

3. The Sub-Committee shall be:
- (a) composed of representatives of the Governments of the Parties; and
 - (b) co-chaired by officials of the Governments of the Parties.
4. The Sub-Committee may invite representatives of relevant entities other than the Governments of the Parties with the necessary expertise relevant to the issues to be discussed.
5. The Sub-Committee may hold its inaugural meeting within two years from the date of entry into force of this Agreement. The subsequent meeting of the Sub-Committee shall be held at such frequency as the Parties may agree upon.

Article 88
Review of Commitments

1. The Parties shall review commitments on trade in services with the first review within two years from the date of entry into force of this Agreement, with the aim of improving the overall commitments undertaken by the Parties under this Agreement.
2. In reviewing the commitments in accordance with paragraph 1, the Parties shall take into account paragraph 1 of Article IV of the GATS.

Chapter 7
Energy

Article 89
Basic Principle

The Parties recognise the importance of strengthening stable and mutually beneficial relationship in the energy sector.

Article 90
Definitions

For the purposes of this Chapter:

- (a) “energy good” means any good classified in subheading 2709.00, 2711.11 and 2711.21 of the Harmonized System;

3. 分委员会应:
- (a) 由缔约方政府的代表组成; 以及 (b) 由缔约方政府的官员共同主持。

4. 分委员会可以邀请除缔约方政府以外的、具有与将要讨论的问题相关的必要专业知识的其他相关实体的代表。

5. 分委员会可在本协议生效之日起两年内举行首次会议。分委员会的后续会议应在不低于缔约方同意的频率下举行。

第88条 承诺审查

1. 缔约方应在本协议生效之日起两年内审查服务贸易承诺, 旨在改善缔约方根据本协议所做出的整体承诺。
2. 根据 第1段 审查承诺时, 缔约方应考虑 GATS 第IV条第1段的规定。

第7章 能源

第89条 基本原则

缔约方承认加强能源部门稳定互利关系的重要性。

第90条 定义

- 本章规定中:
- (a) “能源商品”是指根据协调制度子目2709.00、2711.11和2711.21分类的任何商品;

(b) “energy regulatory bodies” means governmental bodies or state enterprises that regulate and control the exploration, exploitation, production, operation, transportation, transmission or distribution, purchase or sale of an energy good; and

Note: For the purposes of this subparagraph, in the case of Brunei Darussalam, “state enterprise” means the Brunei National Petroleum Company Sendirian Berhad.

(c) “energy regulatory measure” means any measure by energy regulatory bodies that directly affects an activity in the energy sector.

Article 91 Import and Export Restrictions

1. In the application of any prohibition or restriction on the importation or exportation of energy goods, each Party shall give due consideration to contractual relationships and implement such prohibition or restriction in an orderly, fair and equitable manner.

2. When introducing any new prohibition or restriction on the importation or exportation of energy goods, each Party shall give to the other Party written notice thereof, wherever possible prior to the introduction of such prohibition or restriction or, if not, as soon as possible thereafter, providing relevant information, where available, concerning the procedure of the prohibition or restriction, statistics on importation, exportation and domestic demand of the energy goods and hold, upon the request of the other Party, consultation with the other Party on such prohibition or restriction. Each Party shall accord sympathetic consideration to views presented by the other Party in the course of such consultation.

Article 92 Energy Regulatory Measures

1. Each Party shall seek to ensure that, in the application of any energy regulatory measure, energy regulatory bodies of the Party minimise adverse effects upon contractual relationships and implement such measure in an orderly, fair and equitable manner.

(b) “能源监管机构”是指监管和控制能源商品的勘探、开采、生产、运营、运输、传输或分配、购买或销售的国家机关或国家企业；和

注意：就本款而言，在文莱达鲁萨兰的情况下，“国有企业”是指文莱国家石油公司。

(c) “能源监管措施”是指能源监管机构直接影响能源部门某项活动的任何措施。

第91条 进出口限制

1. 在适用对能源商品进口或出口的禁止或限制时，每一方应适当考虑合同关系，并以有序、公平公正的方式实施此类禁止或限制。

2. 当引入对能源商品进口或出口的任何新的禁止或限制时，每一方向另一方发出书面通知，尽可能在引入此类禁止或限制之前或，如果不是，在之后尽快，提供有关禁止或限制程序的可用相关信息、能源商品的进口、出口和国内需求的统计数据，并在另一方要求时，与另一方就此类禁止或限制进行磋商。每一方应体谅考虑另一方在磋商过程中提出的观点。

条款 92 能源监管措施

1. 各方应努力确保，在应用任何能源监管措施时，该方的能源监管机构尽量减少对合同关系的不利影响，并以有序、公平公正的方式实施该措施。

2. If energy regulatory bodies of a Party adopt any new energy regulatory measure and where such measure may have substantial effects on contractual relationships, the Party shall give written notice to the other Party of such measure, where possible prior to the effective date of the measure or, if not, as soon as possible thereafter.

3. Where energy regulatory bodies of a Party adopt any new energy regulatory measure under paragraph 2 that substantially affects the transportation, transmission or distribution, purchase or sale of an energy good, the Party shall hold, upon the request of the other Party, consultation with the other Party. Each Party shall accord sympathetic consideration to views presented by the other Party in the course of such consultation.

Note: For the purposes of this paragraph, an energy regulatory measure taken by energy regulatory bodies of a Party with respect to the liquefaction and re-gasification of goods classified in subheading 2711.21 of the Harmonized System shall be considered as an energy regulatory measure that substantially affects the transportation, transmission or distribution, purchase or sale of such goods.

Article 93 Environmental Aspects

1. In pursuit of sustainable development and taking into account its obligations under those international agreements concerning environment to which it is a party, each Party shall endeavour to minimise, in accordance with its applicable laws and regulations, in an economically efficient manner, harmful environmental impacts of all activities related to energy in its Area.

2. Each Party shall:

- (a) take account of environmental considerations throughout the process of formulation and implementation of its policy on energy;
- (b) encourage favourable conditions for the transfer and dissemination of technologies that contribute to the protection of environment, consistent with the adequate and effective protection of intellectual property rights; and
- (c) promote public awareness of environmental impacts of activities related to energy and of the scope for and the costs associated with the prevention or abatement of such impacts.

2. 如果一方能源监管机构采用任何新的能源监管措施，且该措施可能对合同关系产生重大影响，该方应在可能的情况下，于该措施生效日期之前，或若不可能，在生效日期之后尽快，向另一方发出该措施的通知。

3. 当一方能源监管机构根据第2段规定采取任何可能实质性影响能源商品运输、传输或分配、购买或销售的新的能源监管措施时，该方应根据另一方的要求，与另一方进行磋商。每一方在磋商过程中应体谅考虑另一方提出的观点。

注：就本段而言，一方能源监管机构针对协调制度子目2711.21中分类的商品的液化及再气化所采取的能源监管措施，应被视为实质性影响此类商品的运输、传输或分配、购买或销售的能源监管措施。

第93条 环境方面

1. 为实现可持续发展，并考虑到其作为缔约方所承担的环境国际协定的义务，每一方应根据其适用法律法规，以经济有效的方式，尽量减少其区域内所有与能源相关的活动所产生的有害环境影响。

2. 各一方应：

(a) 在其能源政策的制定和实施过程中，应考虑环境因素；(b) 鼓励有利于技术转让和传播的条件，以促进环境保护，同时确保知识产权得到充分有效的保护；以及(c) 提高公众对与能源相关的活动造成的环境影响、预防或减轻此类影响的范围和费用的认识。

Article 94
Cooperation

1. The Parties shall, in accordance with their respective laws and regulations, promote cooperation under this Chapter for strengthening stable and mutually beneficial relationship in the energy sector. For this purpose, the Parties shall cooperate and, where necessary and appropriate, encourage and facilitate cooperation between their relevant entities in the private sector in the energy sector.
2. The Parties shall endeavour to make available the necessary funds and other resources for the implementation of cooperation under this Article in accordance with their respective laws and regulations.
3. (a) Areas of cooperation under this Article may include:
 - (i) policy development;
 - (ii) human resource development;
 - (iii) technological development; and
 - (iv) other areas of cooperation to be mutually agreed by the Parties.(b) Forms of cooperation under this Article shall be set forth in the Implementing Agreement.
4. Costs of cooperation under this Article shall be borne in such manner to be mutually agreed by the Parties.
5. The dispute settlement procedures provided for in Chapter 10 shall not apply to this Article.

Article 95
Sub-Committee on Energy

1. For the purposes of the effective implementation and operation of this Chapter, a Sub-Committee on Energy (hereinafter referred to in this Article as "Sub-Committee") shall be established on the date of entry into force of this Agreement.
2. The functions of the Sub-Committee shall be:
 - (a) reviewing and monitoring the implementation and operation of this Chapter;

Article 94 合
作

1. 缔约方应根据各自的法律和法规，促进本章节下的合作，以加强能源部门稳定和互利的合作关系。为此，缔约方应进行合作，并在必要时和适当时，鼓励和促进其私营部门相关实体在能源部门之间的合作。
2. 各缔约方应根据各自的法律和法规，努力提供必要资金和其他资源，以实施本条款项下的合作。
3. (a) 本条款项下的合作领域可包括：(i) 政策制定；(ii) 人力资源开发；(iii) 技术发展；以及 (iv) 各缔约方相互同意的其他合作领域。(b) 本条款项下的合作形式应在实施协议中规定。
4. 本条款项下的合作费用应由各缔约方以相互同意的方式承担。
5. 第十章规定的争端解决程序不适用于本条款。

Article 95 能源分委员会

1. 为有效实施和运行本章之目的，应于本协议生效之日起设立能源分委员会（以下简称本条款中称“分委员会”）。
2. 分委员会的职能为：(a) 审查和监督实施和本章的运作；

- (b) exchanging information on any matters related to this Chapter;
 - (c) discussing any issues related to this Chapter, including the interpretation and application of this Chapter;
 - (d) reporting the findings of the Sub-Committee and, where appropriate, making recommendations, to the Joint Committee; and
 - (e) carrying out other functions as may be delegated by the Joint Committee in accordance with Article 11.
3. The Sub-Committee shall be:
- (a) composed of representatives of the Governments of the Parties; and
 - (b) co-chaired by officials of the Governments of the Parties.
4. The Sub-Committee may invite representatives of relevant entities other than the Governments of the Parties with the necessary expertise relevant to the issues to be discussed.
5. The Sub-Committee shall meet at such venues and times as may be agreed by the Parties.

Chapter 8 Improvement of Business Environment

Article 96 Basic Principles

1. Each Party shall, in accordance with its laws and regulations, take appropriate measures to further improve the business environment for the benefit of the enterprises of the other Party conducting their business activities in the former Party.
2. The Parties shall, in accordance with their respective laws and regulations, promote cooperation to further improve the business environment in the respective Parties.

Article 97 Intellectual Property

Each Party, recognising the importance of protecting intellectual property in further improving the business environment in the Party, shall:

(b) 交流与本章相关的任何事项的信息；(c) 讨论与本章相关的任何问题，包括本章的解释和应用；(d) 向联合委员会报告分委员会的调查结果，并在适当的情况下提出建议；以及(e) 根据第11条，执行联合委员会可能委托的其他职能。

3. 分委员会应:

(a)由缔约方政府的代表组成；以及(b)由缔约方政府的官员共同主持。

4. 分委员会可以邀请除缔约方政府以外的、具有与将要讨论的问题相关的必要专业知识的其他相关实体的代表。

5. 分委员会应在缔约方同意的地点和时间举行。a

第8章 营商环境改善

第96条 基本原则

1. 各缔约方应根据其各自的法律和法规，采取适当措施，为在另一方境内开展业务活动的另一方的企业改善营商环境。
2. 各缔约方应根据各自的法律和法规，促进合作，以进一步改善各方的营商环境。

Article 97 Intellectual Property

每一缔约方，认识到保护知识产权对于进一步改善该方营商环境的重要性，应: