

3. Each Member State shall answer within sixty (60) days all reasonable enquiries from another Member State with regard to the criteria employed by its respective licensing authorities in granting or denying import licences. The importing Member State shall also consider publication of such criteria.
4. Elements in non-automatic import licensing procedures that are found to be impeding trade shall be identified, with a view to remove such barriers, and to the extent possible work towards automatic import licensing procedures.

CHAPTER 5
TRADE FACILITATION

Article 45
Work Programme on Trade Facilitation and its Objectives

1. Member States shall develop and implement a comprehensive ASEAN Trade Facilitation Work Programme, which sets out all concrete actions and measures with clear targets and timelines of implementation necessary for creating a consistent, transparent, and predictable environment for international trade transactions that increases trading opportunities and help businesses, including small and medium sized enterprises (SMEs), to save time and reduce costs.
2. The ASEAN Trade Facilitation Work Programme shall set out actions and measures to be implemented at both ASEAN and national levels.

Article 46
Scope of the ASEAN Trade Facilitation Work Programme

The ASEAN Trade Facilitation Work Programme referred to in Article 45 shall cover the areas of customs procedures, trade regulations and procedures, standards and conformance, sanitary and phytosanitary measures, ASEAN Single Window and other areas as identified by the AFTA Council.

3. 各成员国应在六十（60）天内答复另一成员国就其各自许可机构在批准或拒绝进口许可证时所采用标准提出的所有合理询问。进口成员国还应考虑公布此类标准。
4. 应识别非自动进口许可程序中阻碍贸易的要素，以期消除此类壁垒，并尽可能向自动进口许可程序推进。

第五章 贸易便利化

第45条 贸易便利化工作计划及其目标

1. 成员国应制定并实施全面的东盟贸易便利化工作计划，其中列明所有具体行动和措施，并设定明确的实施目标和时间表，以创建一致、透明和可预测的国际贸易交易环境，从而增加贸易机会，并帮助企业（包括中小型企业（SMEs））节省时间和降低成本。
2. 东盟贸易便利化工作计划应列明在东盟和国家层面实施的具体行动和措施。

第46条 东盟贸易便利化工作计划的范围

第45条所述的东盟贸易便利化工作计划应涵盖海关程序、贸易法规和程序、标准与合规、卫生与植物检疫措施、东盟单一窗口以及东盟自由贸易区理事会确定的其他领域。

Article 47
Principles on Trade Facilitation

Member States shall be guided by the following principles in relation to trade facilitation measures and initiatives at both ASEAN and national levels:

- (a) Transparency: Information on policies, laws, regulations, administrative rulings, licensing, certification, qualification and registration requirements, technical regulations, standards, guidelines, procedures and practices relating to trade in goods (hereinafter referred to as “rules and procedures relating to trade”) to be made available to all interested parties, consistently and in a timely manner at no cost or a reasonable cost;
- (b) Communications and Consultations: The authorities shall endeavour to facilitate and promote effective mechanisms for exchanges with the business and trading community, including opportunities for consultation when formulating, implementing and reviewing rules and procedures relating to trade;
- (c) Simplification, practicability and efficiency: Rules and procedures relating to trade to be simplified to ensure that they are no more burdensome or restrictive than necessary to achieve their legitimate objectives;
- (d) Non-discrimination: Rules and procedures relating to trade to be applied in a non-discriminatory manner and be based on market principles;
- (e) Consistency and predictability: Rules and procedures relating to trade to be applied in a consistent, predictable and uniform manner so as to minimise uncertainty to the trade and trade related parties. Rules and procedures relating to trade to provide clear and precise procedural guidance to the appropriate authorities with standard policies and operating procedures and be applied in a non-discretionary manner;
- (f) Harmonisation, standardisation and recognition: While accepting the need of each Member State to regulate or set rules for legitimate objectives such as protection of health, safety or public morals and conservation of exhaustible natural resources, regulations, rules and

第47条 贸易便利化原则

成员国在东盟和国家层面的贸易便利化措施和倡议方面应遵循以下原则：

- (a) 透明度：与货物贸易相关的政策、法律、法规、行政裁决、许可、认证、资格和注册要求、技术法规、标准、指南、程序和做法（以下简称“与贸易相关的规则和程序”）的信息，应以一致且及时的方式无偿或以合理成本向所有利益相关方提供；(b) 沟通与协商：当局应努力促进和建立与商业和贸易界交流的有效机制，包括在制定、实施和审查与贸易相关的规则和程序时提供协商机会；(c) 简化、实用性和效率：与贸易相关的规则和程序应予以简化，确保其不超过实现合法目标所需的负担或限制；(d) 非歧视：与贸易相关的规则和程序应以非歧视方式实施，并基于市场原则；(e) 一致性和可预测性：与贸易相关的规则和程序应以一致、可预测和统一的方式实施，以最大限度减少对贸易及贸易相关方的不确定性。与贸易相关的规则和程序应向相关当局提供清晰精确的程序指引，配备标准政策和操作程序，并以非自由裁量的方式实施；(f) 协调、标准化和认可：在承认各成员国出于保护健康、安全或公共道德及保护可耗尽的自然资源等合法目标而需制定法规或规则的同时，

procedures affecting the acceptance of goods between Member States to be harmonised as far as possible on the basis of international standards where appropriate. The development of mutual recognition arrangements for standards and conformity assessment results, and continuing co-operation on technical infrastructure development, are encouraged;

- (g) Modernisation and use of new technology: Rules and procedures relating to trade to be reviewed and updated if necessary, taking into account changed circumstances, including new information and new business practices, and based on the adoption, where appropriate, of modern techniques and new technology. Where new technology is used, relevant authorities shall make best efforts to spread the accompanying benefits to all parties through ensuring the openness of the information on the adopted technologies and extending co-operation to authorities of other economies and the private sector in establishing inter-operability and/or inter-connectivity of the technologies;
- (h) Due process: Access to adequate legal appeal procedures, adding greater certainty to trade transactions, in accordance with the applicable laws of Member States; and
- (i) Co-operation: Member States shall strive to work closely with private sector in the introduction of measures conducive to trade facilitation, including by open channels of communication and co-operation between both governments and business. Member States shall continue to work in partnership to focus on opportunities for increased co-operation including integrated technical assistance and capacity-building; exchanges of best practices critical to implementing trade facilitation initiatives and the co-ordination of positions concerning topics of common interest discussed in the framework of regional and international organisations.

Article 48
Progress Monitoring of Trade Facilitation

1. Member States, individually and collectively, shall undertake assessments once in every two (2) years, on implementation of the trade facilitation measures set out in this Agreement and in the ASEAN

影响成员国间货物接受的法规、规则和程序应在适当情况下尽可能基于国际标准进行协调。鼓励制定标准及合格评定结果的互认安排，并持续开展技术基础设施发展合作；

- (g) 现代化与新技术的运用：应根据变化的情况（包括新信息和新商业实践）对与贸易相关的规则和程序进行必要审查和更新，并酌情采用现代技术和新技术。在使用新技术时，相关当局应通过确保所采用技术信息的公开性，并与其他经济体的当局及私营部门合作建立技术的互操作性和/或互联互通，尽最大努力将伴随的利益惠及所有相关方；
- (h) 正当程序：根据成员国的适用法律，提供充分的法律上诉程序，以增强贸易交易的确定性；
- (i) 合作：成员国应努力与私营部门密切合作，引入有利于贸易便利化的措施，包括通过政府与企业间开放的沟通渠道与合作。成员国应继续以伙伴关系开展工作，重点关注加强合作的机会，包括综合技术援助和能力建设；交流对实施贸易便利化举措至关重要的最佳实践，并就区域和国际组织框架下讨论的共同利益议题协调立场。

第48条 贸易便利化进展监测

1. 成员国应单独或集体每两年开展一次评估，针对本协议及东盟贸易便利化工作计划中规定的贸易便利化措施实施情况。

Trade Facilitation Work Programme to ensure effective implementation of trade facilitation measures. For this purpose, an ASEAN Trade Facilitation Framework shall be agreed by Member States within six (6) months after entry into force of this Agreement, to serve as a guideline to further enhance trade facilitation in ASEAN.

2. The ASEAN Work Programme on Trade Facilitation shall be reviewed based on the results of the regular assessment pursuant to paragraph 1 of this Article. The ASEAN Trade Facilitation Work Programme and the ASEAN Trade Facilitation Framework and any revisions thereto shall be administratively annexed to this Agreement and serve as an integral part of this Agreement.

Article 49
Establishment of the ASEAN Single Window

Member States shall undertake necessary measures to establish and operate their respective National Single Windows and the ASEAN Single Window in accordance with the provisions of the *Agreement to Establish and Implement the ASEAN Single Window* and the *Protocol to Establish and Implement the ASEAN Single Window*.

Article 50
Implementation Arrangement

1. The progress in the implementation of the ASEAN Work Programme on Trade Facilitation and the outcomes of its assessment shall be reported to the AFTA Council. The SEOM, assisted by the CCA, shall be the main co-ordinator in monitoring the progress of the implementation of the ASEAN Work Programme on Trade Facilitation, in close co-ordination with the various ASEAN Committees in charge of the implementation of the measures under the Work Programme.

2. Each Member State shall establish a Trade Facilitation Co-ordinating Committee or relevant focal point at the national level.

CHAPTER 6
CUSTOMS

Article 51
Objectives

The objectives of this Chapter are to:

贸易便利化工作计划旨在确保贸易便利化措施的有效实施。为此，成员国应在本协议生效后六个月内商定东盟贸易便利化框架，作为进一步促进东盟区域内贸易便利化的指导方针。

2. 东盟贸易便利化工作计划应根据本条第一款规定的定期评估结果进行审议。东盟贸易便利化工作计划和东盟贸易便利化框架及其任何修订应作为行政附件附于本协议，并构成本协议的组成部分。

第四十九条 东盟单一窗口的建立

各成员国应采取必要措施，根据《建立和实施东盟单一窗口的协议》及《建立和实施东盟单一窗口的议定书》的规定，建立并运行各自的国家单一窗口和东盟单一窗口。

第五十条 实施安排

1. 东盟贸易便利化工作计划的实施进展及其评估结果应向东盟自由贸易区理事会报告。东盟经济高官会议在东盟协调委员会的协助下，应作为主要协调机构，与负责实施工作计划下各项措施的东盟各委员会密切协调，监督东盟贸易便利化工作计划的实施进展。

2. 各成员国应在国家层面设立贸易便利化协调委员会或相关联络点。

第六章 海关

第五十
一条 目标

本章的目标是：