

### Article 73 Expenses

1. The complaining party and the party complained against shall respectively bear the costs of the arbitrators which they appointed, and their own expenses and legal costs.

2. Unless the parties to the dispute otherwise agree, the costs of the chair of the arbitral tribunal and other expenses associated with the conduct of the proceedings of the arbitral tribunal shall be borne in equal parts by the parties to a dispute.

3. The arbitral tribunal shall keep a record and render a final account of all general expenses incurred in connection with the proceedings, including those paid to their assistants, designated note takers or other individuals that it retains.

### Chapter 10 Final Provisions

#### Article 74 Table of Contents, Headings and Subheadings

The table of contents, headings and subheadings are inserted for convenience of reference only and shall not affect the interpretation of this Agreement.

#### Article 75 Review

The Parties shall undertake a general review of the implementation and operation of this Agreement in the fifth calendar year following the calendar year in which this Agreement enters into force pursuant to paragraph 1 of Article 79, and every five (5) years thereafter, unless otherwise agreed by the Parties.

#### Article 76 Annexes and Notes

The Annexes including attachment and Notes to this Agreement shall form an integral part of this Agreement.

#### Article 77 Amendments

1. This Agreement may be amended by agreement among the Parties.

2. The Government of each Party shall notify the Governments of the other Parties in writing that its legal procedures necessary for entry into force of the amendment have been completed. Such amendment shall enter into force on the first day of the second month following the date by which such notifications have been made by the Governments of Japan and at least one (1) ASEAN Member State, which is a Party, in relation to those Parties whose Governments have made such notifications by that date.

3. Where an ASEAN Member State, which is a Party, makes the notification referred to in paragraph 2 after the date by which the notifications have been made by the Governments of Japan and at least one (1) ASEAN Member State, which is a Party, as referred to in paragraph 2, the amendment referred to in paragraph 1 shall enter into force in relation to that ASEAN Member State on the first day of the second month following the date on which it makes the notification.

4. Notwithstanding paragraphs 2 and 3, the number of ASEAN Member States referred to in paragraph 2 which is necessary for entry into force of the amendment may be increased by agreement among the Parties.

5. Notwithstanding paragraph 2, amendments relating only to:

- (a) Annex 1 (provided that the amendments are made in accordance with the amendment of the Harmonized System, and include no change on tariff rates applied to the originating goods of the other Parties in accordance with Annex 1);
- (b) Annex 2;
- (c) Attachment to Annex 4; or
- (d) Annex 5,

may be made by diplomatic notes exchanged among the Governments of the Parties. Such amendments shall enter into force in relation to all the Parties on the date specified in such diplomatic notes.

#### Article 78 Depositary

For the ASEAN Member States, this Agreement including its amendments shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof, to each ASEAN Member State.

Article 79  
Entry into Force

1. The Government of each signatory State shall notify the Governments of other signatory States in writing that its legal procedures necessary for entry into force of this Agreement have been completed. This Agreement shall enter into force on the first day of the second month following the date by which such notifications have been made by the Governments of Japan and at least one (1) ASEAN Member State, in relation to those signatory States that have made such notifications by that date.

2. In relation to an ASEAN Member State making the notification referred to in paragraph 1 after the date by which the notifications have been made by the Governments of Japan and at least one (1) ASEAN Member State as referred to in paragraph 1, this Agreement shall enter into force on the first day of the second month following the date on which that ASEAN Member State makes the notification. That ASEAN Member State shall be bound by the existing terms and conditions of this Agreement, including any amendments that may have entered into force pursuant to Article 77 by the time of such notification. For the purposes of Annex 1, the staging of tariff elimination or reduction of that ASEAN Member State shall also commence from the date of entry into force of this Agreement pursuant to paragraph 1.

Article 80  
Withdrawal and Termination

1. Any Party may withdraw from this Agreement by giving one (1) year's advance notice in writing to the other Parties.

2. This Agreement shall terminate either when all ASEAN Member States which are Parties withdraw in accordance with paragraph 1 or when Japan does so.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE in duplicate in the English language and SIGNED  
at Tokyo on the                    day of                    in the year 2008, at  
Bandar Seri Begawan on the                    day of                    in the  
year 2008, at Phnom Penh on the                    day of                    in  
the year 2008, at Jakarta on the                    day of                    in  
the year 2008, at Vientiane on the                    day of                    in  
in the year 2008, at Kuala Lumpur on the                    day of                    in  
in the year 2008, at Nay Pyi Taw on the                    day of                    in  
in the year 2008, at Manila on the                    day of                    in  
in the year 2008, at Singapore on the                    day of                    in  
in the year 2008, at Bangkok on the                    day of                    in  
in the year 2008, and at Hanoi on the                    day of                    in  
in the year 2008.

For the Government of  
Japan:

For the Government of  
Brunei Darussalam:

For the Government of  
the Kingdom of Cambodia:

For the Government of  
the Republic of Indonesia:

For the Government of  
the Lao People's Democratic  
Republic:

For the Government of  
Malaysia:

For the Government of  
the Union of Myanmar:

For the Government of  
the Republic of  
the Philippines:

For the Government of  
the Republic of Singapore:

For the Government of  
the Kingdom of Thailand:

For the Government of  
the Socialist Republic of  
Viet Nam: