minimising barriers to the flow of information across borders, including personal information, subject to appropriate safeguards to ensure security and confidentiality of information, and when other legitimate public policy objectives so dictate.

(c) Subparagraphs (a) and (b) shall not apply to financial services and financial service suppliers as defined in the *Annex on Financial Services* of GATS.

5. Online Personal Information Protection

(a) Each Member State shall adopt or maintain measures to protect the personal information of the users of e-commerce.

(b) A Member State shall not be obliged to implement subparagraph (a) before the date on which that Member State enacts laws or regulations to protect the personal information of e-commerce users.

(c) In the development of personal information protection measures, each Member State shall take into account international principles, guidelines and criteria of relevant international bodies.

6. Location of Computing Facilities

(a) Member States recognise that each Member State may have its own regulatory requirements regarding the use of computing facilities, including requirements that seek to ensure the security and confidentiality of communications.

(b) Member States agree not to require, subject to their respective laws and regulations, a juridical person of another Member State and its affiliated companies to locate their computing facilities in their respective territories as a requirement for operating a business in their respective territories.

(c) Subparagraphs (a) and (b) shall not apply to financial services and financial service suppliers as defined in the *Annex on Financial Services of* GATS.

ARTICLE 8
CYBERSECURITY

Member States recognise the importance of:

(a) building the capabilities of their national entities responsible for cybersecurity including through the exchange of best practices; and

(b) using existing collaboration mechanisms to cooperate on matters related to cybersecurity.

ARTICLE 9
ELECTRONIC PAYMENT

1. Member States recognise the importance of safe and secure, efficient, and interoperable e-payment systems while taking into account the readiness of each Member State in terms of capacity, infrastructure, and regulation of e-payment systems.

2. Each Member State shall encourage the use of safe and secure, efficient, and interoperable e-payment systems to facilitate e-commerce in accordance with its laws and regulations.

ARTICLE 10
LOGISTICS

1. Member States recognise the importance of efficient cross-border logistics.

2. Each Member State shall endeavour to lower the cost and improve the speed and reliability of supply chains.