

## **CHAPTER 18**

### **INSTITUTIONAL PROVISIONS**

#### **Article 18.1: Meetings of the RCEP Ministers**

1. The Ministers of the RCEP (hereinafter referred to as the “RCEP Ministers” in this Chapter) shall meet within one year of the date of entry into force of this Agreement, and every year thereafter unless the Parties agree otherwise, to consider any matter relating to this Agreement.
2. The RCEP Ministers shall take decisions on any matter by consensus.

#### **Article 18.2: Establishment of the RCEP Joint Committee**

The Parties hereby establish an RCEP Joint Committee consisting of senior officials designated by each Party.

#### **Article 18.3: Functions of the RCEP Joint Committee**

1. The functions of the RCEP Joint Committee shall be as follows:
  - (a) to consider any matter relating to the implementation and operation of this Agreement;
  - (b) to consider any proposal to amend this Agreement;
  - (c) to discuss differences that may arise regarding the interpretation or application of this Agreement and to issue interpretations of the provisions of this Agreement as it may deem appropriate and necessary;
  - (d) to seek expert advice on any matter within its functions;
  - (e) to refer matters, assign tasks, or delegate functions to any subsidiary body established pursuant to Article 18.6 (Subsidiary Bodies of the RCEP Joint Committee) (hereinafter referred to as “subsidiary body” in this Chapter);

- (f) to supervise and coordinate the work of all subsidiary bodies;
  - (g) to consider and take any decisions on issues referred to it by any subsidiary body;
  - (h) to restructure, reorganise, or dissolve any subsidiary body, if necessary;
  - (i) to establish and thereafter supervise an RCEP Secretariat, on terms agreed by the Parties, to provide secretariat and technical support to the RCEP Joint Committee and its subsidiary bodies;
  - (j) to hold dialogue forums on topics to be agreed by Parties, which may include participation from the business sector, experts, academia, and other stakeholders, as appropriate; and
  - (k) to carry out any other function as the Parties may agree.
2. The RCEP Joint Committee shall report to the RCEP Ministers and may, as appropriate, refer matters to the RCEP Ministers for consideration and decision.

#### **Article 18.4: Rules of Procedure of the RCEP Joint Committee**

1. The RCEP Joint Committee shall take decisions on any matter by consensus.<sup>1</sup>
2. The RCEP Joint Committee shall establish its rules of procedure at its first meeting.

#### **Article 18.5: Meetings of the RCEP Joint Committee**

1. The RCEP Joint Committee shall meet within one year of the date of entry into force of this Agreement and prior to the first meeting

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<sup>1</sup> The RCEP Joint Committee shall be deemed to have taken a decision by consensus if no Party present at the meeting when the decision is taken objects to the proposed decision. In case a Party is absent from the meeting, the decision shall be circulated to that Party for it to consider the decision, seek clarification where required, and that Party may convey its acknowledgement within 14 days of the circulation of the decision.

of the RCEP Ministers, and every year thereafter unless the Parties agree otherwise.

2. The RCEP Joint Committee shall convene alternately, and on a rotational basis, in a Party which is a Member State of ASEAN and a Party which is not a Member State of ASEAN, unless the Parties agree otherwise.
3. The RCEP Joint Committee shall be co-chaired by a representative appointed by the Parties which are Member States of ASEAN and a representative appointed by the Parties which are not Member States of ASEAN on a rotational basis, unless the Parties agree otherwise. The role of the co-chairs of the RCEP Joint Committee shall be to ensure the effective and impartial management of the meetings, with a view to facilitating consensus among the Parties.
4. Each Party shall be responsible for the composition of its delegation.
5. The RCEP Joint Committee may carry out its work through whatever means that are appropriate, which may include electronic mail, videoconferencing, or other means.

#### **Article 18.6: Subsidiary Bodies of the RCEP Joint Committee**

1. The RCEP Joint Committee shall establish at its first meeting:
  - (a) a Committee on Goods, to cover work on trade in goods; rules of origin; customs procedures and trade facilitation; sanitary and phytosanitary measures; standards, technical regulations, and conformity assessment procedures; and trade remedies;
  - (b) a Committee on Services and Investment, to cover work on trade in services including financial services, telecommunication services, and professional services; temporary movement of natural persons; and investment;
  - (c) a Committee on Sustainable Growth, to cover work on small and medium enterprises; economic and technical cooperation; and emerging issues; and

- (d) a Committee on the Business Environment, to cover work on intellectual property; electronic commerce; competition; and government procurement.
- 2. Each Committee established pursuant to paragraph 1 shall have the functions set out for it in Annex 18A (Functions of the Subsidiary Bodies of the RCEP Joint Committee), and any other functions as set out for it in this Agreement or agreed by the Parties.
- 3. The RCEP Joint Committee may establish additional subsidiary bodies including other committees, as it deems necessary.
- 4. Each Committee established pursuant to paragraph 1 shall meet within one year of the date of entry into force of this Agreement and every year thereafter unless the Parties agree otherwise.

#### **Article 18.7: Meetings of Subsidiary Bodies**

Except as otherwise provided in this Agreement, any subsidiary body:

- (a) shall be composed of representatives from each Party;
- (b) shall be co-chaired by a representative appointed by the Parties which are Member States of ASEAN and a representative appointed by the Parties which are not Member States of ASEAN on a rotational basis, unless the Parties agree otherwise;
- (c) shall take decisions on any matter within its functions by consensus;<sup>2</sup>
- (d) may carry out its work through whatever means that are appropriate, which may include electronic mail, videoconferencing, or other means; and
- (e) shall meet as directed by the RCEP Joint Committee or as otherwise agreed by the Parties.

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<sup>2</sup> A subsidiary body shall be deemed to have taken a decision by consensus if no Party present at the meeting when the decision is taken objects to the proposed decision. In case a Party is absent from the meeting, the decision shall be circulated to that Party for it to consider the decision, seek clarification where required, and that Party may convey its acknowledgement within 14 days of the circulation of the decision.

**Article 18.8: Contact Point**

Each Party shall, within 30 days of the date of entry into force of this Agreement for that Party, designate an overall contact point to facilitate communications among the Parties on any matter relating to this Agreement and notify the other Parties of the contact details of that contact point. Each Party shall promptly notify the other Parties of any change to those contact details. All official communications in this regard shall be in the English language.