

## **ANNEX 18A**

### **FUNCTIONS OF THE SUBSIDIARY BODIES OF THE RCEP JOINT COMMITTEE**

#### ***Committee on Goods***

1. The functions of the Committee on Goods, established pursuant to subparagraph 1(a) of Article 18.6 (Subsidiary Bodies of the RCEP Joint Committee), shall include supervising and coordinating the work of any other relevant subsidiary body, and considering any matter arising under or relating to the implementation or operation of:
  - (a) Chapter 2 (Trade in Goods);
  - (b) Chapter 3 (Rules of Origin);
  - (c) Chapter 4 (Customs Procedures and Trade Facilitation);
  - (d) Chapter 5 (Sanitary and Phytosanitary Measures);
  - (e) Chapter 6 (Standards, Technical Regulations, and Conformity Assessment Procedures); and
  - (f) Chapter 7 (Trade Remedies).
2. With respect to Chapter 2 (Trade in Goods), the functions of the Committee on Goods shall include:
  - (a) monitoring and reviewing the implementation and operation of Chapter 2 (Trade in Goods);
  - (b) identifying and recommending measures to promote and facilitate improved market access, including through consultations on the acceleration or improvement of tariff commitments under this Agreement;
  - (c) addressing barriers to trade in goods between the Parties, including those relevant issues on tariff and non-tariff measures, other than technical issues solely within the competence of another subsidiary body related to one of the Chapters referred to in paragraph 1;

- (d) considering matters related to the classification of goods under the Harmonized System for the application of Annex I (Schedules of Tariff Commitments) and the transposition of each Party's Schedule in Annex I (Schedules of Tariff Commitments) following periodic amendments to the Harmonized System, consistent with Article 2.14 (Transposition of Schedules of Tariff Commitments), including by adopting guidelines for the transposition of the Schedules in Annex I (Schedules of Tariff Commitments) and exchanging transposed Schedules of tariff commitments and correlation tables in a timely manner; and
  - (e) discussing any other matter related to Chapter 2 (Trade in Goods), including good regulatory practice on measures affecting trade in goods and exploring avenues for enhancing cooperation on the use of good regulatory practice, as appropriate.
- 3. With respect to Chapter 3 (Rules of Origin), the functions of the Committee on Goods shall include:
  - (a) monitoring the implementation of Chapter 3 (Rules of Origin);
  - (b) reviewing and making appropriate recommendations to the RCEP Joint Committee, as necessary, on:
    - (i) the effective and consistent administration of Chapter 3 (Rules of Origin), including its interpretation and application, and the enhancement of cooperation in relation to Chapter 3 (Rules of Origin); and
    - (ii) any potential amendments to Annex 3A (Product-Specific Rules) and Annex 3B (Minimum Information Requirements), consistent with Article 3.34 (Transposition of Product-Specific Rules) and Article 3.35 (Amendments to Annexes); and
  - (c) facilitating cooperation and identifying measures with a view to simplifying the operational certification procedures covered by Section B (Operational Certification Procedures) of Chapter 3 (Rules of Origin) and making them more transparent, predictable, and standardised,

taking into account the best practices of other regional and international trade agreements.

4. With respect to Chapter 4 (Customs Procedures and Trade Facilitation), the functions of the Committee on Goods shall include:
  - (a) monitoring the implementation of Chapter 4 (Customs Procedures and Trade Facilitation);
  - (b) reviewing and making appropriate recommendations to the RCEP Joint Committee on the effective and consistent administration of Chapter 4 (Customs Procedures and Trade Facilitation), including its interpretation and application, and the enhancement of cooperation in relation to Chapter 4 (Customs Procedures and Trade Facilitation); and
  - (c) monitoring the implementation arrangement provided for in Article 4.21 (Implementation Arrangement).
5. With respect to Chapter 5 (Sanitary and Phytosanitary Measures), the functions of the Committee on Goods shall include:
  - (a) monitoring the implementation of Chapter 5 (Sanitary and Phytosanitary Measures);
  - (b) considering any sanitary and phytosanitary matter of mutual interest, in consultation with relevant experts when scientific or technical issues are involved; and
  - (c) facilitating cooperation, including as appropriate coordinating with bilateral, regional, or multilateral work programmes, pursuant to Article 5.13 (Cooperation and Capacity Building).
6. With respect to Chapter 6 (Standards, Technical Regulations, and Conformity Assessment Procedures), the functions of the Committee on Goods shall include:
  - (a) monitoring the implementation of Chapter 6 (Standards, Technical Regulations, and Conformity Assessment Procedures);
  - (b) facilitating cooperation pursuant to Article 6.9 (Cooperation);

- (c) identifying mutually agreed priority sectors for enhanced cooperation;
  - (d) establishing work programmes, as appropriate, in mutually agreed priority areas to facilitate the acceptance of conformity assessment results and equivalence of technical regulations, in consultation with relevant experts when scientific or technical issues are involved;
  - (e) monitoring the progress of work programmes; and
  - (f) overseeing bilateral or plurilateral arrangements developed pursuant to Article 6.13 (Implementing Arrangements).
7. With respect to Chapter 7 (Trade Remedies), the functions of the Committee on Goods shall include:
- (a) monitoring the implementation of Chapter 7 (Trade Remedies);
  - (b) enhancing a Party's knowledge and understanding of the other Parties' trade remedy laws, regulations, policies, and practices;
  - (c) improving cooperation between the Parties' authorities responsible for matters on trade remedies; and
  - (d) cooperating on any other matter that the Parties agree as necessary.

***Committee on Services and Investment***

8. The functions of the Committee on Services and Investment, established pursuant to subparagraph 1(b) of Article 18.6 (Subsidiary Bodies of the RCEP Joint Committee), shall include supervising and coordinating the work of any other relevant subsidiary body, and considering any matter arising under or relating to the implementation or operation of:
- (a) Chapter 8 (Trade in Services);
  - (b) Chapter 9 (Temporary Movement of Natural Persons); and
  - (c) Chapter 10 (Investment).

9. With respect to Chapter 8 (Trade in Services), the functions of the Committee on Services and Investment shall include:
  - (a) monitoring and reviewing the implementation and operation of Chapter 8 (Trade in Services);
  - (b) carrying out the functions provided for in Article 8.12 (Transition) and Article 8.13 (Modification of Schedules); and
  - (c) facilitating cooperation and identifying measures for further promoting trade in services.
10. With respect to Chapter 10 (Investment), the functions of the Committee on Services and Investment shall include:
  - (a) monitoring the implementation of Chapter 10 (Investment);
  - (b) implementing the work programme established pursuant to Article 10.18 (Work Programme); and
  - (c) facilitating cooperation and identifying measures for further promoting investment.
11. Each Party shall provide an update on new measures or policies on trade in services and investment to the Committee on Services and Investment.

***Committee on Sustainable Growth***

12. The functions of the Committee on Sustainable Growth, established pursuant to subparagraph 1(c) of Article 18.6 (Subsidiary Bodies of the RCEP Joint Committee), shall include considering any matter arising under or relating to the implementation or operation of:
  - (a) Chapter 14 (Small and Medium Enterprises); and
  - (b) Chapter 15 (Economic and Technical Cooperation).
13. With respect to Chapter 14 (Small and Medium Enterprises), the functions of the Committee on Sustainable Growth shall include:
  - (a) monitoring the implementation of Chapter 14 (Small and Medium Enterprises); and

- (b) discussing ways to facilitate cooperation on small and medium enterprises among the Parties.
14. With respect to Chapter 15 (Economic and Technical Cooperation), the functions of the Committee on Sustainable Growth shall include:
- (a) developing and coordinating a work programme pursuant to Article 15.5 (Work Programme) and its implementing mechanism;
  - (b) coordinating with the implementing Party or Parties to provide reports, including a final completion report for each activity;
  - (c) monitoring and evaluating the implementation of the work programme to assess its overall effectiveness and contribution to the implementation of this Agreement; and
  - (d) working with other subsidiary bodies including other committees to establish and maintain effective communication and coordination on economic and technical cooperation activities and relevant issues.

***Committee on the Business Environment***

15. The functions of the Committee on the Business Environment, established pursuant to subparagraph 1(d) of Article 18.6 (Subsidiary Bodies of the RCEP Joint Committee), shall include considering any matter arising under or relating to the implementation or operation of:
- (a) Chapter 11 (Intellectual Property);
  - (b) Chapter 12 (Electronic Commerce);
  - (c) Chapter 13 (Competition); and
  - (d) Chapter 16 (Government Procurement).
16. With respect to Chapter 11 (Intellectual Property), the functions of the Committee on the Business Environment shall include:
- (a) monitoring the implementation and operation of Chapter 11 (Intellectual Property);

- (b) discussing ways to facilitate cooperation among the Parties; and
  - (c) exchanging information on laws, regulations, systems, and other issues of mutual interest concerning intellectual property rights.
- 17. With respect to Chapter 12 (Electronic Commerce), the functions of the Committee on the Business Environment shall include:
  - (a) monitoring the implementation of Chapter 12 (Electronic Commerce);
  - (b) conducting activities pursuant to Article 12.16 (Dialogue on Electronic Commerce); and
  - (c) discussing ways to facilitate cooperation on the digital economy among the Parties.
- 18. With respect to Chapter 13 (Competition), the functions of the Committee on the Business Environment shall include:
  - (a) monitoring the implementation of Chapter 13 (Competition);
  - (b) reporting as required to the RCEP Joint Committee on the implementation of Chapter 13 (Competition) and competition-related developments and activities of the Parties pursuant to Chapter 13 (Competition), including measures to fulfil obligations pursuant to the transitional arrangements set out in:
    - (i) Annex 13A (Application of Article 13.3 (Appropriate Measures against Anti-Competitive Activities) and Article 13.4 (Cooperation) to Brunei Darussalam);
    - (ii) Annex 13B (Application of Article 13.3 (Appropriate Measures against Anti-Competitive Activities) and Article 13.4 (Cooperation) to Cambodia);
    - (iii) Annex 13C (Application of Article 13.3 (Appropriate Measures against Anti-Competitive Activities) and Article 13.4 (Cooperation) to Lao PDR); and

- (iv) Annex 13D (Application of Article 13.3 (Appropriate Measures against Anti-Competitive Activities) and Article 13.4 (Cooperation) to Myanmar);
  - (c) fostering cooperation among the Parties on competition issues;
  - (d) fostering cooperation among the Parties on technical assistance and capacity building activities pursuant to Article 13.6 (Technical Cooperation and Capacity Building);
  - (e) fostering information exchange among the Parties on competition issues including issues arising under Chapter 13 (Competition); and
  - (f) reviewing Chapter 13 (Competition) based on consensus of all Parties.
19. With respect to Chapter 16 (Government Procurement), the functions of the Committee on the Business Environment shall include:
- (a) facilitating, as appropriate and agreed, cooperation activities such as those referred to in Article 16.5 (Cooperation); and
  - (b) facilitating any review of Chapter 16 (Government Procurement) undertaken pursuant to Article 16.6 (Review).