

CHAPTER 12

ECONOMIC CO-OPERATION

Article 1

Scope and Objectives

1. The Parties reaffirm the importance of ongoing economic co-operation initiatives between ASEAN, Australia and New Zealand, and agree to complement their existing economic partnership in areas where the Parties have mutual interests, taking into account the different levels of development of the Parties.
2. The Parties acknowledge the provisions to encourage and facilitate economic co-operation included in various Chapters of this Agreement.
3. Economic co-operation under this Chapter shall support implementation of this Agreement through economic co-operation activities which are trade or investment related as specified in the Work Programme.

Article 2

Definitions

For the purposes of this Chapter:

- (a) **implementing Party or implementing Parties** means, for each component of the Work Programme, the Party or Parties primarily responsible for the implementation of that component; and
- (b) **Work Programme** means the programme of economic co-operation activities, organised into components, mutually determined by the Parties prior to the entry into force of this Agreement.

第12章

经济合作

第1条 范围和目标

1. 各缔约方重申东盟、澳大利亚和新西兰之间持续进行经济合作倡议的重要性, 并同意在各方具有共同利益的领域补充其现有的经济伙伴关系, 同时考虑到各方的不同发展水平。
2. 各缔约方承认本协定各章节中包含的旨在鼓励和促进经济合作的条款。
3. 根据本章进行的经济合作应通过工作计划中规定的贸易或投资相关的经济合作活动, 支持本协定的实施。

第12章

本章的目的:

- (a) 实施方或实施方是指, 对于工作计划的每个组成部分, 主要负责实施该组成部分的缔约方或缔约方; 和
- (b) 工作计划是指经济合作活动计划, 由缔约方在协定生效前共同确定的、组织成组成部分的工作计划。

Article 3
Resources

1. Recognising the development gaps among the ASEAN Member States and among the Parties, the Parties shall contribute appropriately to the implementation of the Work Programme.
2. In determining the appropriate level of contribution to the Work Programme, the Parties shall take into account:
 - (a) the different levels of development and capacity of Parties;
 - (b) any in-kind contributions able to be made to Work Programme components by Parties; and
 - (c) that the appropriate level of contribution enhances the relevance and sustainability of co-operation, strengthens partnerships between Parties and builds Parties' shared commitment to the effective implementation and oversight of Work Programme components.

Article 4
Economic Co-operation Work Programme

1. Each Work Programme component shall:
 - (a) be trade or investment related and support this Agreement's implementation;
 - (b) be specified in the Work Programme;
 - (c) involve a minimum of two ASEAN Member States, Australia and/or New Zealand;

第三条
资源

1. 认识到东盟成员国之间以及缔约方之间的开发差距，缔约方应适当为工作计划的实施做出贡献。
2. 在确定对经济合作工作计划的适当贡献水平时，缔约方应当考虑：
 - (a) 各缔约方的不同发展水平和能力；(b) 各缔约方能够为经济合作工作计划的组成部分提供的实物贡献；以及
 - (c) 适当水平的贡献能够增强合作的关联性和可持续性，加强缔约方之间的伙伴关系，并建立缔约方对经济合作工作计划的组成部分的有效实施和监督的共同承诺。

第四条 经济合作工作计划

1. 每个工作计划的组成部分应当：
 - (a) 与贸易或投资相关并支持本协议的实施；(b) 在工作计划中明确规定；(c) 涉及至少两个东盟成员国、澳大利亚和/或新西兰；

- (d) address the mutual priorities of the participating Parties; and
- (e) where possible, avoid duplicating existing economic co-operation activities.

2. The description of each Work Programme component shall specify the details necessary to provide clarity to the Parties regarding the scope and purpose of such component.

Article 5 Focal Points for Implementation

1. Each Party shall designate a focal point for all matters relating to the implementation of the Work Programme and shall keep all Parties updated on its focal point's details.
2. The focal points shall be responsible for overseeing and reporting on the implementation of the Work Programme in accordance with Article 6 (Implementation and Evaluation of Work Programme Components) and Article 7 (Review of Work Programme), and for responding to inquiries from any Party regarding the Work Programme.

Article 6 Implementation and Evaluation of Work Programme Components

1. Prior to the commencement of each Work Programme component, the implementing Party or Parties, in consultation with relevant participating Parties, shall develop an implementation plan for that Work Programme component and provide that plan to each Party.
2. The implementing Party or Parties for a Work Programme component may use existing mechanisms for the implementation of that component.

- (d) 解决参与缔约方的相互优先事项；以及 (e) 在可能的情况下，避免重复现有的经济合作活动。

2. 每个工作计划组成部分的描述应规定必要的细节，以便向缔约方就此类组成部分的范围和目的提供清晰度。

第六条 实施联络点

1. 每个缔约方应就工作计划实施的所有事项指定一个联络点，并应就其联络点的细节向所有缔约方更新信息。
2. 联络点应负责根据第六条（工作计划组成部分的实施和评估）和第七条（工作计划的审查）监督和报告工作计划的实施，并应就工作计划向任何缔约方作出答复。

第六条 工作计划组成部分的实施和评估

1. 在每个工作计划组成部分开始之前，实施方或各方应与相关参与方协商，制定该工作计划组成部分的实施计划，并将该计划提供给每个缔约方。
2. 工作计划组成部分的实施方或缔约方可以使用现有机制对该组成部分的实施进行管理。

3. Until the completion of a Work Programme component, the implementing Party or Parties shall regularly monitor and evaluate the relevant component and provide periodic reports to each Party including a final component completion report.

Article 7
Review of Work Programme

At the direction of the FTA Joint Committee, the Work Programme shall be reviewed to assess its overall effectiveness and recommendations may be made. The FTA Joint Committee may make modifications to the Work Programme taking into account the review and available resources.

Article 8
Non-Application of Chapter 17 (Consultations and Dispute Settlement)

Chapter 17 (Consultations and Dispute Settlement) shall not apply to any matter arising under this Chapter.

3. 在工作计划组成部分完成之前，实施方或缔约方应定期监测和评估相关组成部分，并向每个缔约方提供定期报告，包括最终组成部分完成报告。

第七条 工作计划的审查

根据自由贸易协定联合委员会的指示，应审查工作计划以评估其整体有效性，并可提出建议。自由贸易协定联合委员会可根据审查结果和可用资源对工作计划进行修改。

第八条 第17章（磋商与争端解决）的适用除外

第17章（磋商与争端解决）不适用于本章产生的任何事项。