

CHAPTER 10 INVESTMENT

ARTICLE 84 Investment

1. Upon the conclusion of the investment agreement between ASEAN and China pursuant to Article 5 of the *Framework Agreement on Comprehensive Economic Co-operation between ASEAN and the People's Republic of China* (the "ASEAN-China Investment Agreement"), the provisions of that agreement shall, *mutatis mutandis*, be incorporated into and form an integral part of this Agreement unless the context otherwise requires.
2. Recognising that negotiations on the ASEAN-China Investment Agreement are ongoing, the Parties agree to co-operate to facilitate the early conclusion of that agreement.
3. For greater certainty, any rights, obligations, restrictions or exceptions contained in the ASEAN-China Investment Agreement that do not relate to either Party shall accordingly be inapplicable under this Agreement. Notwithstanding Article 112 (Relation to Other Agreements), in the event of any inconsistency between the ASEAN-China Investment Agreement and this Agreement, the provisions of this Agreement shall prevail.
4. At any time after the entry into force of this Agreement, upon request by either Party, the Parties shall consult with a view to further encouraging or facilitating the flow of investments between the Parties.