



**PROTOCOL TO AMEND THE PROTOCOL GOVERNING THE
IMPLEMENTATION OF THE
ASEAN HARMONISED TARIFF NOMENCLATURE**

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, Union of Myanmar, the Republic of Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam of the Association of South East Asian Nations (hereinafter referred to as "ASEAN"):

RECALLING the Protocol Governing the Implementation of the ASEAN Harmonised Tariff Nomenclature (hereinafter referred to as "the AHTN Protocol") signed on 7 August 2003;

NOTING that the AHTN Protocol may be amended by mutual agreement of all Member States as specified by Article 10(1) of the AHTN Protocol;

RECOGNISING the need to specify the exact version of the harmonised tariff nomenclature and related documents as stated in Articles 3(2) and 10(2) of the AHTN Protocol;

SEEKING to incorporate Interpretative Notes of the AHTN Protocol into the said Protocol;

SEEKING to ensure certainty, transparency and uniformity in the application of the AHTN;

HAVE AGREED AS FOLLOWS:

**ARTICLE 1
Amendment of Article 3**

Article 3(2) of the AHTN Protocol shall be substituted with the following:

.....

2. The AHTN and the Supplementary Explanatory Notes (hereinafter referred to as "SEN") relating to the ASEAN subheadings, referred herein, are the ASEAN Harmonised Tariff Nomenclature, Edition 2002/1, year 2002, and the Supplementary Explanatory Notes Edition 2002/1, year 2002, and their respective amendments thereto. The AHTN and the SEN and their respective amendments are annexed to the Protocol. The SEN shall form an integral part of the AHTN.

ARTICLE 2

Amendment of Article 10

Article 10(2) of the Protocol shall be substituted with the following:

.....

2. Annexes may be introduced to the Protocol and shall form an integral part thereof. The Interpretative Notes of the Protocol are annexed to and shall form an integral part of the Protocol. Any reference to the Protocol is deemed to include also a reference to the Annexes.

ARTICLE 3

Final Provisions

1. This Protocol shall enter into force **on** the date of its signature.
2. The Protocol shall be deposited with the Secretary-General of ASEAN who shall promptly furnish a certified copy thereof to each Member State.

IN WITNESS WHEREOF the undersigned, being duly authorised to sign the Protocol, have signed this Protocol to amend the Protocol Governing the Implementation of the ASEAN Harmonised Tariff Nomenclature.

DONE at Jeju Island, Korea, on the 15th day of May 2004, in a single copy in the English Language.