ASSIST

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WHAT IS ASSIST?

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FAO

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STEP-BY-STEP TUTORIAL FOR CASE STUDY 4

(TRADE IN SERVICES)

Complaint Filed by an ASEAN Enterprise, Accepted by Central Administrator and Destination Contact Point and Solution Proposed by Destination Contact Point and Accepted by the ASEAN Enterprise.

Brief Description of Case: This scenario is that of a mock case that is structured to reflect Mode 1 (or the so-called Cross Border Supply) of international trade in services, which is defined in the ASEAN Framework Agreement on Services (AFAS) and the General Agreement on Trade in Services (GATS), mutatis mutanda, as the supply of a service from the territory of one country into the territory of another country or, in other words, in all commercial instances where the service moves across the border. This scenario is that of a complaint that is accepted by ASSIST's Central Administrator as having been validly lodged by the Complainant (i.e., being complete and falling within ASSIST's scope) and also accepted by the Destination Country as an issue for which the particular ASEAN Member State is willing to engage with the Complainant through ASSIST, interact with the domestic relevant authorities and provide a solution to the Complainant through ASSIST.

The complaint is in relation to a new shipping law issued by the Destination Country, namely the Ministry of Trade Law No. 13 Year 2018, imposing that certain commodities can only be transported for import or export by national maritime transport companies. The four commodities (i.e., iron, aluminium, rubber and cotton), are among the commodities listed in this new shipping law. This new law would certainly result in a financial loss for the Complainant's business and prevent it from providing its maritime shipping services between the Home Country and the Destination Country. The Complainant is very worried and believes that this legislative development is contrary to free trade, to the spirit of the ASEAN Economic Community (AEC) and, possibly, against the specific commitments and obligation of the Destination Country under the relevant ASEAN economic agreements (e.g., the ASEAN Framework Agreement on Services, or AFAS).

List of Actors and Abbreviations:

- Complainant = ASEAN Enterprise (AE)
- ASEAN Secretariat = Central Administrator of ASSIST (CA)
- Home Country = Home Contact Point (HCP) in ASEAN Member State-X (AMS-X)
- Destination Country = Destination Contact Point (DCP) in ASEAN Member State-Y (AMS-Y)
- Relevant National Authorities = Relevant Authorities (RAs)



GO TO THE ASSIST WEBSITE (HTTP://ASSIST.ASEAN.ORG)

If you feel that your case is a problem on an ASEAN cross-border trade related issue, you are a business registered in an ASEAN Member State, and you would like a free of charge, non-binding, consultative service, and receive an expedited and effective solution, go to the following link: http://assist.asean.org.



If you are filing a complaint under your own company (non-anonymous complaint) and you are not represented by an ASEAN-based trade association, or by any other representative entity of your choice, such as a chamber of commerce, business council, business federation, or registered lawyer or law firm, click on the "ASEAN Enterprise" icon on the File a Complaint tab.



| ASSOCIATION OF SOUTHEAST ASIAN NATIONS | ASSIST ASEAN Solutions for | Investments, Services and | Trade | | | |
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| Complaint to be | e Filed by an | ASEAN Ente | erprise | | | |
| ASEAN Enterprise | Please fill-in the form be with an * are mandatory Please note that, if you re representative entity of y forms are available under In order to file a valid co ck your spam/junk boxes). | elow so as to provide ASSIST fields. equire anonymity, your complain our choice, such as a chamber or the respective <u>icons</u> . omplaint, you shall verify your | with enough information on the trac should be submitted instead by an AS f commerce, business council, busines submission by replying to the auto | de problem that you a SEAN-based trade ass ss federation, or registr mated email that you | are experiencin ociation, or by a ered lawyer or la a will receive fro | g, Fields marked ny other w firm. Dedicated om ASSIST shortly |
| ASEAN ENTERPRIS | SE | | | | | |
| * ASEAN Enterprise Name | | | | | | |
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| CONTACT PERSON | 4 | | | | | |
| * Gender | | Mr O Mrs O Ms | | | | |
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| * Email | | | | | | |

ASSIST **ASIAN NATIONS ASEAN Solutions for Investments, Services and Trade** WELCOME TO ASSIST **FILE A COMPLAINT** FOLLOW A COMPLAINT PROCESS FAQ CONTACT WHAT IS ASSIST? Address City ZIP Code Country COMPLAINT DESCRIPTION * Country of Legal Registration 0 0 * Registration Number * Company Registration Proof 0 Choose File No file chosen * Type of Business 0 * Business Sector Goods - Services Sector Description 0 * Type of Problem Encountered 1 Tariff-related measures * Destination Country 0 * Description 0 Attachment 0 Choose File No file chosen + Attachment I have read and accept the ASSIST rules. I hereby submit this complaint to the Central Adm and I accept its transmission to the relevant authorities of the ASEAN Member States in I'm not a robot

Fill-in the above form so as to provide ASSIST with enough information on the trade problem that you are experiencing. Fields marked with an asterisk (*) are mandatory fields. If you are not sure on what to fill-in for a field, the **①** buttons are available for detailed instructions on what to fill-in for each field. Please click on the **①** buttons to make sure that you fill-in the correct information in the form.

It is extremely important that you properly fill-in the "Description" field. The CA will need to verify that the description given in the complaint is sufficient to clearly identify the problem in the context of the specific subject agreement(s). Thus, please carefully layout your complaint with legal arguments and factual evidence to help the CA in deciding whether to approve your complaint.

FILL-IN THE COMPLAINT FORM

STEP

3

Below is an example of a completed form for this specific case study.

| ASSOCIATION OF SOUTHEAST ASIAN NATIONS | ASSIST ASEAN Solutions for | Investments, Services and | Trade | | | |
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| WELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | FAQ | CONTACT |
| Complaint to be | Filed by an Please fill-in the form b with an * are mandator Please note that, if you r | elow so as to provide ASSIST y fields. | with enough information on the transformation on the transformation on the transformation on the transformation of the submitted instead by an A | de problem that you a SEAN-based trade ass | are experiencir ociation, or by a | ng. Fields marked any other |
| ASEAN Enterprise | representative entity of y forms are available unde In order to file a valid c | our choice, such as a chamber o r the respective <u>icons</u> . omplaint, you shall verify your | f commerce, business council, busine submission by replying to the auto | ss federation, or register of the register | ered lawyer or l ı will receive fr | aw firm. Dedicated |
| after submission (please also check) | your spam/junk boxes). | ,,,, | , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | | , |



| JME TO ASSIST | WHAT IS ASSIST? | FILE A COMP | PLAINT | FOLLOW A COM | PLAINT | PROCESS | FAQ | CON |
|---------------|--|---------------------------------|---|---|--|--|---|-----|
| | ASEAN ENTERPR * ASEAN Enterprise Name * Company Size * Phone Website * Address * City * City * Country | ISE | Star 88 Co., Ltd. 50 to 100 +905 524 1532 www.star68.com Better, Living Street City H Country X 281 charaders remaining (300 m City W AMS-X | ximum) ZIP Code | 1711 | | | |
| | CONTACT PERSO * Gender * First Name * Phone * Position * Email Address | | Mr Mrs Paul +905 524 1532 Chief Executive Officer aseanenterprise0@gma Better Living Street City W 201 charaders remaining (300 m City W | Ms *Last Name Loom : : : : : : : : : : : : : : : : : : | Smith | | | |
| | Country | | City W AMS-X | ZIP Code | 1711 | | | |
| | * Country of Legal Registration * Registration Number * Company Registration Proof * Type of Business * Business Sector - Services Sector Description * Type of Problem Encountered * Description | | AMS-X 123456 Choose File Annex 1- Service provider Services 11 Transport services AMS-Y We are a duly regist agreement since Jam. into afty-x using our into afty-x using our cost in fuel consum tips, the consum tips, the consum tips, the consum tips. | * Simulat8 Co., Ltd pdf * tered shipping company in <u>AN</u> ary 2018 with an inport-exp d aluminium an <u>ADS-X</u> into filet of vessels. We have <u>ADS-X to AMS-X</u> voing the say tion and manpower by having issed in both <u>ADS-X</u> and <u>ADS-X</u> | -X. We have ente the second second second second agreed to conduct a full freight 1 trive and compet | red into a two-year binding 5-X. The scope of the agreen rubber and cotton from AUS- to this export-import transa- tertion, inter alls, is to so ad in both imbond and out life's service on a cross-bor | v v v v v v v v v v v v v v v v v v v | |
| | Attachment | IST <u>rules</u> . | 2872 oharacters remaining (5000 Choose File Annex 2 Choose File Annex 3 | maximum) Simulated Law of AMS-Ypdf Simulated AMnsport Services.pc | + Attachment | | | |
| | I hereby submit this complaint to | the Central Administrator of AS | SSIST and I accept its tra | Ibot | of the ASEAN Memt | per States involved | | |

As an example of a clear and concise description of the complaint, below is the AE's description of his complaint in this case study:

"We are a duly registered shipping company in AMS-X. We have entered into a two-year binding agreement since January 2018 with an import-export company in AMS-X. The scope of the agreement is to export iron and aluminium from AMS-X into AMS-Y and import rubber and cotton from AMS-Y into AMS-X using our fleet of vessels. We have agreed to conduct this export-import transaction in round-trips from AMS-X to AMS-Y using the same vessel. The intention, inter alia, is to save cost in fuel consumption and manpower by having a full freight load in both inbound and outbound trips, thereby **FILE A COMPLAINT**

WELCOME TO ASSIST

STEP

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WHAT IS ASSIST?

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being able to provide a cost-effective and competitive service on a cross-border basis to customers based in both AMS-X and AMS-Y.

We recently learned that AMS-Y has issued a new shipping law, namely the Ministry of Trade Law No. 13 Year 2018, imposing that certain commodities can only be transported for import or export by national maritime transport companies. The four commodities, i.e. iron, aluminium, rubber and cotton, are among the commodities listed in this new shipping law. This new law would certainly result in a financial loss for our business and prevent us from providing its maritime shipping services between AMS-X and AMS-Y. We are very worried that this legislative development is contrary to free trade, to the spirit of the ASEAN Economic Community (AEC) and, possibly, against the specific commitments and obligation of AMS-Y under the relevant ASEAN economic agreements (e.g., the ASEAN Framework Agreement on Services, or AFAS).

We are of the view that this new law is a clear measure of protectionism and is incompatible with free trade principles and customary law regarding international maritime services, which will seriously impact AMS-X's shipping companies that are offering cross-border maritime transport services in relation to the commodities affected by this law. Furthermore, this new measure by AMS-Y is a clear violation of the commitments made by AMS-Y to the World Trade Organization and is a clear violation of the Schedule of Specific Commitments of AMS-Y under AFAS, where AMS-Y have committed to allow foreign shipping companies that are offering cross-border freight transport services within ASEAN to operate within its waters without any limitations to market access and national treatment. Thus, we would like to request for AMS-Y to revoke or amend this new law accordingly."

When the complaint is filed by clicking "Submit Your Complaint", the following page in Step 4 will appear.

RECEIVE A NOTIFICATION FROM ASSIST

Once you file a complaint on the ASSIST website, the below page will appear, informing you that a confirmation email will be sent to the email address which you have provided in your complaint form.

| ASSOCIATION OF SOUTHEAST ASIAN NATIONS | ASSIST ASEAN Solutions for | Investments, Services and | l Trade | | | |
|---|---|---|--|------------------|-----|---------|
| WELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | FAQ | CONTACT |
| Thank you for 1 You will shortly receive a confirma | tion e-mail containing your re- | on of your co | mplaint | | | |
| Please click on the link contained i You will be able to monitor your comp | in the e-mail in order to confi Ilaint and access it on the follow | rm your submission. ving webpage: | | | | |
| attp://assist.asean.org/user/login by using your e-mail / tracking ID. | | | | | | |
| | Central Administrator | of ASSIST / <u>ASEAN</u> Secretariat ASSIST - Supported by | - 70A JI. Sisingamangaraja - Jakarta 1 / ARISE - [Disclaimer] | 2110 - Indonesia | | |

The above notification indicates that you should click on the link provided in your email account to confirm your complaint with ASSIST.



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| WELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | FAQ | CONTACT |
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| | Email/compla Thank you for having confirmed Your complaint will now be revie 1) Accepted and submitte 2) Incomplete and returne 3) Rejected. If failing outs A reason shall be provided to yo | Aint confirmation valid your e-mail. weed by the Central Administrator of ASSIST and you do by the Central Administrator of ASSIST and you do the Destination Country; or do you for revision; or dide of the scope of ASSIST or not being a valid comp u in writing in case of outcomes 2) or 3) above. | shall be notified within maximum 10 working days of whether i laint. N Secretariat - 70A. II. Sisingamanganaia - Jakasta 12110 - Indo | t is: | _ | |
| | | Lentral Administrator of ASSIST - ASSIST - | <u>n</u> secretana - <i>rU</i> a J. Sengamangaraya - Jakarta 12/10 - Indor Supported by <u>ARISE</u> - <u>(Disclaime</u>) | lesia | | |
| | The above notification be notified by email w 1) Accepted and su 2) Incomplete and 3) Rejected, if fallin Go to your email acco | will inform you that you ithin maximum 10 work ubmitted to the Destina returned to you for revis g outside of the scope unt. | ur complaint will be reviewe ing days of whether it is: tion Country; or sion; or of ASSIST or not being a val | d by the CA and id complaint. | d that you w | 11 |
| STEP | RECEIVE AN EMAIL | FROM ASSIST THAT | YOUR EMAIL ADDRESS A | ND COMPLAI | NT IS VALIE |) |
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| | ASSOCIATION OF SOUTHEAST ASIAN NATIONS | AS | SIST Solutions for Investments, Services and Trade | | | |
| | Dear Mr Paul Smith, Thanks for the confirmation of your complain ASSIST will review your complaint and che not fail within the scope of ASSIST, within a You are able to access your complaint at a ASEAN Enterprise / Trade Association / Lar Company size : 60 to 100 Phone : = 906 524 150 cm Website : www.star08.com Mebsite : www.star08.com Mebsite : WW 20 code : 1711 Country : AWS.X : | int ID No. 14620181017 . tck its validity and that it has been lodged correctly maximum of 10 working days from the date of fill ny time on the following webpage: http://assist.a w Firm : Star 88 Co., Ltd. (type Enterprise) try X | : You will receive a response indicating whether the compling. ng. sean.org/user/login by using your e-mail / tracking ID: ase | aint is validly lodged, or requires n anenterprise0@gmail.com / 1462 | evision, or whether it doe: 0181017 | |
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ASSOCIATION ASSIST

| ELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | FAQ | CONT |
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| | | | | | | |
| | Contact person : Mr Paul Smith | | | | | |
| | Prosition : Chief Executive Officer Email : ascanenterprise0@gmail.com Address : Better Living Street City W Cour | ntry X | | | | |
| | City : City W / Zip Code : 1/11 Country : AMS-X Confidential case code (for law firm or law | yer only): | | | | |
| | Country of Legal Registration : AMS-X Legal Registration Number : 123456 Type of Business : Service provider Business Sector : Services / | | | | | |
| | Type of problem encountered : Transport : Destination Country : AMS-Y Description: | services | | | | |
| | We are a duly registered shipping compan iron and aluminium from AMS-X into AMS- AMS-Y using the same vessel. The intenti- effective and competitive service on a cros | y in AMS-X. We have entered into a two-year bindi Y and import rubber and cotton from AMS-Y into on, inter alla, is to save cost in fuel consumption an s-border basis to customers based in both AMS-X | ng agreement since January 2018 with an import-export of MS-X using our fleet of vessels. We have agreed to cond d manpower by having a full freight load in both inbound and AMS-Y. We recently learned that AMS-Y has issued | company in AMS-X. The scope of t uct this export-import transaction i and outbound trips, thereby being a new shipping law, namely the Mi | the agreement is to export n round-trips from AMS-X able to provide a cost- nistry of Trade Law No. 13 | to |
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| | principles and customary law regarding int commodities affected by this law. Furtherm Specific Commitments of AMS-Y under AF | enational maritime services, which will servicely in hore, this new measure by AMS-Y is a clear violation (AS, where AMS-Y have committed to allow foreign | apact AMS-X46™s shipping companies that are offering of no f the commitments made by AMS-Y to the World Trad shipping companies that are offering cross-border freigh | cross-border maritime transport set e Organization and is a clear violat t transport services within ASEAN | rvices in relation to the tion of the Schedule of to operate within its water | s |
| | without any limitations to market access an | nd national treatment. Thus, we would like to reque Thankin | st for AMS-Y to revoke or amend this new law accordingly g you, ASSIST is at your service. | <i>ļ.</i> | | |
| | | | assist.asean.org | | | |
| | 3 attachments | | | | | |
| | Annex_2-Simulated_Law_of_AMS-Y2.pc | df | | | | |
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| | aseanenterprise0@gmail. | com | LOGIN | | | | |
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| | | Central Administrator of ASSIST / <u>ASEA</u> ASSIST | <u>W</u> Secretariat - 70A JI. Sisingamangaraji - Supported by <u>ARISE</u> - [<u>Disclaimer]</u> | a - Jakarta 12110 - Indonesia | | | |
| (| Once you login, you w | vill see your ASSIST dasł | nboard where you | ı can monito | r the progress | s of your | |
| (| complaint. | | | | | | |
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| (| (c) View of your ASSIS | ST Dashboard once you | have successfully | logged-in: | | | |
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ASSOCIATION ASSIST OF SOUTHEAST ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST WHAT IS ASSIST? **FILE A COMPLAINT** FOLLOW A COMPLAINT PROCESS FAQ CONTACT e of protectionism and is incompatible with free trade principles and customary law regarding international maritime services, which will new law is a clear m seriously impact AMS-X's shipping companies that are offering cross-border maritime transport services in relation to the commodities affected by this law encode impact which is anapping comparison that the obtained of the commitments analoging and the commitment and of the commitment analoging and the commitment and the commitment analoging a transport services within ASEAN to operate within its waters without any limitations to market access and national treatment. Thus, we would like to request for AMS-Y to revoke or amend this new law accordingly. Attachment Annex_2-Simulated_Law_of_AMS-Y2,pdf Annex 3-Simulated AMS-Y Schedule of Specific Commitments-Maritime Transport Services.pdf Central Administrator of ASSIST / <u>ASEAN</u> Secretariat - 70A JI. Sisingamang ASSIST - Supported by <u>ARISE - [Disclaimer]</u> ngaraja - Jakarta 12110 - Indonesia

As you can see in your dashboard, the actions taken for your complaint are clearly indicated in your dashboard and this list will be regularly updated after each action is taken. Your completed complaint form, which you have submitted, is also accessible on your dashboard.

STEP 8

CENTRAL ADMINISTRATOR REVIEWS YOUR COMPLAINT AND SENDS A RESPONSE TO YOUR EMAIL (ACCEPT, INCOMPLETE, OR REJECT)

Once the CA has completed reviewing your complaint and decided on whether to accept/incomplete/reject, an email will be sent to you typically within 10 working days since you lodged your complaint.

If no action has been taken in the meantime by the CA, the CA will receive the below automatic reminder via email from the ASSIST online system within 7 calendar days after the complaint is lodged. As indicated above, the CA must decide to accept, declare incomplete and request revision, or reject the complaint within 10 working days.

Email Reminder 1 for the Central Administrator:

| M Gmail | Central Administrator ASEC <caatasec@gmail.com></caatasec@gmail.com> |
|---|--|
| ASSIST] Complaint #13320180921 reminder for CA | |
| No Reply ASSIST <assist@asean.org≻ Reply-To: *assist@asean.org* <assist@asean.org></assist@asean.org></assist@asean.org≻ | Sat, Sep 22, 2018 at 5:00 AM |
| ASSOCIATION OF SOUTHEAST ASIAN NATIONS | ASSIST ASEAN Solutions for Investments, Services and Trade |
| Action is required by the CA for the complaint: 13320180921 | |
| | Thanking you, ASSIST is at your service. |
| | assist asean org |



In this case, the above email shows that your complaint has been **accepted** by the CA. The email also informs you that your complaint will now be sent to the Destination Contact Point, which is the government agency (ASSIST Focal Point) in AMS-Y where you are facing trade problems and where your complaint is directed and a resolution is sought. The DCP in AMS-Y will be given 10 working days to review your complaint and either accept, reject or revert back to you with a request for more information. This is intended to give time to the DCP to examine the details of the complaint, and consult as necessary with any relevant national authorities.

The Home Contact Point, which is the government agency (ASSIST Focal Point) in AMS-X (your home country) has also been notified that your complaint is lodged.

If you do not receive an email from ASSIST within the required timeframe (10 working days since the complaint is lodged), then this means that the CA has an overdue action. The CA will receive another automatic reminder via email (14 calendar days after the complaint is lodged) that an action is required by the CA for the complaint. The CA will receive the email below:



STEP 9

LOGIN TO YOUR ASSIST DASHBOARD BY USING YOUR EMAIL AND TRACKING ID TO SEE THE ACTUAL RESPONSE FROM THE CENTRAL ADMINISTRATOR

If you wish to see the full response from the CA, you will need to login to your ASSIST dashboard using your email and tracking ID as indicated in Step 7(a) and (b) above.

The full view of your dashboard can be seen below. As you can see, another action has been added to your 'History' indicated that the CA has "Accepted" your complaint.

| | | | | Incourt | DUNIPLES | LAIL | | |
|-------------------------------|-------------------------------|-----------------|--|--|--|--|---|---------------------------------|
| Tracking ID | | | IFLAINT | LUGUUT | FRUGESS | ГАŲ | GUNTAGT | DISGLAIME |
| | #1462018101 | 7 / AMS | -Y | | | | | |
| Date Actio | n Action By | | Comments | | | | | |
| 17/10/2018 14:40:40 | Accepted Central A | dministrator of | Dear Mr Paul | Smith, | | | | |
| | ASSIST | | Thank you fo your complain proves that y | r lodging your comp nt and finds that it is ou are a business re | aint under ASSIST. T complete. You have s gistered in AMS-X an | he Central Admi submitted your c d you | nistrator has reviewed ompany registration d | l and verified ocument which |
| 17/10/2018 13:09:04 | Email Confirmed ASEAN-b | ased Enterprise | Email Confirm | ned | | | | |
| 1//10/2010 12:49:41 | ASEAN-D | ased Enterprise | | | | | | |
| ASEAN Enterprise Name | Star 88 Co., Ltd | | | ddress | Better Liv | ing Street City V | Country X | |
| Phone | +905 524 1532 | | | lity | City W | ing out out only i | oounity / | |
| Website | www.star88.com | | z | IP Code | 1711 | | | |
| | | | 0 | Country | AMS-X | | | |
| CONTACT PERS | SON | | | | | | | |
| First Name | Paul | | ŀ | Address | Better Liv | ing Street City V | / Country X | |
| Last Name | Smith | | C | City | City W | | | |
| Phone | +905 524 1532 | | z | IP Code | 1711 | | | |
| Position | Chief Executive Officer | | 0 | Country | AMS-X | | | |
| Email | aseanenterprise0@gmail.com (0 | Confirmed) | | | | | | |
| COMPLAINT DE | SCRIPTION | | | | | | | |
| Country of Legal Registration | AMS-X | | E | Business Sector | Services | | | |
| Registration Number | 123456 | | 1 | ype of Problem | Services | Transport servi | ces | |
| • | | | E | ncountered | | | | |
| Company Depletention Depet | Annex 1- | | 0 | estination Country | AMS-Y | | | |

ASSOCIATION ASSIST

| OF SOUTHEAST ASIAN NATIONS | ASEAN Solutions fo | or Investments, Services and | l Trade | | |
|-------------------------------|--------------------|---|--|---|--|
| WELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | |
| | | | | | |
| | Type of Business | Service provider | | | |
| | Description | We are a duly registered shipping company in AMS-X AMS-X. The scope of the agreement is to export iron of vessels. We have agreed to conduct this export-im save cost in fuel consumption and manpower by havit competitive service on a cross-border basis to custor | . We have entered into a two-year binding agreement since J and aluminium from AMS-X into AMS-Y and import rubber an port transaction in round-trips from AMS-X to AMS-Y using th ng a full freight load in both inbound and outbound trips, there res based in both AMS-X and AMS-Y. We recently learned th | anuary 2018 with an import-export c d cotton from AMS-Y into AMS-X us e same vessel. The intention, inter a by being able to provide a cost-effec at AMS-Y has issued a new shippin | ompany in ing our fleet lia, is to tive and g law, |

AMS-Y to revoke or amend this new law accordingly.

Annex 2-Simulated Law of AMS-Y2.pdf

Click on the magnifying glass icon in the comments column. The full response from the CA will appear, as can be seen below:

Annex_3-Simulated_AMS-Y_Schedule_of_Specific_Commitments-Maritime_Transport_Services.pdf

namely the Ministry of Trade Law No. 13 Year 2018, imposing that certain commodities can only be transported for import or export by national maritime transport

result in a financial loss for our business and prevent us from providing its maritime shipping services between AMS-X and AMS-Y. We are very worried that this legislative development is contrary to free trade, to the spirit of the ASEAN Economic Community (AEC) and, possible, against the specific commitments and obligation of AMS-Y under the relevant ASEAN accountic agreements (e.g., the ASEAN Framework Agreement on Services, or AFAS). We are of the view that this new law is a clear measure of protectionism and is incompatible with free trade principles and customary law regarding international maritime services, which will seriously impact AMS-X's shipping companies that are offering cross-border maritime transport services in relation to the commodities affected by this law. Furthermore, this new measure by AMS-Y is a clear violation of the commitments made by AMS-Y to the World Trade Organization and is a clear violation of the Schedule of Specific Commitments of AMS-Y, under AFAS, where AMS-Y have committed to allow foreign shipping companies that are offering cross-border relight transport services within ASEAN the operate within its waters without any limitations to market access and national treatment. Thus, we would like to request for transport services within ASEAN the operate within its waters without any limitations to market access and national treatment. Thus, we would like to request for transport services.

raja - Jakarta 12110 - Indonesia

ies. The four commodities, i.e. iron, aluminium, rubber and cotton, are among the commodities listed in this new shipp

CONTACT

x

FAO

ng law. This new law would certainly

Dear Mr Paul Smith,

Attachment

Thank you for lodging your complaint under ASSIST. The Central Administrator has reviewed and verified your complaint and finds that it is complete. You have submitted your company registration document which proves that you are a business registered in AMS-X and you have also provided us with a copy of the Ministry of Trade Law No. 13 Year 2018 that is allegedly in violation of the Schedule of Specific Commitments of AMS-Y under AFAS. In addition, you have also submitted a copy of the concerned commitments of AMS-Y under AFAS. Thus, the Central Administrator finds that the nature of your complaint falls within the scope of ASSIST and that you have fulfilled all the necessary requirements to file a complaint under ASSIST.

We will forward your complaint to AMS-Y (Destination Contact Point). The Destination Contact Point will review your complaint and consult with the relevant national authorities, and will revert with a response within 10 working days on whether it has accepted or rejected your complaint.

You may monitor the progress on the handling of the complaint by login to your ASSIST Dashboard by using your Email/Tracking ID.

As informed in Step 8, once the complaint has been accepted by the CA, the complaint will be sent to the Destination Contact Point (DCP) in AMS-Y where you are facing trade problems. The DCP in AMS-Y will be given 10 working days to review your complaint and either accept or reject it. This is intended to give time for the DCP to examine the details of the complaint, and consult as necessary with any relevant national authorities. Once the DCP responds, an email will be sent to you from ASSIST informing you whether your complaint has been accepted or rejected by the DCP in AMS-Y.



FAO

STEP 10

RECEIVE AN EMAIL NOTIFICATION FROM ASSIST ON WHETHER YOUR COMPLAINT IS ACCEPTED OR REJECTED BY THE DESTINATION CONTACT POINT IN AMS-Y

Within 10 working days after the response from the CA that your complaint is accepted, you will receive an email below informing that your complaint has been accepted or rejected by the DCP in AMS-Y.

If no action has been taken in the meantime by the DCP, the DCP will receive the automatic reminder below via email from the ASSIST online system within 7 calendar days after the complaint has been accepted by the CA. As indicated above, the DCP must decide to accept or reject the complaint within 10 working days from when the CA has accepted the complaint.

Email Reminder 1 for the Destination Contact Point:

| M Gmail | | AMS Y <aseanmemberstate.y@gmail.com></aseanmemberstate.y@gmail.com> |
|--|---|---|
| [ASSIST] Complaint #14620181017 reminder for DCP | | |
| No Reply ASSIST <assist@asean.org> Reply-To: "assist@asean.org" <assist@asean.org></assist@asean.org></assist@asean.org> | | Thu, Oct 18, 2018 at 5:00 AM |
| ASSOCIATION OF SOUTHEAST ASIAN NATIONS | ASSIST ASEAN Solutions for Investments, Services and Trade | |
| Action is required by the DCP AMS-Y for the complaint: 14620181017 | | |
| | Thanking you, ASSIST is at your service. | |
| | assist asean org | |

Regularly check your email account within the 10 working days after the response from the CA that your complaint is accepted. You will eventually receive a new email from ASSIST.



| | ASCAR SULLIONS IO | | | | |
|-----------------|---|---|--|--|--|
| LCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | FAQ |
| | | | | | |
| | Confidential case code (for law firm or lawy Country of Legal Registration : AMS-X Legal Registration Number : 123456 | ver only): | | | |
| | Type of Business : Service provider Business Sector : Services / Type of problem encountered : Transport s Destination Country : AMS-Y | services | | | |
| | Description: We are a duly registered shipping company iron and aluminium from AMS-X into AMS-1 | y in AMS-X. We have entered into a two-year bindi Y and import rubber and cotton from AMS-Y into A | ng agreement since January 2018 with an import-export of MS-X using our fleet of vessels. We have agreed to cond | company in AMS-X. The scope of t luct this export-import transaction in | he agreement is to export n round-trips from AMS-X |
| | effective and competitive service on a cross Year 2018, imposing that certain commoditi commodities listed in this new shipping law work worked that this localization development | Shorder basis to customers based in both AMS-X les can only be transported for import or export by . This new law would certainly result in a financial but is contract to for a financial to ASE | and AMS-Y. We recently learned that AMS-Y has issued national maritime transport companies. The four common loss for our business and prevent us from providing its ma NE second common community (ASC) and concelled and common | a new shipping law, namely the Mi ditles, i.e. iron, aluminium, rubber a aritime shipping services between / o specific commitments and obliga | nistry of Trade Law No. 13 ind cotton, are among the AMS-X and AMS-Y. We an |
| | relevant ASEAN economic agreements (e.g principles and customary law regarding inte commodities affected by this law. Furthermore specific Completents of AMS X works ASE | and is contrary to the trade, to the spin to the ASE g, the ASEAN Framework Agreement on Services emational maritime services, which will seriously in ore, this new measure by AMS-Y is a clear violatic ASE, where AMS X hours committed to allow foreign. | or CFAS). We are of the view that this new law is a clean space AMS-X's shipping companies that are offering on of the commitments made by AMS-Y to the World Trad upling the companies that are offering cores before from the oblighted and the space of the companies that are offering to the the transference for the transference of the trans | r measure of protectionism and obliga cross-border maritime transport ser e Organization and is a clear violat | ncompatible with free trade vices in relation to the sion of the Schedule of |
| | without any limitations to market access and | d national treatment. Thus, we would like to reque | shipping companies that are oblight closs-bolder neigh st for AMS-Y to revoke or amend this new law accordingly | y. | to operate within its waters |
| | | i hankin as | g you, ASSIST is at your service. | | |
| | | | | | |
| | In this case, the comple | aint has been accepted | by the DCP as can be seer | n above. | |
| | If you do not receive a | n email from ASSIST on | the response by the DCP | within the requir | ed timefram |
| | (10 working days) after | r the complaint has bee | n accepted by the CA, ther | n this means that | t the DCP ha |
| | an overdue action. The | e DCP will receive anot | her automatic reminder via | email (14 calend | dar days afte |
| | the complaint is lodge | d) that an action is urge | ntly required by the DCP fo | or the complaint. | |
| | Email Reminder 2 for | the Destination Cont | act Point: | | |
| | | | | | |
| | M Gmail | | | AMS Y <aseanr< th=""><th>nemberstate.y@gmail.com</th></aseanr<> | nemberstate.y@gmail.com |
| | [ASSIST] Complaint #14620181017 No Reply ASSIST <assist@asean.org> Reply-To: "assist@asean.org" <assist@asean.org></assist@asean.org></assist@asean.org> | , reminder for DCP | | | Thu, Oct 18, 2018 at 5:00 A! |
| | ASSOCIATION OF SOUTHEAST | ASS | IST | | |
| | ASIAN NATIONS | ASEAN S | iolutions for investments, services and frade | | |
| | 14620181017 | e compranit. | | | |
| | | Thanking | you, ASSIST is at your service. assist asean.org | | |
| | | | | | |
| | | | | | |
| | Once the DCP accepts | s the complaint, the mat | tter is forwarded to the Res | ponsible Author | rities (RAs) fo |
| | Once the DCP accepts input. Once the RAs c | s the complaint, the ma complete their efforts, th | tter is forwarded to the Res ne DCP should review the | ponsible Author solution and prc | rities (RAs) fo ovide it to the |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki | s the complaint, the ma complete their efforts, the ing day deadline. Thus, | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim | ponsible Author solution and pro ne limit should be | rities (RAs) fo ovide it to the e assigned b |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefrom | s the complaint, the main complete their efforts, the ing day deadline. Thus, of find a solution. It is the predetween it and pation | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to paal authorities | ponsible Author solution and pro ne limit should be o notify the CA o | rities (RAs) fo wide it to the e assigned b of any chang |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefran | s the complaint, the mai complete their efforts, th ing day deadline. Thus, o find a solution. It is the me between it and natic | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to anal authorities. | ponsible Author solution and pro ne limit should be o notify the CA o | rities (RAs) fo wide it to the e assigned b of any change |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefran The CA may extend th | s the complaint, the mar complete their efforts, the ing day deadline. Thus, o find a solution. It is the me between it and natic me deadline for up to 20 | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to onal authorities. | ponsible Author solution and pro le limit should be o notify the CA o st of the DCP. Th | rities (RAs) fo wide it to the e assigned b of any change ne system wi |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefran The CA may extend th automatically notify will lanse). If the DCP mice | s the complaint, the main complete their efforts, the ing day deadline. Thus, of find a solution. It is the me between it and nation the deadline for up to 20 hen the deadlines are a the its deadline to subm | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to anal authorities. working days upon reques approaching (i.e., typically, bit a solution to the CA, the | ponsible Author solution and pro ne limit should be o notify the CA o st of the DCP. Th 10 calendar day | rities (RAs) fo ovide it to the e assigned b of any chang ne system wi ys before the will notify the |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefran The CA may extend th automatically notify will lapse). If the DCP miss CA to follow-up with the | s the complaint, the mar complete their efforts, the ing day deadline. Thus, o find a solution. It is the me between it and natic the deadline for up to 20 hen the deadlines are a ses its deadline to subm he DCP. | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to anal authorities. working days upon reques approaching (i.e., typically, nit a solution to the CA, the | ponsible Author solution and pro ne limit should be o notify the CA o st of the DCP. Th 10 calendar day e online system o | rities (RAs) fo ovide it to the e assigned b of any chang ne system wi ys before the will notify the |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefran The CA may extend th automatically notify will lapse). If the DCP miss CA to follow-up with the Regularly check your | s the complaint, the mat complete their efforts, the ing day deadline. Thus, o find a solution. It is the me between it and nation the deadline for up to 20 hen the deadlines are a ses its deadline to subm the DCP. | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to anal authorities. working days upon reques approaching (i.e., typically, nit a solution to the CA, the 20 working days after you | ponsible Author solution and pro- ne limit should be o notify the CA o st of the DCP. The 10 calendar day e online system of have been not | rities (RAs) for ovide it to the e assigned b of any change ne system wi ys before the will notify the ified that the |
| | Once the DCP accepts input. Once the RAs c CA within the 40 worki the DCP for the RAs to relating to the timefran The CA may extend th automatically notify will lapse). If the DCP miss CA to follow-up with the Regularly check your DCP has accepted you | s the complaint, the mat complete their efforts, the ing day deadline. Thus, o find a solution. It is the me between it and natic the deadline for up to 20 hen the deadlines are set its deadline to subm he DCP. email within the 40 + the ur complaint. You will eve | tter is forwarded to the Res ne DCP should review the to meet this deadline, a tim responsibility of the DCP to onal authorities. working days upon reques approaching (i.e., typically, hit a solution to the CA, the 20 working days after you rentually receive a new ema | ponsible Author solution and pro ne limit should be o notify the CA o st of the DCP. The 10 calendar day e online system have been not ail from ASSIST i | rities (RAs) fo wide it to the eassigned b of any change ne system wi ys before the will notify the ified that the ndicating the |

WHAT IS ASSIST?

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Attachment

rted by ARISE - [Disclaimer]



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WHAT IS ASSIST?

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Below is the proposed solution from the DCP:

"Upon internal discussions between the DCP and the RAs, AMS-Y decides to postpone the application of the new regulation requiring exporters and importers of certain commodities, including iron, aluminium, cotton and rubber, to use only AMS-Y's domestic vessels (i.e., vessels belonging to maritime shipping companies based in AMS-Y), as there has also been criticism and disagreements from local exporters that this new regulation will possibly affect export volumes and State revenues, as it will discourage or alienate foreign investors, as many buyers of the restricted commodities are now pending finalization of their contracts.

However, AMS-Y stated that it did not intend for the regulation to be seen as a protectionist measure against foreign vessels and in violation of free trade principles. AMS-Y underlined that its measure was initially intended to encourage AMS-Y's shipping industry to increase domestic shipping capacity as more than 90% of all shipping in AMS-Y waters is handled by foreign vessels. Thus, for example, in the rubber industry more than 90% of export shipments are conducted by foreign vessels. Domestic shipping capacity was estimated at 50 million tons in 2017, while foreign vessels shipped 800 million tons in the same year, which is a major difference.

AMS-Y added that the key goal of the regulation is that domestic shipping services companies start to benefit more significantly from the rising amount of sea trade in AMS-Y waters. Currently, most of the contracts and volumes of sea trade are dominated by foreign shipping service companies. However, AMS-Y agrees that it requires a more gradual process rather than a sudden break, thus the decision to postpone indefinitely (although not to revoke) the application of the new law."

(c) In the bottom of the email from ASSIST in 11(a) above, you are requested to indicate whether you are satisfied or not with the answer given by the DCP and the solution provided therein. You can do so by choosing 'Yes' or 'No' in the field provided.



STEP

12

In this case, the AE chooses "Yes".

PROVIDE YOUR FEEDBACK TO THE PROPOSED SOLUTION PROVIDED BY AMS-Y IN THE SAT-ISFACTION SURVEY AND RECEIVE ACKNOWLEDGEMENT EMAILS FROM ASSIST

Once you choose 'Yes/No' in Step 11 (c) above, you will be directed to the page below where you will be requested to answer the Satisfaction Survey and be invited to provide comments, particularly if you are not satisfied with the proposed solution.

| ASSOCIATION OF SOUTHEAST ASIAN NATIONS | ASSIST ASEAN Solutions for In | westments, Servio | es and Trade | | | | | |
|--|---|---|--|--|---------|--------|---------|---------|
| WELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLA | INT FC | LLOW A COMPLAINT | PI | ROCESS | FAQ | CONTACT |
| | <image/> <text><text><text></text></text></text> | ASSIST ASEAN Solutions for Inv WHAT IS ASSIST? Urvey our foedback | estments, Services and FILE A COMPLAINT d with the solution d with the solution | Trade FOLLOW A COMPLAINT FOLLOW | PROCESS | FAQ | CONTACT | |

(a) Fill-in the Satisfaction Survey. In this case, the AE is satisfied with the solution provided by ASSIST and thus indicates accordingly.

| WELCOME TO ASSIST | WHAT IS ASSIST? | FILE A COMPLAINT | FOLLOW A COMPLAINT | PROCESS | FAQ | CONTACT |
|----------------------------------|----------------------------|--|--|--|--|--|
| | | | | | | |
| Satisfaction su | irvey | | | | | |
| Please comment your response for | our feedback | | | | | |
| Your answer | Sa | tisfied with the solution | | | | |
| | a d v 1 u c | nd that <u>AUS</u> -Y's main goal omestic maritime industry iew that there are not eno nternational importers and ndertake certain operation oncern. Thus, we would lik | was to encourage its domestic to be competitive with intern ugh local AMS-V vessels meti the local market does not ha s. This is our partners' (exp e to seek the Government of A | shipping industry ational shippers. ng the standards r ve the capacity ar ort import compani Yg-Y's considerati | and to prom However, we a equired by d experience es in <u>AMS-X</u>) on to amend to | ote its are of the yet to main + the law |
| | | V I'm not a ro | bot reCAPTCHA Privacy-Terms | | | |
| | | SURMIT VO | UR FEEDRACK | | | |

(b) Go to your email account. You will receive one or two (if you have filled-in the Satisfaction Survey) new emails from ASSIST, which acknowledge receipt of your response to the proposed solution by AMS-Y. A copy of your responses will also be sent to the DCP and the HCP.



(c) Login to your ASSIST dashboard using your email and tracking ID as indicated in Step 7(a) and (b) above. The final view of your dashboard can be seen below. As you can see, another action has been added to your 'History' indicating that you have indicated satisfaction to the proposed solution by ASSIST.

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| | ASSOCIA OF SOUTHE ASIAN NATI | AST ASSIST ASEAN Solutions for Investment | ts, Services and Trade | | | |
| | WELCOME TO ASSIS | ST WHAT IS ASSIST? MY CO | DMPLAINT LOGOUT | PROCESS FAQ | CONTACT DISCLAIMER | |
| | Tracking ID | #14620181017 / AM | S-Y | | | |
| | ACCIST Solution | | | | | |
| | aluminum, otto and rubber, aluminum, otto and rubber, from local exporters that this are now pending finalization o trade principles. AMS-Y under Y waters is handled by foreign 50 million tons in 2017, while services companies start to b shipping service companies. It application of the new law. Attachment Satisfied : Yes | veen us OLY and units of admission of the second se | being in graphication for the Highping belonging to maritime shipping companie d State revenues, as it will discourage or tot intend for the regulation to be seen as rage AMS-Ys shipping industry to increa more than 90% faxport shipments are co year, which is a major difference. AMS-Y trade in AMS-Yaders. Currently, most ual process rather than a sudden break, t | requiring exportes and importes out of the sale of alienate foreign investors, as many buy a protectionist measure against foreign a protectionist measure against foreign capacity as more inducted by foreign vessels. Domestic added that the key goal of the regulation of the contracts and volumes of sea tra hus the decision to postpone indefinitely | tam commonses, including intri, een criticism and disagreements ars of the restricted commodilies vessels and in violation of free than 90% of all hipping in AMS- hipping capacity was estimated at wn is that domestic shipping de are dominated by foreign r (although not to revoke) the | |
| | History | | | | | |
| | 18/10/2018 16:52:00 | Satisfied ASEAN-based Enterprise | Although AMS-Y decided to only post quite satisfied with the proposed solu | pone the new law and not revoke it, for tion by AMS-Y. We understand that it w | the time being, my company is as not AMS-Y's intention for the | |
| | 18/10/2018 12:38:29 | Solution Central Administrator of | new law to be seen as a protectionist Upon internal discussions between th | measure against foreign vessels and the DCP and the RAs, AMS-Y decides to | at AMS-Y's. | |
| | 17/10/2018 14:40:40 | Assist Accepted Central Administrator of | new regulation requiring exporters an and rubber, to use only AMS-Y's dom Dear Mr Paul Smith, | d importers of certain commodities, incl estic vessels (i.e., vessels belonging to | uding iron, aluminium, cotton maritime shipping | |
| | | ASSIST | Thank you for lodging your complaint your complaint and finds that it is com | under ASSIST. The Central Administra plete. You have submitted your compa | or has reviewed and verified ny registration document which | |
| | 17/10/2018 13:09:04 | Email Confirmed ASEAN-based Enterprise | proves that you are a business regist Email Confirmed | ered in AMS-X and you 🗟 | | |
| | | ASEAN-based Enterprise | | | | |
| | ASEAN ENTER | Star 88 Co., Ltd. | | | | |
| | Company Size | 50 to 100 | Address | Better Living Street City W Cou | ntry X | |
| | Phone | +905 524 1532 | City | City W | | |
| | Website | www.star88.com | ZIP Code | 1711 | | |
| | | | Country | AMS-X | | |
| | CONTACT PER | SON | | | | |
| | First Name | Paul | Address | Better Living Street City W Cou | ntry X | |
| | Last Name | Smith | City | City W | | |
| | Phone | +905 524 1532 | ZIP Code | 1711 | | |
| | Position | Chief Executive Officer | Country | AMS-X | | |
| | Email | aseanenterprise0@gmail.com (Confirmed) | | | | |
| | COMPLAINT DE | SCRIPTION | | | | |
| | Country of Legal Registration | n AMS-X | Business Sector | Services | | |
| | Registration Number | 123456 | Type of Problem Encountered | Services / Transport services | | |
| | Company Registration Proo | f <u>Annex_1-</u> <u>Simulated_Company_Registration_of_Star_88_C</u> | Destination Country | AMS-Y | | |
| | Type of Business | Service provider | | | | |
| | Description | We are a duly registered shipping company in AN | IS-X. We have entered into a two-year bir | nding agreement since January 2018 w | ith an import-export company in | |
| | | AMS-X. The scope of the agreement is to export of vessels. We have agreed to conduct this export save cost in fuel consumption and manpower by to competitive service on a cross-border basis to cu namely the Ministry of Trade Law No. 13 Year 20 companies. The four commodities, i.e. iron, alumi result in a financial loss for our business and prev legislative development is contrary to free trade, to obligation of AMS-Y under the relevant ASEAN en new law is a clear measure of protectionism and is seriously impact AMS-X's a shipping companies the Furthermore, this new measure by AMS-Y is act Schedule of Specific Commitments of AMS-Y und transport services within ASEAN to operate within AMS-Y to review a mand this new law according | tion and aluminium from AMS-X into AMS t-import transaction in round-trips from AJ having a full freight load in both hibourd a slotners based in both AMS-X and AMS-1 18, imposing that certain commodilies car- tion, rubber and cotton, are among the t- rent us from providing its maritime shippin to the spirit of the ASEAN Fectoremic Cor commic agreements (e.g., the ASEAN Fi- is incompatible with free trade principles at at are offering cross-border maritime trans ar violation of the commitments made by der AFAS, where AMS-Y have committed its waters without any limitations to mark div. | EY and import rubber and cotton from A MS-X to AMS-Y using the same vessel. MS-X to AMS-Y using the same vessel. (We recently learned that AMS-Y has only be transported for import or expon- generation of the transported for import or expon- generation of the transported for import or expon- generation of the transport of the transport amework Agreement on Services. or A und customary law regarding internation sport services in relation to the commoor AMS-Y to the World Trade Organizatis to allow foreign shipping companies the vet access and national treatment. Thus | MS-Y Into AMS-X using our fleet The intention, inter alla, is to 5 provide a cost-effective and ssued a new shipping law, t by national maritime transport away. This new law would certainly We are very worried that this specific commitments and FAS). We are of the view that this al maritime services, which will tites affected by this law. I and is a clear violation of the at are offering cross-border freight we would like to request for | |
| | | rand i to forone of annotic first for any and | 100 C | | | |

WELCOME TO ASSIST

WHAT IS ASSIST?

FILE A COMPLAINT FOLLOW

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(d) If you would like to see the comment that you have provided in the Satisfaction Survey, click on the magnifying glass icon and the below screen will appear.

Although AMS-Y decided to only postpone the new law and not revoke it, for the time being, my company is quite satisfied with the proposed solution by AMS-Y. We understand that it was not AMS-Y's intention for the new law to be seen as a protectionist measure against foreign vessels and that AMS-Y's main goal was to encourage its domestic shipping industry and to promote its domestic maritime industry to be competitive with international shippers. However, we are of the view that there are not enough local AMS-Y vessels meeting the standards required by international importers and the local market does not have the capacity and experience yet to undertake certain operations. This is our partners' (export import companies in AMS-X) main concern. Thus, we would like to seek the Government of AMS-Y's consideration to amend the law accordingly before it decides to actually implement it.

On notification that a solution proposed to an AE has been accepted as satisfactory by the AE, the DCP should pass notice of the acceptance on to the RA(s), to ensure that any administrative arrangements necessary to implement the solution are in place as soon as possible.

ASSIST will consider this procedure as one where the complaint was accepted and a solution was provided by the DCP and accepted by the AE.

Please note that the timeframe for solving cross-border problems brought under ASSIST shall be no more than 40 working days or 2 calendar months (unless an extension of maximum 20 working days has been accorded) from the date when the complaint has been accepted by the DCP (i.e. the ASEAN Member State against which the complaint was filed).