

## **CHAPTER 18**

### **INSTITUTIONAL ARRANGEMENTS**

#### **Article 18.1: Establishment of Joint Committee**

The Parties hereby establish the Malaysia-Korea Free Trade Agreement Joint Committee (hereinafter referred to as “Joint Committee”) which may meet at the level of Ministers or senior officials, as mutually determined by the Parties. The Joint Committee shall be co-chaired by senior Government officials of the Parties, unless the Parties agree to convene the meeting at ministerial level.

#### **Article 18.2: Functions of the Joint Committee**

1. The functions of the Joint Committee shall be to:
  - (a) review the implementation and operation of this Agreement;
  - (b) consider any matters relating to the implementation and operation of this Agreement;
  - (c) supervise and coordinate the work of all Sub-Committees established under this Agreement;
  - (d) adopt any decisions and recommendations of the Sub-Committees if necessary;
  - (e) consider ways to further enhance trade and investment between the Parties;
  - (f) discuss differences or disputes that may arise regarding the interpretation or application of this Agreement; and
  - (g) carry out any other functions as the Parties may agree.
2. The Joint Committee may:
  - (a) develop arrangements for implementing this Agreement;
  - (b) seek expert advice on any matter within its functions;
  - (c) where appropriate, take any decisions including those referred to the Joint Committee by the Sub-Committees;

- (d) consider any amendments to this Agreement or make modifications to the commitments therein;
- (e) issue interpretations of the provisions of this Agreement, including as provided in Articles 11.24 (Governing Law) and 11.25 (Interpretation of Annexes); and
- (f) carry out any other functions as the Parties may agree.

### **Article 18.3: Rules of Procedure of the Joint Committee**

The Joint Committee shall establish its rules of procedure at its first meeting.

### **Article 18.4: Meetings of the Joint Committee**

1. The Joint Committee shall meet within one year of the date of entry into force of this Agreement and thereafter at such frequency as the Parties may agree.
2. The Joint Committee shall convene alternately in Korea and Malaysia, unless the Parties agree otherwise.
3. Each Party shall be responsible for the composition of its delegation.
4. The Joint Committee may carry out its work through whatever means appropriate, which may include electronic mail, video conferencing or other means.

### **ARTICLE 18.5: Sub-Committees**

1. The following Sub-Committees shall be established under this Agreement:
  - (a) the Sub-Committee on Goods, to cover work on trade in goods, rules of origin, customs procedures and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade and trade remedies;
  - (b) the Sub-Committee on Services and Investment, to cover work on cross-border trade in services including telecommunication services, temporary entry of business persons and investment
  - (c) the Sub-Committee on Digital Trade;

- (d) the Sub-Committee on Financial Services; and
- (e) the Sub-Committee on Economic Cooperation.

2. The Joint Committee may establish Sub-Committees other than the Sub-Committees listed in paragraph 1 as it considers necessary for purposes of effective implementation and operation of any Chapter under this Agreement. The Sub-Committees shall establish their rules of procedure at their respective first meetings. Other functions of the Sub-Committees are to be specified in the individual Chapters where they are established.

#### **Article 18.6: Contact Point**

1. Communications between the Parties on any matter relating to this Agreement shall be facilitated through the following overall Contact Points:

- (a) for Korea, the Ministry of Trade, Industry and Resources of Korea; and
- (b) for Malaysia, the Ministry of Investment, Trade and Industry of Malaysia;

or their respective successors.

2. Each Party shall notify the other Party in writing of any change to its Contact Point.

3. On request of a Party, the Contact Point of the other Party shall identify the office or official responsible for the matter at issue and assist, as necessary, in facilitating communications with the requesting Party.

4. All official communications between the Parties shall be in the English language.