

LEMBARAN NEGARA REPUBLIK INDONESIA

No.37, 2008

AGREEMENT.

Pengesahan.

Persetujuan.

Ekonomi-Menyeluruh. ASEAN-RRC.

PERATURAN PRESIDEN REPUBLIK INDONESIA

NOMOR 18 TAHUN 2008

TENTANG

PENGESAHAN *AGREEMENT ON TRADE IN SERVICES OF THE FRAMEWORK
AGREEMENT ON COMPREHENSIVE ECONOMIC CO – OPERATION
BETWEEN THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS AND
THE PEOPLE’S REPUBLIC OF CHINA* (PERSETUJUAN
PERDAGANGAN JASA DALAM PERSETUJUAN KERANGKA KERJA
MENGENAI KERJA SAMA EKONOMI MENYELURUH ANTARA
NEGARA-NEGARA ANGGOTA ASOSIASI BANGSA-BANGSA ASIA
TENGGERA DAN REPUBLIK RAKYAT CHINA)
DENGAN RAHMAT TUHAN YANG MAHA ESA

PRESIDEN REPUBLIK INDONESIA,

Menimbang : a. bahwa di Cebu, Filipina, pada tanggal 14 Januari 2007 Pemerintah Republik Indonesia telah menandatangani *Agreement on Trade in Services of the Framework Agreement on Comprehensive Economic Co-operation between the Association of Southeast Asian Nations and the People’s Republic of China* (Persetujuan Perdagangan Jasa dalam Persetujuan Kerangka Kerja mengenai Kerja Sama Ekonomi Menyeluruh antara Negara-Negara Anggota Asosiasi Bangsa-Bangsa Asia Tenggara dan Republik Rakyat China), sebagai

hasil perundingan antara para wakil Negara-Negara Anggota Asosiasi Bangsa-Bangsa Asia Tenggara dan Republik Rakyat China;

- b. bahwa sehubungan dengan itu, perlu mengesahkan Persetujuan tersebut dengan Peraturan Presiden;

Mengingat :

1. Pasal 4 ayat (1) dan Pasal 11 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;
2. Undang-Undang Nomor 24 Tahun 2000 tentang Perjanjian Internasional (Lembaran Negara Republik Indonesia Tahun 2000 Nomor 185, Tambahan Lembaran Negara Republik Indonesia Nomor 4012);
3. Undang-Undang Nomor 10 Tahun 2004 tentang Pembentukan Peraturan Perundang-undangan (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 53, Tambahan Lembaran Negara Republik Indonesia Nomor 4389);
4. Keputusan Presiden Nomor 48 Tahun 2004 tentang Pengesahan *Framework Agreement on Comprehensive Economic Co-operation between the Association of South East Asian Nations and the People's Republic of China* (Persetujuan Kerangka Kerja mengenai Kerjasama Ekonomi Menyeluruh antara Negara-negara Anggota Asosiasi Bangsa-bangsa Asia Tenggara dan Republik Rakyat China) (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 50);

MEMUTUSKAN :

Menetapkan : PERATURAN PRESIDEN TENTANG PENGESAHAN *AGREEMENT ON TRADE IN SERVICES OF THE FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC CO-OPERATION BETWEEN THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS AND THE PEOPLE'S REPUBLIC OF CHINA* (PERSETUJUAN PERDAGANGAN JASA DALAM PERSETUJUAN KERANGKA KERJA MENGENAI KERJA SAMA EKONOMI MENYELURUH ANTARA NEGARA-NEGARA ANGGOTA ASOSIASI BANGSA-BANGSA ASIA TENGGARA DAN REPUBLIK RAKYAT CHINA).

Pasal 1

Mengesahkan *Agreement on Trade in Services of the Framework Agreement on Comprehensive Economic Co-operation between the Association of Southeast Asian Nations and the People's Republic of China* (Persetujuan Perdagangan Jasa dalam Persetujuan Kerangka Kerja mengenai Kerja Sama Ekonomi Menyeluruh antara Negara-Negara Anggota Asosiasi Bangsa-Bangsa Asia Tenggara dan Republik Rakyat China) yang naskah aslinya dalam Bahasa Inggris dan terjemahannya dalam Bahasa Indonesia sebagaimana terlampir dan merupakan bagian yang tidak terpisahkan dari Peraturan Presiden ini.

Pasal 2

Apabila terjadi perbedaan penafsiran antara naskah terjemahan Persetujuan dalam Bahasa Indonesia dengan naskah aslinya dalam Bahasa Inggris sebagaimana dimaksud dalam Pasal 1, maka yang berlaku adalah naskah aslinya dalam Bahasa Inggris.

Pasal 3

Peraturan Presiden ini mulai berlaku pada tanggal ditetapkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Presiden ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Ditetapkan di Jakarta
pada tanggal 26 Februari 2008

PRESIDEN REPUBLIK INDONESIA,

SUSILO BAMBANG YUDHOYONO

Diundangkan di Jakarta
pada tanggal 26 Februari 2008

MENTERI HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,

ANDI MATTALATTA

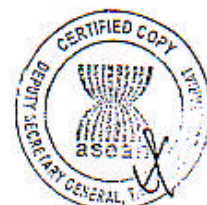


**AGREEMENT ON TRADE IN SERVICES OF THE
FRAMEWORK AGREEMENT ON COMPREHENSIVE
ECONOMIC CO-OPERATION BETWEEN THE
ASSOCIATION OF SOUTHEAST ASIAN NATIONS AND
THE PEOPLE'S REPUBLIC OF CHINA**

The Governments of Brunei Darussalam ("Brunei Darussalam"), the Kingdom of Cambodia ("Cambodia"), the Republic of Indonesia ("Indonesia"), the Lao People's Democratic Republic ("Lao PDR"), Malaysia, the Union of Myanmar ("Myanmar"), the Republic of the Philippines ("Philippines"), the Republic of Singapore ("Singapore"), the Kingdom of Thailand ("Thailand") and the Socialist Republic of Viet Nam ("Viet Nam"), Member Countries of the Association of Southeast Asian Nations (collectively, "ASEAN" or "ASEAN Member Countries", or individually, "ASEAN Member Country"), and the People's Republic of China ("China"),

RECALLING the Framework Agreement on Comprehensive Economic Co-operation ("the Framework Agreement") between ASEAN and China (collectively, "the Parties", or individually referring to an ASEAN Member Country or to China as a "Party") signed by the Heads of Government/State of ASEAN Member Countries and China in Phnom Penh on the 4th day of November 2002;

RECALLING Articles 4 and 8(3) of the Framework Agreement on conclusion as expeditiously as possible of the negotiations of the agreement on trade in services so as to progressively liberalise and eliminate substantially all discrimination and/or prohibition of new or more discriminatory measures with respect to trade in services between the Parties, and to expand the depth and scope of



such trade with substantial sectoral coverage beyond those undertaken by the ASEAN Member Countries and China under the World Trade Organisation ("WTO") General Agreement on Trade in Services;

STRIVING to enhance co-operation in services between the Parties in order to improve efficiency and competitiveness, as well as to diversify the supply and distribution of services of the respective service suppliers of the Parties, for implementation in accordance with the timeframes to be mutually agreed by the Parties to the Framework Agreement taking into account the sensitive sectors of the Parties, and with special and differential treatment and flexibility for the newer ASEAN Member Countries of Cambodia, Lao PDR, Myanmar and Viet Nam;

RECOGNISING the right of the Parties to regulate, and to introduce new regulations, on the supply of services in the territories of the Parties in order to meet national policy objectives and, given asymmetries existing with respect to the degree of development of services regulation within the Parties, the particular need of the Parties to exercise this right,

HAVE AGREED AS FOLLOWS:

PART I: DEFINITIONS AND SCOPE

Article 1 Definitions

For the purposes of this Agreement:

- (a) "a service supplied in the exercise of governmental authority" means any service which is supplied neither

