

CHAPTER 12

INSTITUTIONAL PROVISIONS

Article 1

AHKFTA Joint Committee

1. The Parties hereby establish the ASEAN - Hong Kong, China Free Trade Area Joint Committee (the "AHKFTA Joint Committee") consisting of representatives of the Parties.

2. The functions of the AHKFTA Joint Committee shall be to:

- (a) review the implementation and operation of this Agreement and the AHK Investment Agreement;
- (b) consider and recommend to the Parties any amendment to this Agreement or the AHK Investment Agreement;
- (c) supervise and co-ordinate the work of all subsidiary bodies established under this Agreement¹⁵, as well as other joint activities conducted under this Agreement and the AHK Investment Agreement¹⁶;

¹⁵ For the avoidance of doubt, subsidiary bodies established under this Agreement include the sub-committees established under the relevant Chapters of this Agreement, but does not include any arbitral tribunal established under Chapter 13 (Consultations and Dispute Settlement).

¹⁶ The other joint activities do not include activities conducted under Chapter 13 (Consultations and Disputes Settlement) and arbitration conducted under the AHK Investment Agreement.

- (d) consider and adopt, where appropriate, decisions and recommendations of subsidiary bodies established under this Agreement;
- (e) consider any other matter that may affect the operation of this Agreement or the AHK Investment Agreement or that is entrusted to it by the Parties; and
- (f) carry out any other function as the Parties may agree.

3. In the fulfilment of its functions, the AHKFTA Joint Committee may establish additional subsidiary bodies, including *ad hoc* bodies, and assign the subsidiary bodies established under this Agreement with tasks on specific matters, or delegate its responsibilities to any of them.

4. The AHKFTA Joint Committee shall establish its rules and procedures.

5. Unless the Parties otherwise agree, the AHKFTA Joint Committee shall convene its first meeting within one year after this Agreement enters into force. Its subsequent meetings shall be convened at such frequency as the Parties may mutually determine, and as necessary to discharge its functions under this Agreement. Unless the Parties otherwise agree, the AHKFTA Joint Committee shall convene alternately in ASEAN Member States and Hong Kong, China. Special meetings of the AHKFTA Joint Committee may be convened, as agreed by the Parties, within 30 days from the date of receipt of the request of a Party or as otherwise mutually determined by the Parties.

Article 2

Communications

1. Each Party shall designate a contact point to facilitate communications among the Parties on any matter relating to this Agreement. All official communications in this regard shall be in the English language.

2. Each Party shall provide details of its contact point to the other Parties. Each Party shall notify the other Parties promptly of any amendment to the details of its contact point.