

CHAPTER 18

FINAL PROVISIONS

Article 1

Annexes, Appendices and Footnotes

The Annexes, Appendices and footnotes to this Agreement shall constitute an integral part of this Agreement.

Article 2

Relation to Other Agreements

1. Each Party reaffirms its rights and obligations under the WTO Agreement and other agreements to which the Parties are party.
2. Nothing in this Agreement shall be construed to derogate from any right or obligation of a Party under the WTO Agreement and other agreements to which the Parties are party.
3. In the event of any inconsistency between this Agreement and any other agreement to which two or more Parties are party, such Parties shall immediately consult with a view to finding a mutually satisfactory solution.
4. Nothing in this Agreement shall prevent any individual ASEAN Member State from entering into any agreement with any one or more ASEAN Member State and/or Australia and/or New Zealand relating to trade in goods, trade in services, investment, and/or other areas of economic co-operation.
5. The provisions of this Agreement shall not apply to any agreement among ASEAN Member States. The provisions of this Agreement shall also not apply to any agreement involving any ASEAN Member State and/or Australia and/or

CHAPTER 18

最终条款

条款 1 附件、附录和脚注

本协议的附件、附录和脚注应构成本协议的组成部分。

条款 2 与其他协议的关系

1. 各方重申其根据世界贸易组织协定和其他各方所属协议所享有的权利和应履行的义务。
2. 本协议任何条款均不得解释为损害任何一方根据世界贸易组织协定及其他各方所加入的协议所享有的权利或义务。
3. 如本协议与任何其他协议（由两个或多个一方所加入）之间存在任何不一致，该等一方应立即磋商，以寻求双方均满意的解决方案。
4. 本协议任何条款均不得阻止任何东盟成员国与一个或多个东盟成员国及/或澳大利亚和/或新西兰就货物贸易、服务贸易、投资及/或其他经济合作领域签订任何协议。
5. 本协议的条款不适用于任何东盟成员国之间的协议。本协议的条款也不适用于任何涉及任何东盟成员国和/或澳大利亚和/或

New Zealand unless otherwise agreed by the parties to that agreement.¹

Article 3
Amended or Successor International Agreements

If any international agreement, or a provision therein, referred to in this Agreement (or incorporated into this Agreement) is amended, the Parties shall consult on whether it is necessary to amend this Agreement, unless this Agreement provides otherwise.

Article 4
Disclosure of Information

Unless otherwise provided in this Agreement, nothing in this Agreement shall require any Party to provide confidential information, the disclosure of which would impede law enforcement, or otherwise be contrary to the public interest, or which would prejudice legitimate commercial interests of particular enterprises, public or private.

Article 5
Confidentiality

Unless otherwise provided in this Agreement, where a Party provides information to another Party in accordance with this Agreement and designates the information as confidential, the other Party shall maintain the confidentiality of the information. Such information shall be used only for the purposes specified, and shall not be otherwise disclosed without the specific permission of the Party providing the information, except to the extent that the Party receiving the information is required under its domestic law to provide the information to judicial proceedings.

¹ This Paragraph does not apply to any future agreement concluded in accordance with this Agreement.

新西兰的协议，除非该协议的各方另有约定。¹

条款 3 修订或继任国际协议

如果本协议中提及的任何国际协议（或被纳入本协议的条款）被修订，各方应商讨是否需要修订本协议，除非本协议另有规定。

条款 4 信息披露

除非本协议另有规定，本协议中的任何内容均不得要求任何一方提供机密信息，其披露将妨碍执法，或否则与公共利益相悖，或损害特定企业的合法商业利益，无论该企业是公有的还是私有的。

条款 5 保密

除非本协议另有规定，否则任何一方根据本协议向另一方提供信息并指定该信息为机密信息时，另一方应维持该信息的机密性。此类信息仅应按指定用途使用，未经提供信息的一方特定许可，不得以其他方式披露，但除非接收信息的一方根据其国内法被要求向司法程序提供该信息，否则不在此限。

¹ 本段不适用于根据本协议缔结的任何未来协议。

Article 6
Amendments

This Agreement may be amended by agreement in writing by the Parties and such amendments shall come into force on such date or dates as may be agreed among them.

Article 7
Entry into Force

- 1. Each Party shall notify each other Party in writing upon completion of its internal requirements² necessary for entry into force of this Agreement. This Agreement shall enter into force on 1 July 2009 for any Party that has made such notifications provided that Australia, New Zealand and at least four ASEAN Member States have made such notifications by that date.
- 2. If this Agreement does not enter into force on 1 July 2009 it shall enter into force, for any Party that has made the notification referred to in Paragraph 1, 60 days after the date by which Australia, New Zealand and at least four ASEAN Member States have made the notifications referred to in Paragraph 1.
- 3. After the entry into force of this Agreement pursuant to Paragraph 1 or 2, this Agreement shall enter into force for any Party 60 days after the date of its notification referred to in Paragraph 1.

Article 8
Withdrawal and Termination

- 1. Any Party may withdraw from this Agreement by giving six months advance notice in writing to the other Parties.

² For greater certainty, the term “internal requirements” may include obtaining governmental approval or parliamentary approval in accordance with domestic law.

第6条 修正
案

本协议可由各方书面协议进行修正，此类修正应自各方商定的日期或日期生效。

第7条 生效

- 1. 每一方应在完成其生效所需内部要求² 后书面通知另一方。本协议应于2009年7月1日对已作出此类通知的任何一方生效，前提是澳大利亚、新西兰和至少四个东盟成员国在该日期前已作出此类通知。
- 2. 如果本协议未在2009年7月1日生效，则对于已作出第1段所述通知的任何一方，本协议应于澳大利亚、新西兰和至少四个东盟成员国作出第1段所述通知的日期后60天生效。
- 3. 根据第1段或第2段的规定，在本协议根据第1段或第2段的规定生效后，本协议应于任何一方根据第1段的规定作出通知的日期后60天生效。

第8条 退出和终止

- 1. 任何一方可通过向其他各方书面提前六个月通知退出本协议。

² 为明确起见，“内部要求”一词可包括根据国内法获得政府批准或议会批准。

2. This Agreement shall terminate if, pursuant to Paragraph 1:

- (a) Australia withdraws;
- (b) New Zealand withdraws; or
- (c) this Agreement is in force for less than four ASEAN Member States.

**Article 9
Review**

The Parties shall undertake a general review of this Agreement with a view to furthering its objectives in 2016, and every five years thereafter, unless otherwise agreed by the Parties.

SIGNED at Cha-am, Phetchaburi, Thailand, this 27th day of February, two thousand and nine, in three copies in the English language.

For the Government of
Brunei Darussalam:

For the Government of
Australia:

2. 如果根据第1条，本协议应终止：

- (a) 澳大利亚退出； (b) 新西兰退出； 或 (c) 本协议对少于四个东盟成员国生效。

第18章

各方应于2016年对本协议进行一般性审查，此后每五年一次，除非各方另有约定。

于泰国碧武里查汶签署，二〇〇九年二月27th 日，一式三份，英文文本。

对于政府
文莱达鲁萨兰国：

对于政府
澳大利亚：

For the Government of
the Kingdom of Cambodia:

For the Government of
New Zealand:

For the Government of
the Kingdom of Cambodia:

For the Government of
New Zealand:

For the Government of
the Republic of Indonesia:

For the Government of the
Republic of Indonesia:

For the Government of
the Lao People's Democratic Republic:

对于老挝人民民主共和国政府：

For the Government of
Malaysia:

For the Government of
Malaysia:

For the Government of
the Union of Myanmar:

缅甸联邦政府：

For the Government of
the Republic of the Philippines:

对于菲律宾共和国政府：

For the Government of
the Republic of Singapore:

对于新加坡共和国政府：

For the Government of
the Kingdom of Thailand:

泰国政府：

For the Government of
the Socialist Republic of Viet Nam:

越南社会主义共和国政府：