



ASSIST

មេរៀនមួយជំហានមួយ សម្រាប់ ករណីសិក្សាទី ៣ (ពាណិជ្ជកម្មលើទំនិញ)

បណ្តឹងដែលដាក់ដោយមេធាវីណាម្នាក់ ឬក្រុមហ៊ុនមេធាវីណាមួយដែលចុះបញ្ជីនៅក្នុងអាស៊ាន ក្នុងនាមកូនក្តីរបស់ខ្លួន ដែលជាសហគ្រាសអាស៊ាន ដែលទទួលយកដោយរដ្ឋបាលកណ្តាល ហើយដំណោះស្រាយនោះត្រូវបានស្នើឡើងដោយអង្គភាពទំនាក់ទំនងរបស់ប្រទេសគោលដៅ និងទទួលយកដោយសហគ្រាសអាស៊ាន។

បរិយាយសង្ខេបអំពីសំណុំរឿង៖ សេណារីយ៉ូនេះគឺបណ្តឹងត្រូវបានទទួលយកដោយរដ្ឋបាលកណ្តាល (CA) របស់ ASSIST ជាបណ្តឹងដែលមានសុពលភាពផ្តើមដោយមេធាវី/ក្រុមហ៊ុនមេធាវី ដែលចុះបញ្ជីនៅក្នុងអាស៊ាន (មេធាវីអាស៊ាន) ក្នុងនាមកូនក្តីរបស់ខ្លួន ដែលជាសហគ្រាសអាស៊ាន (AE) និងត្រូវបានទទួលយកដោយប្រទេសគោលដៅ ជាបញ្ហាមួយដែលខ្លួនមានឆន្ទៈក្នុងការធ្វើការជាមួយមេធាវីអាស៊ានតាមរយៈយន្តការ ASSIST ប្រាស្រ័យទាក់ទងជាមួយអាជ្ញាធរជាតិពាក់ព័ន្ធនៅក្នុងស្រុក និងផ្តល់ដំណោះស្រាយមួយដល់មេធាវី អាស៊ាន តាមរយៈ ASSIST។ នៅក្នុងសំណុំរឿង ប្រទេសដើមមិនចូលរួមសកម្មភាព ប៉ុន្តែជំហានដែលអាចអនុវត្តបានផ្សេងទៀតទាំងអស់នៅក្នុងនីតិវិធី ASSIST ក្នុងនោះរាប់បញ្ចូលទាំងសំណើសុំជំរុញបង្គាប់ពី CA សម្រាប់ព័ត៌មានបន្ថែមពីមេធាវីអាស៊ាន ត្រូវបានសម្តែងឡើងសម្រាប់គោលបំណងនៃការពិនិត្យទៅលើដំណើរការនីតិវិធីរបស់ ASSIST ដែលដំណើរការពេញលេញ។

បណ្តឹងគឺពាក់ព័ន្ធនឹងកាតព្វកិច្ចអាករថ្មី ដែលដាក់ដោយប្រទេសគោលដៅទៅលើប្រេងដូង និងផលិតផលចំណីអាហារ

ដែលមានផ្ទុកប្រេងដូងនៅក្រោមបញ្ញត្តិឆ្នាំ២០១៥ របស់ក្រសួងសុខាភិបាលរបស់ខ្លួនជំពូក ១០០០ ផ្នែកទី១០០។ វិធានការដែលអនុម័តដោយប្រទេសគោលដៅនេះ បានកំណត់ពន្ធលើចំណីអាហារដែលមានជាតិស្ករ និងជាតិខ្លាញ់ខ្ពស់ជាផ្នែកមួយនៃយុទ្ធសាស្ត្រដោះស្រាយបញ្ហាជំងឺធាត់ ដែលកំពុងកើនឡើងនៅក្នុងប្រទេសគោលដៅ។ មេធាវីអាស៊ានអះអាងថា វិធានការរបស់ប្រទេសគោលដៅ ដែលតម្រង់ទិសដៅចំពោះលើប្រេងដូង និងមិនមែនត្រឹមតែជាតិខ្លាញ់នៃប្រេងដូង និងជាតិខ្លាញ់នៃផលិតផលដែលមានផ្ទុកប្រេងដូងប៉ុណ្ណោះនោះទេ ដូច្នេះនេះជាការរើសអើងចំពោះមុខទំនិញប្រេងដូង និងចោទថាផលិតផលនេះអាក្រក់ទាំងស្រុង ជាជាងគ្រាន់តែបង្អាក់ទឹកចិត្តការបរិភោគផលិតផលដែលមានជាតិខ្លាញ់ច្រើនហួស ដោយមិនគិតដោយឡែកចំពោះជាតិខ្លាញ់ដែលមានប្រភពពីសត្វ ឬបន្លែ។ មេធាវីអាស៊ានអះអាងនៅក្នុងបណ្តឹងរបស់ខ្លួនទៅកាន់ ASSIST ថា វិធានការដែលចាត់ និងអនុវត្តដោយប្រទេសគោលដៅគឺផ្ទុយទៅនឹងមាត្រា ៦ នៃកិច្ចព្រមព្រៀងអាស៊ានស្តីពីពាណិជ្ជកម្មទំនិញ (ATIGA) (ស្តីពីប្រព្រឹត្តកម្មជាតិទៅលើពន្ធដារ និងនិយ័តកម្មផ្ទៃក្នុង) ដោយសារតែចំណាត់ការនេះមានការរើសអើងប្រឆាំងនឹងប្រេងដូងទាំងមូល និងមិនត្រូវបានអនុវត្តចំពោះផលិតផល "ដូចគ្នា" ដទៃទៀតដែលផលិត ឬលក់នៅក្នុងប្រទេសគោលដៅទេ (ឧទាហរណ៍ ផលិតផលចំណីអាហារដែលមានផ្ទុកជាតិខ្លាញ់កើតចេញពីសណ្តែកសៀង ផ្កាឈូកវត្តគ្រាប់ rapeseed ពោត សណ្តែកដី ឬខ្លាញ់សត្វ)។



បញ្ជីតួអង្គ និងអក្សរកាត់ ៖

- ដើមបណ្តឹង = មេធាវី ឬក្រុមហ៊ុនមេធាវីអាស៊ាន
- លេខាធិការដ្ឋានអាស៊ាន = រដ្ឋបាលកណ្តាលរបស់ ASSIST (CA)
- ប្រទេសដើម = ចំណុចទំនាក់ទំនងនៅក្នុងប្រទេសដើម (HCP) នៅក្នុងរដ្ឋសមាជិកអាស៊ាន X (AMS-X)
- ប្រទេសគោលដៅ = ចំណុចទំនាក់ទំនងនៅប្រទេសគោលដៅ (DCP) នៅក្នុងរដ្ឋសមាជិកអាស៊ាន Y (AMS-Y)
- អាជ្ញាធរជាតិពាក់ព័ន្ធ = អាជ្ញាធរពាក់ព័ន្ធ (RAs)

ជំហាន

1

ចូលទៅកាន់គេហទំព័រ ASSIST (<http://assist.asean.org>)

ប្រសិនបើអ្នកគិតថា សំណុំរឿងរបស់អ្នកគឺជាបញ្ហាមួយទាក់ទងនឹងបញ្ហាពាណិជ្ជកម្មឆ្លងដែននៅក្នុងអាស៊ាន អ្នកគឺជាក្រុមហ៊ុនមួយដែលចុះបញ្ជីនៅក្នុងរដ្ឋសមាជិកអាស៊ានមួយ ហើយអ្នកត្រូវការសេវាពិគ្រោះយោបល់មិនចងកាតព្វកិច្ចដោយឥតគិតថ្លៃ និងទទួលបានដំណោះស្រាយលឿននិងមានប្រសិទ្ធភាព ចូរចូលទៅតំណភ្ជាប់នេះ ៖ <http://assist.asean.org> ។

ខាងក្រោមនេះ គឺជាគេហទំព័ររបស់ ASSIST ។

The screenshot shows the ASSIST website interface. At the top is the header with the ASSIST logo and navigation links: WELCOME TO ASSIST, WHAT IS ASSIST?, FILE A COMPLAINT, FOLLOW A COMPLAINT, PROCESS, FAQ, and CONTACT. The main content area is titled 'Welcome to ASSIST' and describes the service as a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by ASEAN Enterprises on cross-border issues related to the implementation of ASEAN economic agreements and within the framework of the ASEAN Economic Community (AEC) launched in 2015. ASSIST is fully internet based and free of charge.

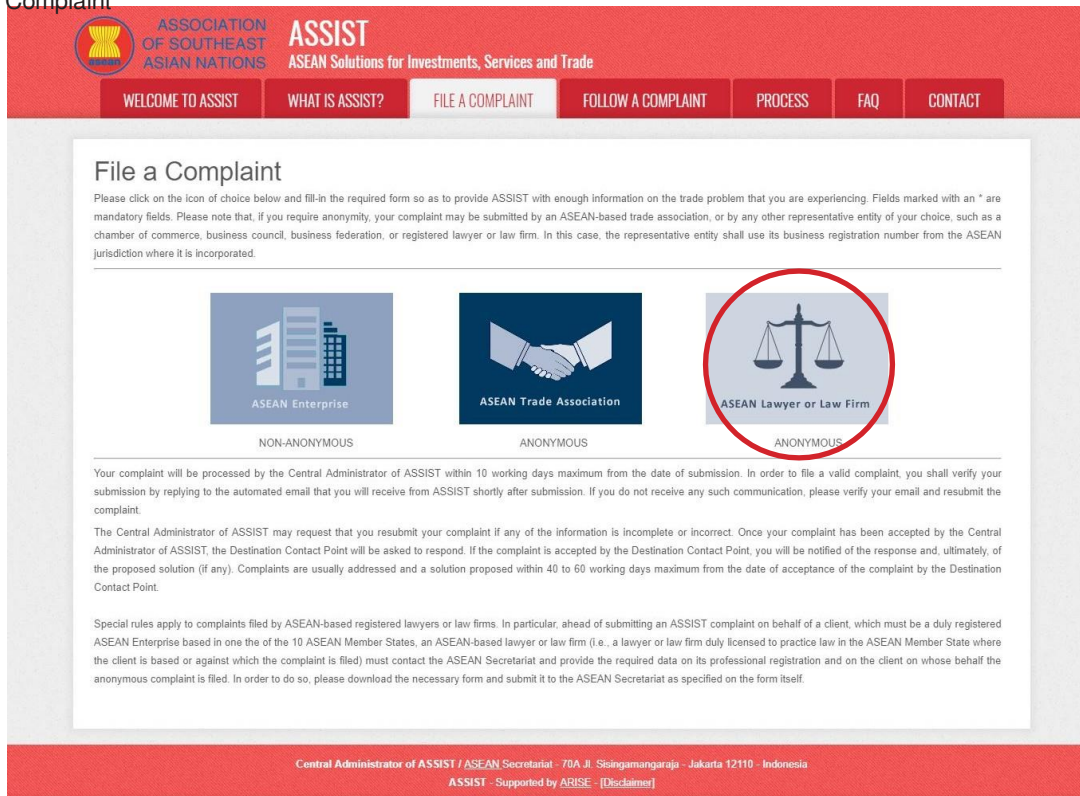
Below the description, there is a section titled 'Are you an ASEAN ENTERPRISE facing a problem with respect to Trade in Goods or Trade in Services within the ASEAN region? If so, you may File a Complaint in your own name, through a ASEAN-based Trade Association or anonymously by using an ASEAN registered Lawyer or Law Firm'. This section includes three icons: ASEAN Enterprise, ASEAN Trade Association, and ASEAN Lawyer or Law Firm.

On the right side, there is a section titled '12-13th November 2018: ASSIST for Services is Soft-Launched at ABIS in Singapore' and a list of ASEAN Member States with their flags: Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam.

At the bottom, there is a video player titled 'ASSIST (ARISE EU-ASEAN)' and a section titled 'What types of issues does ASSIST deal with?' listing various tariff and non-tariff-related measures affecting goods, issues in the area of cross-border services, and measures limiting investment in various sectors of ASEAN integration. It also states that ASSIST does not deal with any of these issues: Employee/employer disputes or discrimination claims.


ចូរជ្រើសរើសយក 'FILE A COMPLAINT' (ASEAN Lawyer or Law Firm)

(ក) ប្រសិនបើអ្នកគឺជាមេធាវី ឬក្រុមហ៊ុនមេធាវីចុះបញ្ជីនៅក្នុងអាស៊ាន ដែលដាក់ពាក្យបណ្តឹងក្នុងនាមកូនក្តីរបស់ខ្លួន (ឧទាហរណ៍ សហគ្រាសអាស៊ានដែលមានបញ្ជីពាណិជ្ជកម្ម) និងមានអាជ្ញាប័ណ្ណស្របច្បាប់ក្នុងការប្រកបវិជ្ជាជីវៈមេធាវី នៅក្នុងរដ្ឋសមាជិកអាស៊ាន ជាទីដែលកូនក្តីរបស់អ្នកមានមូលដ្ឋាន ឬជាទីដែលពាក្យបណ្តឹងប្តឹងចំពោះ ចូរអ្នកចុចលើនិមិត្តសញ្ញាដែលមានសរសេរអក្សរថា "ASEAN Lawyer or Law Firm" នៅក្នុងផ្នែក "File a Complaint"




File a Complaint

Please click on the icon of choice below and fill-in the required form so as to provide ASSIST with enough information on the trade problem that you are experiencing. Fields marked with an * are mandatory fields. Please note that, if you require anonymity, your complaint may be submitted 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. In this case, the representative entity shall use its business registration number from the ASEAN jurisdiction where it is incorporated.




ASEAN Enterprise

NON-ANONYMOUS



ASEAN Trade Association

ANONYMOUS



ASEAN Lawyer or Law Firm

ANONYMOUS

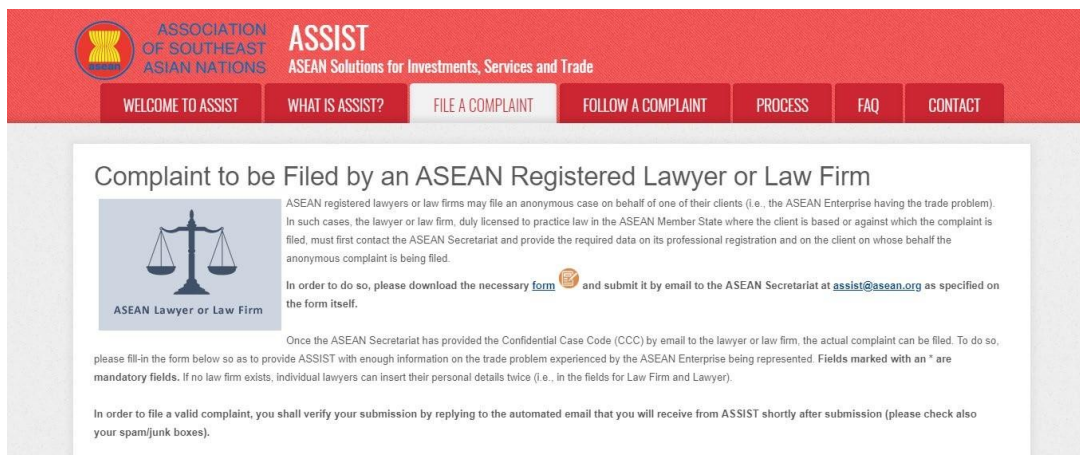
Your complaint will be processed by the Central Administrator of ASSIST within 10 working days maximum from the date of submission. In order to file a valid complaint, you shall verify your submission by replying to the automated email that you will receive from ASSIST shortly after submission. If you do not receive any such communication, please verify your email and resubmit the complaint.

The Central Administrator of ASSIST may request that you resubmit your complaint if any of the information is incomplete or incorrect. Once your complaint has been accepted by the Central Administrator of ASSIST, the Destination Contact Point will be asked to respond. If the complaint is accepted by the Destination Contact Point, you will be notified of the response and, ultimately, of the proposed solution (if any). Complaints are usually addressed and a solution proposed within 40 to 60 working days maximum from the date of acceptance of the complaint by the Destination Contact Point.

Special rules apply to complaints filed by ASEAN-based registered lawyers or law firms. In particular, ahead of submitting an ASSIST complaint on behalf of a client, which must be a duly registered ASEAN Enterprise based in one of the 10 ASEAN Member States, an ASEAN-based lawyer or law firm (i.e., a lawyer or law firm duly licensed to practice law in the ASEAN Member State where the client is based or against which the complaint is filed) must contact the ASEAN Secretariat and provide the required data on its professional registration and on the client on whose behalf the anonymous complaint is filed. In order to do so, please download the necessary form and submit it to the ASEAN Secretariat as specified on the form itself.

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia
ASSIST - Supported by ARISE - [Disclaimer]

(ក) នៅពេលអ្នកចុចនៅលើរូបសញ្ញា "ASEAN Lawyer or Law Firm" ទំព័រខាងក្រោមនឹងបង្ហាញឡើង។



Complaint to be Filed by an ASEAN Registered Lawyer or Law Firm

ASEAN registered lawyers or law firms may file an anonymous case on behalf of one of their clients (i.e., the ASEAN Enterprise having the trade problem). In such cases, the lawyer or law firm, duly licensed to practice law in the ASEAN Member State where the client is based or against which the complaint is filed, must first contact the ASEAN Secretariat and provide the required data on its professional registration and on the client on whose behalf the anonymous complaint is being filed.

In order to do so, please download the necessary form and submit it by email to the ASEAN Secretariat at assist@asean.org as specified on the form itself.

Once the ASEAN Secretariat has provided the Confidential Case Code (CCC) by email to the lawyer or law firm, the actual complaint can be filed. To do so, please fill-in the form below so as to provide ASSIST with enough information on the trade problem experienced by the ASEAN Enterprise being represented. Fields marked with an * are mandatory fields. If no law firm exists, individual lawyers can insert their personal details twice (i.e., in the fields for Law Firm and Lawyer).

In order to file a valid complaint, you shall verify your submission by replying to the automated email that you will receive from ASSIST shortly after submission (please check also your spam/junk boxes).

LAW FIRM

* Law Firm Name

* Phone

Website

* Address

300 characters remaining (300 maximum)

* City

ZIP Code

* Country

* ASEAN Jurisdiction(s) where Local Office(s) is(are) Established

LAWYER

* Gender

☐ Mr
 ☐ Mrs
 ☐ Ms

* First Name

* Last Name

* Phone

* Position

* Email

Address

300 characters remaining (300 maximum)

City

ZIP Code

ASEAN Jurisdiction(s) where Admitted to Practice Law

COMPLAINT DESCRIPTION

* Confidential Case Code

* Country of Legal Registration

* Legal Registration Number

* Registration Proof

Choose File

No file chosen

* Type of Business

* Business Sector

- Services Sector Description

* Type of Problem Encountered

* Destination Country

* Description

5000 characters remaining (5000 maximum)

Attachment


Choose File

No file chosen

+ Attachment

☐ I have read and accept the [ASSIST rules](#).
 ☐ I hereby submit this complaint to the Central Administrator of ASSIST and I accept its transmission to the relevant authorities of the ASEAN Member States involved

☐ I'm not a robot



reCAPTCHA

Privacy - Terms

SUBMIT YOUR COMPLAINT

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

ASSIST - Supported by ARISE - [Disclaimer]

(គ) ក្នុងនាមជាមេធាវី ឬក្រុមហ៊ុនមេធាវីដែលចុះបញ្ជីនៅក្នុងអាស៊ាន អ្នកចាំបាច់ត្រូវតែដាក់ពាក្យបណ្តឹងដោយប្រើឈ្មោះរបស់អ្នក ឬឈ្មោះក្រុមហ៊ុនមេធាវីរបស់អ្នក ដោយសារតែអត្តសញ្ញាណនៃកូនក្តីរបស់អ្នកត្រូវបានរក្សាជាអនាមិក ។ ដើម្បីធ្វើដូច្នេះ អ្នកត្រូវតែអនុវត្តតាមការណែនាំនៅក្នុងទំព័រខាងលើ ។ ទីមួយ អ្នកត្រូវទាញយកទម្រង់បែបបទដែលចាំបាច់ ដើម្បីបំពេញ និងដាក់ជូនទៅលេខាធិការអាស៊ាន ដូចដែលបានបញ្ជាក់នៅលើទម្រង់បែបបទផ្ទាល់ ។

នៅពេលអ្នកចុចលើនិមិត្តសញ្ញារង្វង់ពណ៌ទឹកក្រូច នៅក្នុងទំព័រខាងលើ អ្នកនឹងទាញយកទម្រង់ដូចបង្ហាញនៅទំព័របន្ទាប់ខាងក្រោមនេះ មកដាក់នៅក្នុងកុំព្យូទ័ររបស់អ្នក។

**Form to be used by ASEAN-based Lawyers or Law Firms
to file an '*anonymous*' complaint on behalf of an ASEAN Enterprise**

Special rules apply to complaints filed by ASEAN-based registered lawyers or law firms. In particular, ahead of submitting an ASSIST complaint on behalf of a client, which must be a duly registered ASEAN enterprise based in one of the 10 ASEAN Member States, an ASEAN-based lawyer or law firm (i.e., a lawyer or law firm duly licensed to practice law in the ASEAN Member State where the client is based or against which the complaint is filed) must contact the ASEAN Secretariat and provide the required data on its professional registration and on the client on whose behalf the anonymous complaint is filed. assist@asean.org

LAWYER

- Gender:
 - First Name:
 - Last Name:
 - Title/Position:
 - Address:
 - Zip code:
 - Phone:
 - ASEAN Jurisdiction(s) where Admitted to Practice Law (country):
- City:

E-mail:

LAW FIRM

- Name:
- Address:
- Zip code: City:
- Phone: E-mail:
- Website:
- ASEAN Jurisdiction(s) where Local Office(s) is(are) Established (country):

PROFESSIONAL LICENCE

Please attach the Professional Licence (e.g., issued by the Government, Lawyers' Bar, Law Society, declaration by Attorney General's Chamber, etc.) for the individual lawyer showing the ability to practice law in the relevant ASEAN jurisdiction(s). Should there be no such Professional Licence, a sworn declaration should be submitted by the Lawyer or Law Firm indicating that the individual Lawyer is admitted to practice law in the relevant ASEAN jurisdiction(s). The document can be attached in PDF format in the original language. If the original language is other than English, an unofficial translation into English should also be attached and submitted to the ASEAN Secretariat.

DETAILS OF ASEAN ENTERPRISE

- ASEAN Enterprise Name:
- Company Size:
- Address:
- Zip code: City:
- Phone: E-mail:
- Website:
- Country of Legal Registration:
- Registration Number:
- Company Registration Proof: *To be attached to the email*

ចូរបំពេញទម្រង់បែបបទខាងលើ និងផ្ញើតាមអ៊ីមែលទៅកាន់លេខាធិការដ្ឋានអាស៊ាន តាមអាសយដ្ឋាន assist@asean.org ដូចដែលបានបញ្ជាក់នៅលើទម្រង់បែបបទនោះស្រាប់។ **ចូរដាក់ជូនចំនួនន័យដែល ចាំបាច់ដូចតទៅនេះ រួមជាមួយនឹងបែបបទនេះ ផង ៖** (១) ឯកសារចុះបញ្ជី/អាជ្ញាប័ណ្ណប្រកបវិជ្ជាជីវៈ (ប្រសិន បើភាសាដើមមិនមែនអង់គ្លេស ចូរភ្ជាប់ជាមួយនូវសំណៅបកប្រែជាភាសាអង់គ្លេសមិនផ្លូវការ ជាមួយផង) និង (២) ឯកសារចុះបញ្ជីក្រុមហ៊ុនរបស់កូនក្តី (សហគ្រាសអាស៊ាន) ដែលអ្នកដាក់ពាក្យបណ្តឹងអនាមិកជំនួស មុខឱ្យ។

ចូរបំពេញទម្រង់បែបបទបណ្តឹង “អនាមិក”

ចូរបំពេញទម្រង់បែបបទដែលបានទាញយក។ ខាងក្រោមនេះគឺជាឧទាហរណ៍នៃបែបបទដែលបំពេញរួច សម្រាប់ករណីសិក្សាដាក់លាក់មួយនេះ។

**Form to be used by ASEAN-based Lawyers or Law Firms
to file an ‘anonymous’ complaint on behalf of an ASEAN Enterprise**

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LAWYER

- Gender: Female
- First Name: Sierra
- Last Name: Riviera
- Title/Position: Senior Associate
- Address: Danube Street No. 13
- Zip code: 12310 City: P
- Phone: +36 7878137686 E-mail: aseanlawyer0@gmail.com
- ASEAN Jurisdiction(s) where Admitted to Practice Law (country): Country X

LAW FIRM

- Name: ARISE & Partners
- Address: Danube Street No. 13
- Zip code: 12310 City: P
- Phone: +36 1 7653572 E-mail: aseanlawyer0@gmail.com
- Website: www.arise&partners.com
- ASEAN Jurisdiction(s) where Local Office(s) is(are) Established (country): Country X

PROFESSIONAL LICENCE

Please attach the Professional Licence (e.g., issued by the Government, Lawyers’ Bar, Law Society, declaration by Attorney General’s Chamber, etc.) for the individual lawyer showing the ability to practice law in the relevant ASEAN jurisdiction(s). Should there be no such Professional Licence, a sworn declaration should be submitted by the Lawyer or Law Firm indicating that the individual Lawyer is admitted to practice law in the relevant ASEAN jurisdiction(s). The document can be attached in PDF format in the original language. If the original language is other than English, an unofficial translation into English should also be attached and submitted to the ASEAN Secretariat.

Professional Licence is attached as Annex 0.

DETAILS OF ASEAN ENTERPRISE

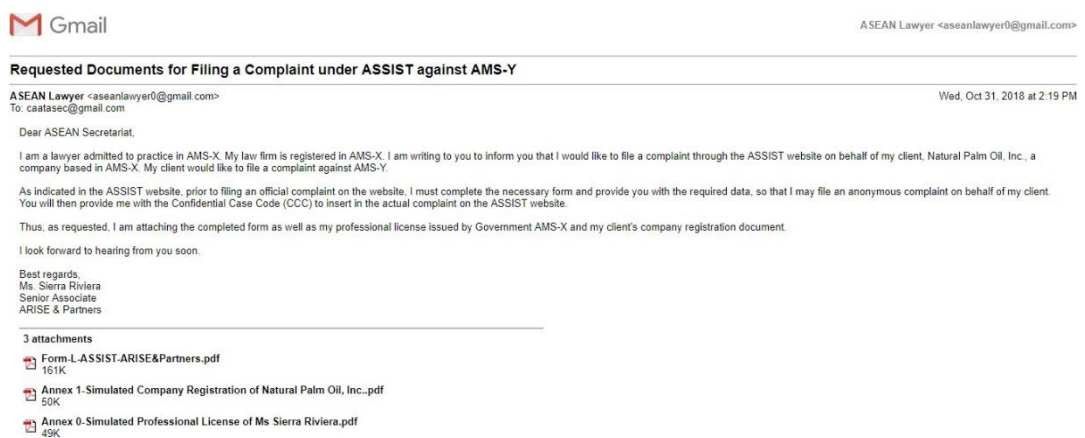
- ASEAN Enterprise Name: Natural Palm Oil Inc.
- Company Size: 150
- Address: Sweet Lane No. 22, Chocolate Boulevard
- Zip code: 13150 City: P
- Phone: +36 1 726 5977 E-mail: aseanenterprise0@gmail.com
- Website: www.naturalpalmoil.com
- Country of Legal Registration: Country X
- Registration Number: 123456789
- Company Registration Proof: Attached as Annex 1

ជំហាន

5

ផ្ញើបែបបទដែលបំពេញរួច ទៅកាន់រដ្ឋបាលកណ្តាលរបស់ ASSIST/លេខាធិការដ្ឋានអាស៊ាន តាមអ៊ីមែល

ដូចដែលបានបញ្ជាក់នៅក្នុងបែបបទ ចូរផ្ញើបែបបទដែលបំពេញរួចទៅកាន់លេខាធិការដ្ឋានអាស៊ាន/រដ្ឋបាលកណ្តាល ASSIST តាមអាសយដ្ឋានអ៊ីមែល assist@asean.org រួមជាមួយនឹងឯកសារចាំបាច់ផ្សេងទៀតដូចបានបញ្ជាក់នៅក្នុងជំហានទី ៣ ខាងលើ។ ខាងក្រោមនេះគឺជាឧទាហរណ៍នៃអ៊ីមែលដែលផ្ញើចេញពីមេធាវីអាស៊ាន ទៅកាន់លេខាធិការដ្ឋានអាស៊ានសម្រាប់ករណីសិក្សាជាក់លាក់មួយនេះ។



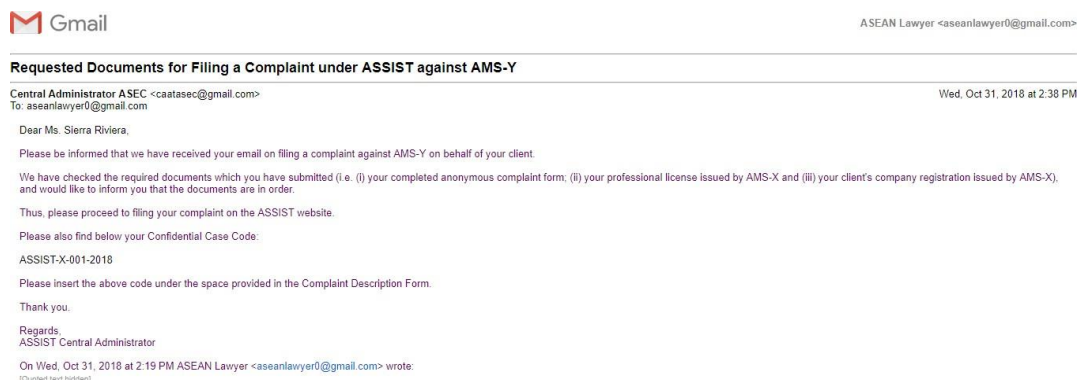
ជំហាន

6

ទទួលការឆ្លើយតបពីលេខាធិការដ្ឋានអាស៊ាន/រដ្ឋបាលកណ្តាល នៅក្នុងគណនីអ៊ីមែលរបស់អ្នក

(ក) លេខាធិការដ្ឋានអាស៊ាន/CA នឹងឆ្លើយតបទៅអ៊ីមែលរបស់អ្នកដើម្បីប្រាប់អ្នកអំពីថាតើឯកសារនានាដែលអ្នកបានដាក់ជូន ត្រឹមត្រូវទៅតាមលក្ខខណ្ឌតម្រូវ និងពេញលេញ ឬអត់។ នៅក្នុងឧទាហរណ៍ខាងក្រោម មេធាវីអាស៊ានបានដាក់ជូនសព្វគ្រប់នូវឯកសារដែលចាំបាច់។

លេខាធិការអាស៊ាន/CA ក៏នឹងផ្តល់លេខកូដសម្ងាត់នៃសំណុំរឿងឱ្យអ្នកផងដែរ ដើម្បីអ្នកដាក់បញ្ចូលនៅក្នុងទម្រង់បណ្តឹងជាក់ស្តែង នៅលើគេហទំព័រ ASSIST។



(ខ) នៅពេលដែលលេខាធិការដ្ឋានអាស៊ានផ្តល់លេខកូដសម្ងាត់នៃសំណុំរឿង (CCC) ឱ្យអ្នក និងប្រាប់អ្នកថា អ្នកអាចបន្តទៅដាក់ពាក្យបណ្តឹងដាក់ស្តែងបានហើយ ចូរចូលទៅកាន់គេហទំព័រ ASSIST ម្តងទៀត និងជ្រើសរើសយក 'File a Complaint' (ASEAN Lawyer or Law Firm) ។ ទម្រង់បែបបទបណ្តឹងដែលមិនទាន់បំពេញ ដូចបង្ហាញនៅក្នុងជំហានទី២ (ខ) នឹងបង្ហាញឡើង ។ ក្នុងករណីនេះ លេខ CCC របស់អ្នក គឺ **ASSIST-X-001-2018**។

ជំហាន


7

ចូរបំពេញបែបបទបណ្តឹងដែលត្រូវដាក់ដោយមេធាវី/ក្រុមហ៊ុនមេធាវីដែលចុះបញ្ជីនៅក្នុងអាស៊ាន។

ចូរបំពេញទម្រង់នៅក្នុងជំហាន ទី២(ខ) ដើម្បីផ្តល់ដល់ ASSIST នូវព័ត៌មានគ្រប់គ្រាន់អំពីបញ្ហាពាណិជ្ជកម្មដែលកូនក្តីរបស់អ្នកកំពុងជួបប្រទះ។ ត្រង់កន្លែងណាដែលសម្គាល់ដោយសញ្ញា (*) គឺត្រូវបំពេញជាចាំបាច់។ ប្រសិនបើអ្នកមិនយល់ច្បាស់ថា ត្រូវបំពេញអ្វីនៅត្រង់កន្លែងនីមួយៗ គឺមានប៊ូតុង **i** នៅក្បែរដែលអាចចុចមើលការណែនាំលម្អិតអំពីអ្វីដែលត្រូវបំពេញ។ ចូរចុចលើប៊ូតុង **i** នោះដើម្បីឱ្យប្រាកដថាអ្នកបំពេញព័ត៌មានបានត្រឹមត្រូវនៅក្នុងទម្រង់។ ប្រសិនបើគ្មានពាក្យថាក្រុមហ៊ុនមេធាវីទេ មេធាវីអាចដាក់ព័ត៌មានផ្ទាល់ខ្លួនរបស់ខ្លួនពីរដង (ឧទាហរណ៍ នៅក្នុងប្រអប់សម្រាប់ក្រុមហ៊ុនមេធាវី និងមេធាវី) ។

អ្វីដែលសំខាន់ខ្លាំងគឺត្រូវបំពេញនៅត្រង់កន្លែង “បរិយាយ” ឬ “Description”។ **CA** នឹងត្រូវផ្ទៀងផ្ទាត់ថាបរិយាយដែលផ្តល់ឱ្យនៅក្នុងបណ្តឹងគ្រប់គ្រាន់ដើម្បីកំណត់បញ្ហានៅក្នុងបរិបទនៃកិច្ចព្រមព្រៀងវិស័យនានាដែរឬទេ ដូច្នេះចូររៀបចំបណ្តឹងរបស់អ្នកឱ្យបានហ្មត់ចត់ដោយមានអង្គហេតុ និងភស្តុតាងដាក់ស្តែងច្បាស់លាស់ ដើម្បីជួយ **CA** ក្នុងការសម្រេចចិត្តថាគេគួរទទួល ឬមិនទទួលបណ្តឹងនោះ។

ខាងក្រោមនេះគឺជាឧទាហរណ៍នៃបែបបទដែលបំពេញរួច សម្រាប់ករណីសិក្សាជាក់លាក់មួយនេះ។



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST
ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

WHAT IS ASSIST?

FILE A COMPLAINT

FOLLOW A COMPLAINT

PROCESS

FAQ

CONTACT

Complaint to be Filed by an ASEAN Registered Lawyer or Law Firm



ASEAN Lawyer or Law Firm

ASEAN registered lawyers or law firms may file an anonymous case on behalf of one of their clients (i.e., the ASEAN Enterprise having the trade problem). In such cases, the lawyer or law firm, duly licensed to practice law in the ASEAN Member State where the client is based or against which the complaint is filed, must first contact the ASEAN Secretariat and provide the required data on its professional registration and on the client on whose behalf the anonymous complaint is being filed.

In order to do so, please download the necessary [form](#) and submit it by email to the ASEAN Secretariat at assist@asean.org as specified on the form itself.

Once the ASEAN Secretariat has provided the Confidential Case Code (CCC) by email to the lawyer or law firm, the actual complaint can be filed. To do so, please fill-in the form below so as to provide ASSIST with enough information on the trade problem experienced by the ASEAN Enterprise being represented. Fields marked with an * are mandatory fields. If no law firm exists, individual lawyers can insert their personal details twice (i.e., in the fields for Law Firm and Lawyer).

In order to file a valid complaint, you shall verify your submission by replying to the automated email that you will receive from ASSIST shortly after submission (please check also your spam/junk boxes).

LAW FIRM

* Law Firm Name

ARISE & Partners

* Phone

+36 1 7653572

Website

www.arise&partners.com

* Address

Danube Street No. 13
City P
Country X

259 characters remaining (300 maximum)

* City

City P

ZIP Code

12310

* Country

AMS-X

* ASEAN Jurisdiction(s) where Local Office(s) is(are) Established

Country X



LAWYER

Gender

Mr

Mrs

☒ Ms

First Name

Sierra

Last Name

Riviera

Phone

+36 7878137696

Position

Senior Associate

Email

aseanlawyer0@gmail.com

Address

Denube Street No. 13

City P

Country X

City

City P

ZIP Code

12310

ASEAN Jurisdiction(s) where Admitted to Practice Law

AMS-X

COMPLAINT DESCRIPTION

Confidential Case Code

ASSIST-X-001-2018

Country of Legal Registration

AMS-X

Legal Registration Number

137911

Registration Proof

Choose File

Annex 0-Simulat...ra Riviera pdf

Type of Business

Export/Import

Business Sector

Goods

Services Sector Description

Type of Problem Encountered

3.6.7 Internal taxes and charges levied on imports

Destination Country

AMS-Y

Description

Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other 'like' products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Attachment

Choose File

No file chosen

+ Attachment

Choose File

No file chosen

Remove

☒ I have read and accept the ASSIST rules.

☒ I hereby submit this complaint to the Central Administrator of ASSIST and I accept its transmission to the relevant authorities of the ASEAN Member States involved

☒ I'm not a robot

reCAPTCHA

SUBMIT YOUR COMPLAINT

Central Administrator of ASSIST / ASEAN Secretariat / TBA, Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

ASSIST - Supported by ARISE. [Disclaimer]

សម្រាប់ជាឧទាហរណ៍នៃការបរិយាយច្បាស់លាស់អំពីបណ្តឹង ខាងក្រោមនេះជាការបរិយាយសម្រាប់ករណីសិក្សាជាក់លាក់មួយនេះ៖ “យើងគឺជាក្រុមហ៊ុនមេធាវីចុះបញ្ជីនៅក្នុង AMS-X ដែលដាក់ពាក្យបណ្តឹងនៅក្រោមយន្តការ ASSIST ជំនួសមុខឱ្យកូនក្តីរបស់យើង ដែលជាក្រុមហ៊ុនប្រេងដូងដែលចុះបញ្ជីត្រឹមត្រូវតាមច្បាប់នៅក្នុង AMS-X។ បណ្តឹងនេះគឺពាក់ព័ន្ធនឹងកាតព្វកិច្ចអាករថ្មីដែល AMS-Y (ចំណុចទំនាក់ទំនងនៅក្នុងប្រទេសគោលដៅ ឬ DCP) បានដាក់ទៅលើប្រេងដូង និងផលិតផលចំណីអាហារដែលមានផ្ទុកប្រេងដូងនៅក្រោមបញ្ញត្តិស្តីពីចំណីអាហារនៃក្រសួងសុខាភិបាលរបស់ខ្លួនជំពូក ១០០០ ផ្នែក ១០០ ដែលអនុម័តកាលពីឆ្នាំ២០១៥។ វិធានការដែលអនុម័តដោយ AMS-Y បានកំណត់ពន្ធទៅលើចំណីអាហារដែលមានជាតិស្ករ និងជាតិខ្លាញ់ខ្ពស់ជាផ្នែកមួយនៃយុទ្ធសាស្ត្រដោះស្រាយបញ្ហាជំងឺធាត់ជ្រុល នៅក្នុង AMS-Y។ យើងយល់ឃើញថាវិធានការរបស់ AMS-Y សំដៅច្បាស់លាស់ទៅលើប្រេងដូង និងមិនមែនសារធាតុខ្លាញ់នៃប្រេងដូង និងនៃផលិតផលដែលមានផ្ទុកប្រេងដូង ដូច្នេះ វាជាការរើសអើងចំពោះប្រេងដូង និងចាត់ទុកថាផលិតផលទាំងមូលអាក្រក់ ជាងការបង្អាក់ទឹកចិត្តដល់ការប្រើប្រាស់ហ្វូសកម្រិតនៃផលិតផលដែលមានជាតិខ្លាញ់ក្រៅពីខ្លាញ់ដែលមានប្រភពចេញពីបន្លែឬសត្វ។ ដូច្នេះ យើងយល់ឃើញថាវិធានការដែលអនុម័ត និងអនុវត្តដោយ AMS-Y គឺផ្ទុយទៅនឹងមាត្រា ៦ នៃ ATIGA (ស្តីពីប្រព្រឹត្តិកម្មជាតិទៅលើពន្ធនិងបញ្ញត្តិផ្ទៃក្នុង) ពីព្រោះវារើសអើងចំពោះប្រេងដូងទាំងមូល និងមិនត្រូវបានអនុវត្តចំពោះផលិតផល‘ដូចគ្នា’ ផ្សេងទៀត ដែលផលិត និងលក់ដោយ AMS-Y (ឧទាហរណ៍ ចំណីអាហារដែលមានផ្ទុកជាតិខ្លាញ់ ចេញពីសណ្តែកសៀង គ្រាប់ផ្កាឈូករ៉ៃត្ន គ្រាប់ rapeseed ពោត សណ្តែកដី ឬ ខ្លាញ់សត្វ។”



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

WHAT IS ASSIST?

FILE A COMPLAINT

FOLLOW A COMPLAINT

PROCESS

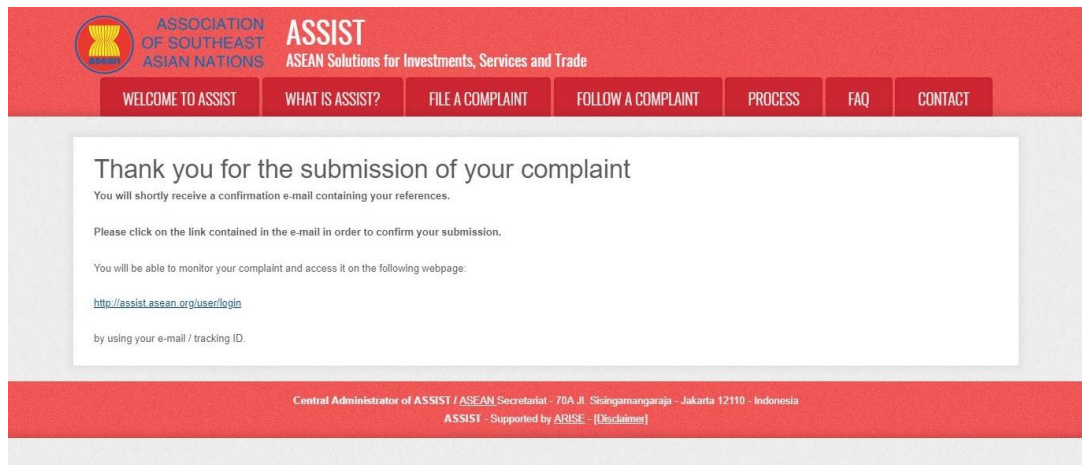
FAQ

CONTACT

នៅពេលបណ្តឹងត្រូវបានធ្វើរួច ដោយចុចលើពាក្យថា 'Submit Your Complaint' ទំព័រខាងក្រោមនេះ នៅក្នុង ជំហានទី៨ នឹងបង្ហាញឡើង ។

ជំហាន
8

ទទួលការជូនដំណឹងពី ASSIST



ការជូនដំណឹងខាងលើ បង្ហាញថា អ្នកគួរចុចលើតំណភ្ជាប់ដែលបានផ្តល់ឱ្យនៅក្នុងគណនីអ៊ីមែលរបស់អ្នក ដើម្បីបញ្ជាក់បណ្តឹងរបស់អ្នកទៅកាន់ ASSIST ។

ជំហាន
9

បញ្ជាក់បណ្តឹងរបស់អ្នកពីគណនីអ៊ីមែលរបស់អ្នក

(ក) ចូរចូលទៅគណនីអ៊ីមែលដែលអ្នកបានផ្តល់នៅក្នុងទម្រង់នៃបណ្តឹង។ អ្នកនឹងទទួលបានអ៊ីមែលពី ASSIST ដែលស្នើឱ្យអ្នកបញ្ជាក់បណ្តឹងរបស់អ្នក ដោយចុចលើតំណភ្ជាប់ដែលបានផ្តល់ឱ្យ ឬដោយ **copy-paste** តំណភ្ជាប់នោះទៅលើកម្មវិធីបើកអ៊ីនធឺណិត ។ ASSIST ក៏តម្រូវឱ្យអ្នកធ្វើដូច្នេះដែរ ដើម្បីបញ្ជាក់ថា អាសយដ្ឋានអ៊ីមែលដែលអ្នកបានផ្តល់ឱ្យ គឺជាអាសយដ្ឋានដែលមានសុពលភាពត្រឹមត្រូវ ។ លេខបណ្តឹងរបស់អ្នក ក៏ត្រូវបានផ្តល់ឱ្យនៅក្នុងអ៊ីមែលនេះដែរ ។ ក្នុងករណីនេះ លេខបណ្តឹងរបស់អ្នក គឺ **18120181102** ។

ខាងក្រោមនេះ គឺជាអ៊ីមែលដែលអ្នកនឹងទទួលបានពី ASSIST ។



ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Thanks to confirm your complaint #18120181102 submission

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Fri, Nov 2, 2018 at 12:18 PM



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear Ms Sierra Riviera,

Thank you for having filed a complaint on ASSIST, the system of ASEAN Solutions for Investments, Services and Trade.

Please **confirm** your complaint **18120181102** on the following link (or by copy-pasting the following link onto your Internet browser):
http://assist.asean.org/user/confirm_email

After your confirmation, ASSIST will monitor your complaint and you will be able to access it on the following webpage
<http://assist.asean.org/user/login> by using your e-mail / tracking ID: aseanlawyer0@gmail.com / **18120181102**

After your submission, ASSIST will forward your complaint and you will be sent an email with the following webpage:
http://assist.arsenadevelopment.space/user/login by using your e-mail / tracking ID: aseanlawyer0@gmail.com / 18120181102

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)
Company size
Phone : +36 1 7653572
Website : www.arise&partners.com
Address : Danube Street No. 13 City P Country X
City : City P / Zip Code : 12310
Country : AMS-X
ASEAN Jurisdiction(s) where Local Office(s) is(are) Established : Country X

Contact person : Ms. Sierra Riviera
Phone : +36 7876137686
Position : Senior Associate
Email : aseanlawyer0@gmail.com
Address : Danube Street No. 13 City P Country X
City : City P / Zip Code : 12310
Country : AMS-X


Confidential case code (for law firm or lawyer only): ASSIST-X-001-2018
Country of Legal Registration : AMS-X
Legal Registration Number : 137911
Type of Business : Export/Import
Business Sector : Goods /
Type of problem encountered : Internal taxes and charges levied on imports
Destination Country : AMS-Y

Description:
We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other "like" products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

assist.asean.org

(ខ) ចូរចូលលើតំណភ្ជាប់ ទៅតាមការស្នើឱ្យធ្វើនៅក្នុងអ៊ីមែលខាងលើ ហើយបន្ទាប់មក ទំព័រខាងក្រោមនេះនឹងបង្ហាញឡើង ។

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WELCOME TO ASSIST WHAT IS ASSIST? FILE A COMPLAINT FOLLOW A COMPLAINT PROCESS FAQ CONTACT

Email/complaint confirmation valid
Thank you for having confirmed your e-mail.

Your complaint will now be reviewed by the Central Administrator of ASSIST and you shall be notified within maximum 10 working days of whether it is:

- 1) Accepted and submitted to the Destination Country; or
- 2) Incomplete and returned to you for revision; or
- 3) Rejected, if falling outside of the scope of ASSIST or not being a valid complaint.

A reason shall be provided to you in writing in case of outcomes 2) or 3) above.

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia
ASSIST - Supported by ARISE - [Disclaimer]

ការជូនដំណឹងខាងលើនឹងជូនដំណឹងដល់អ្នកថាបណ្តឹងរបស់អ្នកនឹងត្រូវពិនិត្យដោយ **CA** និងថា អ្នកនឹងត្រូវគេជូនដំណឹងតាមអ៊ីមែល ក្នុងរយៈពេល ១០ ថ្ងៃ (ថ្ងៃធ្វើការ) អំពីថាតើ ៖

- ១) បណ្តឹងត្រូវបានទទួលយក និងដាក់ជូនទៅប្រទេសគោលដៅ, ឬ
- ២) បណ្តឹងមានលក្ខណៈមិនពេញលេញ និងត្រូវបញ្ជូនឱ្យអ្នកវិញដើម្បីធ្វើការកែសម្រួល, ឬ
- ៣) បណ្តឹងត្រូវបានច្រានចោល ប្រសិនបើវាស្ថិតនៅក្រៅសមត្ថកិច្ចរបស់ ASSIST ឬវាមិនមែនជាបណ្តឹងដែលមានសុពលភាព។

ចូរចូលទៅកាន់គណនីអ៊ីមែលរបស់អ្នក។

ជំហាន

10

ទទួលអ៊ីមែលពី ASSIST ថា អាសយដ្ឋានអ៊ីមែលនិងបណ្តឹងរបស់អ្នកមានសុពលភាព

ចូរចូលទៅកាន់គណនីអ៊ីមែលរបស់អ្នក ហើយអ្នកនឹងឃើញអ៊ីមែលថ្មីមួយ ផ្ញើមកពី ASSIST។ អ៊ីមែលនេះបង្ហាញថា អ្នកបានបញ្ជាក់បណ្តឹងរបស់អ្នករួចហើយ, CA នឹងពិនិត្យសុពលភាពបណ្តឹង និងថា បណ្តឹងនោះត្រូវបានធ្វើឡើងនៅក្នុងក្របខ័ណ្ឌ ASSIST។ បន្ទាប់មក ASSIST នឹងឆ្លើយតបដោយបញ្ជាក់ថា តើបណ្តឹងនោះត្រូវបានទទួលយក ឬយ៉ាងណា ថា តើវាមិនពេញលេញ ឬត្រូវបានចោល នៅក្នុងរយៈពេល ១០ ថ្ងៃយ៉ាងយូរបំផុត។




ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Thanks for your email confirmation for the complaint #18120181102

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Fri, Nov 2, 2018 at 12:19 PM



ASSOCIATION OF SOUTHEAST ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear Ms Sierra Riviera,

Thanks for the confirmation of your complaint ID No. **18120181102**.

ASSIST will review your complaint and check its validity and that it has been lodged correctly. You will receive a response indicating whether the complaint is validly lodged, or requires revision, or whether it does not fall within the scope of ASSIST, within a maximum of 10 working days from the date of filing.

You are able to access your complaint at any time on the following webpage: <http://assist.arsenadevelopment.space/user/login> by using your e-mail / tracking ID: aseanlawyer0@gmail.com / **18120181102**

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)
Company size
Phone : +36 1 7653572
Website : www.arise&partners.com
Address : Danube Street No. 13 City P Country X
City : City P / Zip Code : 12310
Country : AMS-X
You are able to access your complaint at any time on the following webpage: <http://assist.asean.org/user/login> by using your e-mail / tracking ID: aseanlawyer0@gmail.com / **18120181102**

Contact person : Ms Sierra Riviera
Phone : +36 7878137686
Position : Senior Associate
Email : aseanlawyer0@gmail.com
Address : Danube Street No. 13 City P Country X
City : City P / Zip Code : 12310
Country : AMS-X

Confidential case code (for law firm or lawyer only): ASSIST.X-001-2018
Country of Legal Registration : AMS-X
Legal Registration Number : 137911
Type of Business : Export/import
Business Sector : Goods /
Type of problem encountered : Internal taxes and charges levied on imports
Destination Country : AMS-Y

Description:
We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats. Independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other "like" products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

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Annex_0_Simulated_Professional_License_of_Ms_Sierra_Riviera4.pdf
49K


ដូចបានបង្ហាញនៅក្នុងអ៊ីមែលខាងលើ ឥឡូវនេះ អ្នកអាចតាមដានវឌ្ឍនភាពនៃបណ្តឹងរបស់អ្នក ដោយចុចលើតំណភ្ជាប់ដែលបានផ្តល់ ដែលនឹងនាំអ្នកទៅដល់ទំព័រ 'Follow a Complaint' នៅលើគេហទំព័រ ASSIST។

ជំហាន

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តាមដានវឌ្ឍនភាពនៃបណ្តឹងរបស់អ្នក

(ក) ចូរចូលទៅតំណភ្ជាប់នេះ៖ <http://assist.asean.org/user/login> ឬចូលទៅរក "Follow a Complaint" នៅលើ រេប៉ាធីនុយនៃគេហទំព័រ ASSIST។ ទំព័រខាងក្រោមនេះនឹងលេចឡើង ។



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PROCESS

FAQ

CONTACT

Follow a Complaint

Please log in using your email address and the tracking ID that you were given at the time of filing your complaint to enter the ASSIST dashboard and check on the progress of your proceeding.

Email

Tracking ID


Email

Tracking ID

LOGIN

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia
ASSIST - Supported by ARISE - [Disclaimer]

(ខ) បញ្ចូលអាសយដ្ឋានអ៊ីមែល និងលេខ ID តាមដានរបស់អ្នក (លេខបណ្តឹងរបស់អ្នក) នៅក្នុងប្រអប់ដែល ចាំបាច់ត្រូវបំពេញ ដើម្បីចូលទៅកាន់ទីនោះ ។ ក្នុងករណីនេះ អាសយដ្ឋានអ៊ីមែល គឺ aseanlawyer@gmail.com ហើយលេខ ID បណ្តឹងរបស់អ្នក គឺ **18120181102**។



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Email

Tracking ID


aseanlawyer0@gmail.com

LOGIN

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នៅពេលអ្នកចូលទៅដល់ហើយ អ្នកនឹងឃើញ dashboard នៅលើគេហទំព័រ ASSIST របស់អ្នក ដែលទីនោះ អ្នកអាចតាមដានវឌ្ឍនភាពនៃបណ្តឹងរបស់អ្នកបាន។

(គ) នេះជារូបភាពនៃ dashboard នៅលើគេហទំព័រ ASSIST របស់អ្នក នៅពេលអ្នកបំពេញឈ្មោះចូលដោយ ជោគជ័យរួចហើយ ។



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LOGOUT

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FAQ

CONTACT

DISCLAIMER

Tracking ID #18120181102 / AMS-Y

History			
Date	Action	Action By	Comments
02/11/2018 12:19:35	Email Confirmed	ASEAN-based Enterprise	Email Confirmed
02/11/2018 12:18:02	New	ASEAN-based Enterprise	

[WITHDRAW COMPLAINT](#)

ASEAN ENTERPRISE			
ASEAN Enterprise Name		ARISE & Partners	
Company Size		Address	Danube Street No. 13 City P Country X
Phone	+36 1 7653572	City	City P
Website	www.arise&partners.com	ZIP Code	12310
		Country	AMS-X

CONTACT PERSON			
First Name	Sierra	Address	Danube Street No. 13 City P Country X
Last Name	Riviera	City	City P
Phone	+36 7878137686	ZIP Code	12310
Position	Senior Associate	Country	AMS-X
Email	aseanlawyer0@gmail.com (Confirmed)		

COMPLAINT DESCRIPTION			
Country of Legal Registration	AMS-X	Business Sector	Goods
Registration Number	137911	Type of Problem Encountered	Goods / Internal taxes and charges levied on imports
Company Registration Proof	Annex D: Simulated Professional License of Ms Sierra Riviera4.pdf		Destination Country
Type of Business	Export/Import		
Description	We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other 'like' products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).		
Attachment			

Central Administrator of ASSIST / ASEAN Secretariat - 78A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia
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ដូចដែលអ្នកអាចមើលឃើញនៅលើ dashboard ចំណាត់ការនានាដែលធ្វើឡើងពាក់ព័ន្ធនឹងបណ្តឹងរបស់អ្នក ត្រូវបានបង្ហាញយ៉ាងច្បាស់នៅលើ dashboard ហើយបញ្ជីនេះនឹងត្រូវធ្វើបច្ចុប្បន្នភាពជាទៀងទាត់នៅពេលដែលចំណាត់ការអ្វីមួយត្រូវបានធ្វើឡើង។ ទម្រង់បណ្តឹងដែលអ្នកបានបំពេញរួច និងបានដាក់ជូនរួចក៏អាចរកមើលនៅលើ dashboard នេះបានដែរ។

ជំហាន

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រដ្ឋបាលកណ្តាលនឹងពិនិត្យបណ្តឹងអ្នកឡើងវិញ រួចហើយផ្ញើយកបច្ចុលគណនីអ៊ីមែលរបស់អ្នក (ទទួលយក មិនពេញលេញ ឬច្រានចោល)។

នៅពេល CA បានពិនិត្យមើលបណ្តឹងរបស់អ្នករួចរាល់ហើយ និងបានសម្រេចចិត្តថា តើទទួលយក/ចាត់ថា មិនពេញលេញ/ច្រានចោល ឬយ៉ាងណានោះ អ៊ីមែលមួយនឹងត្រូវផ្ញើទៅអ្នកក្នុងរយៈពេល ១០ ថ្ងៃ (ថ្ងៃធ្វើការ) យ៉ាងយូរបំផុត គិតចាប់ពីថ្ងៃដាក់ពាក្យបណ្តឹង។

ក្នុងខណៈនេះ ប្រសិនបើ CA មិនមានចំណាត់ការអ្វីទេ នោះ CA នឹងទទួលបានការត្រឡប់ត្រឡាតដោយស្វ័យប្រវត្តិតាមអ៊ីមែល ពីប្រព័ន្ធអនឡាញរបស់ ASSIST ក្នុងរយៈពេល ៧ ថ្ងៃ បន្ទាប់ពីថ្ងៃដាក់ពាក្យបណ្តឹង។ ដូចបានបង្ហាញខាងលើ CA ត្រូវតែសម្រេចចិត្តថា តើត្រូវទទួលយក ប្រកាសថាមិនពេញលេញនិងស្នើឱ្យកែសម្រួលឡើងវិញ ឬច្រានចោលពាក្យបណ្តឹង ក្នុងរយៈពេល ១០ ថ្ងៃ (ថ្ងៃធ្វើការ)។

អ៊ីមែលរំលឹកទី ១ សម្រាប់រដ្ឋបាលកណ្តាល ៖




Central Administrator ASEC <caatasec@gmail.com>

[ASSIST] Complaint #15020181026 reminder for CA

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Sat, Oct 27, 2018 at 5:00 AM



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Action is required by the CA for the complaint:
15020181026

Thanking you, ASSIST is at your service.

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ចូរពិនិត្យអ៊ីមែលអ្នកឱ្យបានទៀងទាត់ក្នុងអំឡុងពេល ១០ ថ្ងៃ បន្ទាប់ពីថ្ងៃដែលអ្នកបានដាក់ពាក្យបណ្តឹង។
អ្នកប្រាកដជានឹងទទួលបានអ៊ីមែលពី ASSIST។




ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Your complaint #18120181102 needs to be revised

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Fri, Nov 2, 2018 at 4:10 PM



ASSOCIATION
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Dear Ms Sierra Riviera,

Your complaint ID **18120181102** has been checked by ASSIST and was found to require **revision in order to be completed**.

Reason for request of revision: "Dear Ms. Sierra Riviera. Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information. In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y–s Ministry of Health–s Regulation of 2015, Chapter 1000, Section 100). Please file the actual measure or a translation/summary in the English language. Feel free to attach also any other information or legal brief that may assist the CA in assessing the eligibility of your complaint."

Please login to your ASSIST dashboard on the following webpage in order to revise your complaint and re-submit it: <http://assist.arsenadevelopment.space/user/login> by using your e-mail / tracking ID: **aseanlawyer0@gmail.com / 18120181102**

Please login to your ASSIST dashboard on the following webpage in order to revise your complaint and re-submit it: <http://assist.asean.org/user/login> by using your e-mail/tracking ID: **aseanlawyer0@gmail.com / 18120181102**

Company size
Phone: +36 1 7653572
Website: www.arise8partners.com
Address: Danube Street No. 13 City P Country X
City: City P / Zip Code: 12310
Country: **AMS-X**
ASEAN Jurisdiction(s) where Local Office(s) is(are) Established: Country X

Contact person: Ms. Sierra Riviera
Phone: +36 7878137686
Position: Senior Associate
Email: aseanlawyer0@gmail.com
Address: Danube Street No. 13 City P Country X
City: City P / Zip Code: 12310
Country: AMS-X

Confidential case code (for law firm or lawyer only): ASSIST-X.001-2018
Country of Legal Registration: **AMS-X**
Legal Registration Number: 137911
Type of Business: Export/Import
Business Sector: Goods /
Type of problem encountered: Internal taxes and charges levied on imports
Destination Country: AMS-Y

Description:
We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health–s Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y–s measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other “like– products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

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នៅក្នុងករណីនេះ CA ពិនិត្យទម្រង់បែបបទ និងរកឃើញថាវាមិនពេញលេញទេ។ CA ត្រូវការព័ត៌មានបន្ថែមពីអ្នក ពីព្រោះអ្នកបានធ្វើឱ្យតែងកសាងអាជ្ញាប័ណ្ណប្រកបវិជ្ជាជីវៈរបស់អ្នក។ ដូច្នេះ CA ធ្វើការឆ្លើយតបអ៊ីមែលទៅកាន់អ្នក ដោយស្នើឱ្យដាក់ដាក់បណ្តឹងសាជាថ្មី ដោយភ្ជាប់ជាមួយនឹងបញ្ញត្តិ ឬវិធានការរបស់ AMS-Y ដែលមានបញ្ជា រួមជាមួយនឹងសង្ខេបអង្គច្បាប់ ដែលលម្អិតពីការចោទប្រកាន់របស់អ្នក និងហេតុផលសំអាងដែលអ្នកជឿជាក់ថា គួរតែយកទៅពិចារណា សម្រាប់គោលបំណងនៃការទទួលយកបណ្តឹង និងអាចផ្តល់ជាដំណោះស្រាយផង។

ដូចដែលបានបង្ហាញនៅក្នុងអ៊ីមែលខាងលើ ដើម្បីកែសម្រួលឡើងវិញទៅលើបណ្តឹងរបស់អ្នក និងដាក់ឡើងវិញ អ្នកត្រូវចូលទៅកាន់ dashboard នៅលើ ASSIST របស់អ្នក។

ប្រសិនបើអ្នកមិនបានទទួលអ៊ីមែលពី ASSIST ក្នុងរយៈពេលដែលបានកំណត់ (១០ថ្ងៃ (ថ្ងៃធ្វើការ) គិតចាប់ពីថ្ងៃដាក់ពាក្យបណ្តឹង) នោះទេ នោះមានន័យថា CA មានចំណាត់ការយឺតយ៉ាវ។ CA នឹងទទួលបានសារព្រឹត្តិស្វ័យប្រវត្តិមួយទៀត តាមអ៊ីមែល (១៥ថ្ងៃ បន្ទាប់ពីថ្ងៃដាក់ពាក្យបណ្តឹង) ដែលព្រឹត្តិថា CA ត្រូវមានចំណាត់ការចំពោះបណ្តឹងនេះ ។ CA នឹងទទួលអ៊ីមែលដូចខាងក្រោម ៖

អ៊ីមែលព្រឹត្តិ ទី២ សម្រាប់រដ្ឋបាលកណ្តាល ៖




Central Administrator ASEC <caatasec@gmail.com>

[ASSIST] Complaint #15020181026 reminder for CA

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Sat, Oct 27, 2018 at 5:00 AM



ASSIST

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Action is required by the CA for the complaint:
15020181026

Thanking you, ASSIST is at your service.


[assist.asean.org \[disclaimer\]](http://assist.asean.org/disclaimer)

ជំហាន 13

ចូលទៅ Dashboard នៃគេហទំព័រ ASSIST របស់អ្នក ដោយប្រើគណនីអ៊ីមែល និងលេខ ID បណ្តឹង ដើម្បីមើលការឆ្លើយតបដាក់ស្តែងពី រដ្ឋបាលកណ្តាល និងកែបណ្តឹងរបស់អ្នកឡើងវិញ

(ក) ប្រសិនបើអ្នកចង់មើលចម្លើយពេញលេញពី CA អ្នកចាំបាច់ត្រូវចុះឈ្មោះចូលទៅកាន់ dashboard របស់អ្នកនៅលើគេហទំព័រ ASSIST ដោយប្រើគណនីអ៊ីមែលរបស់អ្នក និងលេខ ID បណ្តឹង ដូចបានបង្ហាញនៅក្នុងជំហាន 11 (ក) និង (ខ) ខាងលើ។

ខាងក្រោមនេះគឺជារូបភាពនៃ dashboard ។ ដូចដែលអ្នកអាចមើលឃើញ ចំណាត់ការមួយផ្សេងទៀត ទើបតែត្រូវបានបន្ថែមទៅក្នុង 'History' របស់អ្នក ដែលបញ្ជាក់ថា បណ្តឹងរបស់អ្នក 'មិនពេញលេញ'។




ASSIST

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WELCOME TO ASSIST WHAT IS ASSIST? MY COMPLAINT LOGOUT PROCESS FAQ CONTACT DISCLAIMER

My Complaint Number #18120181102




ASEAN Lawyer or Law Firm

ASEAN registered lawyers or law firms may file an anonymous case on behalf of one of their clients (i.e., the ASEAN Enterprise having the trade problem). In such cases, the lawyer or law firm, duly licensed to practice law in the ASEAN Member State where the client is based or against which the complaint is filed, must first contact the ASEAN Secretariat and provide the required data on its professional registration and on the client on whose behalf the anonymous complaint is being filed.

In order to do so, please download the necessary form  and submit it by email to the ASEAN Secretariat at assist@asean.org as specified on the form itself.

Once the ASEAN Secretariat has provided the Confidential Case Code (CCC) by email to the lawyer or law firm, the actual complaint can be filed. To do so, please fill-in the form below so as to provide ASSIST with enough information on the trade problem experienced by the ASEAN Enterprise being represented. Fields marked with an * are mandatory fields. If no law firm exists, individual lawyers can insert their personal details twice (i.e., in the fields for Law Firm and Lawyer).

In order to file a valid complaint, you shall verify your submission by replying to the automated email that you will receive from ASSIST shortly after submission (please check also your spam/junk boxes).

History			
Date	Action	Action by	Comments
02/11/2018 16:10:12	Incoming Email	Central Administrator of ASSIST	Dear Ms. Sierra Riviera, Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information. In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y's Ministry of Health's Regulation... 
02/11/2018 12:19:35	Email Confirmed	ASEAN-based Enterprise	Email Confirmed

02/11/2018 12:18:02 New ASEAN-based Enterprise

WITHDRAW COMPLAINT

LAW FIRM

* Law Firm Name

* Phone

Website

* Address
City P

255 characters remaining (255 maximum)

* City

* Country

* ASEAN Jurisdiction(s) where Local Office(s) is(are) Established

LAWYER

* Gender ☐ Mr ☐ Mrs ☒ Ms

* First Name * Last Name

* Phone

* Position

* Email

Address
City P

255 characters remaining (255 maximum)

City

ZIP Code

ASEAN Jurisdiction(s) where Admitted to Practice Law

COMPLAINT DESCRIPTION

* Confidential Case Code

* Country of Legal Registration

* Legal Registration Number

* Registration Proof No file chosen

* Type of Business

* Business Sector

- Services Sector Description

* Type of Problem Encountered

* Destination Country

* Description

Attachment Annex 2-Simulated Regulation of AMS-Y.pdf

Annex 3-Simulated Lo... RISE & Partners.pdf

☒ I have read and accept the ASSIST [rules](#).

☒ I hereby submit this complaint to the Central Administrator of ASSIST and I accept its transmission to the relevant authorities of the ASEAN Member States involved

☒ I'm not a robot

(ខ) ចូរចូលលើនីមិត្តសញ្ញាកែវពង្រីកនៅក្នុងប្រអប់អធិប្បាយ។ ចម្លើយតបពេញលេញពី CA នឹងបង្ហាញឡើង ដូចដែលអ្នកឃើញខាងក្រោមនេះ៖


Dear Ms. Sierra Riviera,

Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information.

In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y's Ministry of Health's Regulation of 2015, Chapter 1000, Section 100).

Please file the actual measure or a translation/summary in the English language. Feel free to attach also any other information or legal brief that may assist the CA in assessing the eligibility of your complaint.

(គ) ចូរភ្ជាប់ឯកសារបន្ថែមតាមការស្នើសុំរបស់ CA រួចហើយដាក់ពាក្យបណ្តឹងជាថ្មីម្តងទៀត តាមរយៈ dashboard របស់អ្នក ឧ. បញ្ញត្តិ ឬវិធានការរបស់ AMS-Y ដែលមានបញ្ហា និងសង្ខេបអង្គច្បាប់។



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WELCOME TO ASSIST

WHAT IS ASSIST?

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CONTACT

DISCLAIMER

My Complaint Number #18120181102



ASEAN Lawyer or Law Firm

ASEAN registered lawyers or law firms may file an anonymous case on behalf of one of their clients (i.e., the ASEAN Enterprise having the trade problem). In such cases, the lawyer or law firm, duly licensed to practice law in the ASEAN Member State where the client is based or against which the complaint is filed, must first contact the ASEAN Secretariat and provide the required data on its professional registration and on the client on whose behalf the anonymous complaint is being filed.

In order to do so, please download the necessary [form](#) and submit it by email to the ASEAN Secretariat at assist@asean.org as specified on the form itself.

Once the ASEAN Secretariat has provided the Confidential Case Code (CCC) by email to the lawyer or law firm, the actual complaint can be filed. To do so, please fill-in the form below so as to provide ASSIST with enough information on the trade problem experienced by the ASEAN Enterprise being represented. Fields marked with an * are mandatory fields. If no law firm exists, individual lawyers can insert their personal details twice (i.e., in the fields for Law Firm and Lawyer).

In order to file a valid complaint, you shall verify your submission by replying to the automated email that you will receive from ASSIST shortly after submission (please check also your spam/junk boxes).

History			
Date	Action	Action By	Comments
02/11/2018 16:10:12	Successful	Central Administrator of ASSIST	Dear Ms. Sierra Riviera, Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information. In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y's Ministry of Health's Regulation...
02/11/2018 12:19:35	Email Confirmed	ASEAN-based Enterprise	Email Confirmed
02/11/2018 12:18:02	New	ASEAN-based Enterprise	

[WITHDRAW COMPLAINT](#)

LAW FIRM

* Law Firm Name

* Phone

Website

* Address

Danube Street No. 13

City P

Country X

250 characters remaining (250 maximum)

City P

ZIP Code

12310

* City

AMS-X

* Country

AMS-X

* ASEAN Jurisdiction(s) where Local Office(s) is(are) Established

Country X

LAWYER

* Gender

☐ Mr

☐ Mrs

☒ Ms

* First Name

Sierra

* Last Name

Riviera

* Phone

+36 7876137686

* Position

Senior Associate

* Email

aseanlawyer0@gmail.com

Address

Danube Street No. 13

City P

Country X

250 characters remaining (250 maximum)

City P

ZIP Code

12310

ASEAN Jurisdiction(s) where Admitted to Practice Law

AMS-X

COMPLAINT DESCRIPTION

* Confidential Case Code

ASSIST-X-001-2018

* Country of Legal Registration

AMS-X

* Legal Registration Number

137911

* Registration Proof

Choose File

No file chosen

Annex 0-Simulated Professional License of Ms Sierra Riviera4.pdf

* Type of Business

Export/Import

* Business Sector

Goods

- Services Sector Description

* Type of Problem Encountered

3.6.7 Internal taxes and charges levied on imports

* Destination Country

AMS-Y

* Description

We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y.

We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against

Attachment

Choose File

Annex 2-Simulated Regulation of AMS-Y.pdf

Attachment

Choose File

Annex 3-Simulated L.o. RISE & Partners.pdf

Remove

☒ I have read and accept the ASSIST rules.

☒ I hereby submit this complaint to the Central Administrator of ASSIST and I accept its transmission to the relevant authorities of the ASEAN Member States involved

☒ I'm not a robot


reCAPTCHA

SUBMIT YOUR COMPLAINT

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

ASSIST - Supported by ARISE - [Disclaimer]

(ឃ) ទទួលការជូនដំណឹងពី ASSIST ស្តីពីការបញ្ជូនបណ្តឹងដែលបានកែសម្រួលឡើងវិញ ។



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CONTACT

DISCLAIMER

Thank you for the submission of your complaint

You will shortly receive a confirmation e-mail containing your references.

Please click on the link contained in the e-mail in order to confirm your submission.

You will be able to monitor your complaint and access it on the following webpage:

<http://assist.asean.org/user/login>

by using your e-mail / tracking ID.

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

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ជំហាន

14

ទទួលអ៊ីមែលពី ASSIST ទាក់ទងនឹងបណ្តឹងដែលបានកែសម្រួលឡើងវិញ

ចូរចូលទៅកាន់គណនីអ៊ីមែលរបស់អ្នក ហើយអ្នកនឹងឃើញអ៊ីមែលថ្មីមួយមកពី ASSIST។ អ៊ីមែលនេះបញ្ជាក់ថា បណ្តឹងដែលកែសម្រួលឡើងវិញរបស់អ្នក ត្រូវបានទទួលហើយ និងថា ASSIST នឹងពិនិត្យមើល រួចហើយឆ្លើយតបមកអ្នកវិញ ថាគេបណ្តឹងនេះត្រូវបានទទួលយក មិនពេញលេញ ឬច្រានចោល ឬយ៉ាងណា ក្នុងរយៈពេល ១០ ថ្ងៃ (ថ្ងៃធ្វើការ)។




ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Thanks for the revision of your #18120181102 complaint

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Fri, Nov 2, 2018 at 4:52 PM



ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear **Ms Sierra Riviera**,

Thank you for the **revision** of your complaint No. **18120181102**.

ASSIST will review it and revert back to you within 10 working days.

You are able to access your complaint at any time on the following webpage: <http://assist.asean.org/user/login/> by using your e-mail / tracking ID: aseanlawyer0@gmail.com / **18120181102**

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)
 Company size :
 Phone : +36 1 7653572
 Website : www.arise&partners.com
 /You are able to access your complaint at any time on the following webpage: <http://assist.asean.org/user/login/> by using your e-mail / tracking ID: aseanlawyer0@gmail.com / **18120181102**
 City : City P / Zip Code : 12310
 Country : **AMS-X**
 ASEAN Jurisdiction(s) where Local Office(s) is(are) Established : Country X

Contact person : Ms Sierra Riviera
 Phone : +36 7878137686
 Position : Senior Associate
 Email : aseanlawyer0@gmail.com
 Address : Danube Street No. 13 City P Country X
 City : City P / Zip Code : 12310
 Country : AMS-X




Confidential case code (for law firm or lawyer only): ASSIST-X-001-2018
 Country of Legal Registration : **AMS-X**
 Legal Registration Number : 137911
 Type of Business : Export/Import
 Business Sector : Goods /
 Type of problem encountered : Internal taxes and charges levied on imports
 Destination Country : **AMS-Y**

Description:
 We are a registered law firm in AMS-X, filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other "like" products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

assist.asean.org

3 attachments

-  **Annex_2-Simulated_Regulation_of_AMS-Y1.pdf**
46K
-  **Annex_3-Simulated_Legal_Brief-ARISE_Partners1.pdf**
142K
-  **Annex_0-Simulated_Professional_License_of_Ms_Sierra_Riviera4.pdf**
49K

ប្រសិនបើនៅខណៈនេះ CA ពុំមានចំណាត់ការណាមួយទេ នោះ CA នឹងទទួលបានសារអ៊ីមែលរំឭកដោយស្វ័យប្រវត្តិ ពីប្រព័ន្ធអនឡាញ ដូចដែលបានបង្ហាញនៅក្នុងជំហាន 12 ខាងលើ។

ចូរបើកមើលគណនីអ៊ីមែលរបស់អ្នកជាប្រចាំ ក្នុងរយៈពេល ១០ថ្ងៃ (ថ្ងៃធ្វើការ) ហើយអ្នកប្រាកដជានឹងទទួលបានអ៊ីមែលថ្មីមួយពី ASSIST។

ជំហាន

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រដ្ឋបាលកណ្តាលពិនិត្យបណ្តឹងកែសម្រួលជាថ្មីរបស់អ្នក រួចហើយផ្ញើការឆ្លើយតបទៅកាន់អ៊ីមែលរបស់អ្នក

នៅពេល CA ពិនិត្យចប់សព្វគ្រប់ទៅលើបណ្តឹងកែសម្រួលឡើងវិញរបស់អ្នកហើយ អ៊ីមែលមួយនឹងផ្ញើទៅឱ្យអ្នក ។ ចូរបើកមើលគណនីអ៊ីមែលរបស់អ្នក និងទទួលសារអ៊ីមែលដូចខាងក្រោមនេះ ពី ASSIST។




ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Your complaint #13120180921 is accepted by CA

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Fri, Sep 21, 2018 at 2:07 PM



ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear Ms ARISE Lawyer,

Dear Ms Sierra Riviera,

Your complaint ID No. **18120181102** has been accepted by the Destination Country.

Under your complaint ID No. 18120181102, the complainant's country, the respondent's country, the case and the dispute are resolved through a dispute resolution mechanism, in response to, the complainant's request for dispute resolution through the assistance of the complainant's country from today.

You will be promptly notified of the response by the Destination Country through ASSIST.

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)
 Company size :
 Phone : +62 21 7262991
 Website : www.arise&partners.com

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)
 Company size :
 Phone : +36 1 7653572
 Website : www.arise&partners.com
 Address : Danube Street No. 13 City P Country X
 City : City P / Zip Code : 12310
 Country : AMS-X
 ASEAN Jurisdiction(s) where Local Office(s) is(are) Established : Country X

Contact person : Ms Sierra Riviera
 Phone : +36 7878137686
 Position : Senior Associate
 Email : aseatlawyer0@gmail.com
 Address : Danube Street No. 13 City P Country X
 City : City P / Zip Code : 12310
 Country : AMS-X

Confidential case code (for law firm or lawyer only): ASSIST.X-001-2018
 Country of Legal Registration : AMS-X
 Legal Registration Number : 137911
 Type of Business : Export/import
 Business Sector : Goods /
 Type of problem encountered : Internal taxes and charges levied on imports
 Destination Country : AMS-Y

act Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation xods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of it component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the ng saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and exation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other &e"like&e" ng from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

assist.asean.org

អ៊ីមែលខាងលើនេះ បង្ហាញថា បណ្តឹងកែសម្រួលឡើងវិញរបស់អ្នកត្រូវបាន CA ទទួលយកហើយ។ នេះបញ្ជាក់ថា ឥឡូវនេះ បណ្តឹងរបស់អ្នកនឹងត្រូវបញ្ជូនទៅឱ្យចំណុចទំនាក់ទំនងនៃប្រទេសគោលដៅ (DCP) ដែលជាទីភ្នាក់ងាររដ្ឋាភិបាល (អ្នកទំនាក់ទំនងផ្នែក ASSIST) នៅក្នុង AMS-Y ជាទីកន្លែងដែលអ្នកកំពុងជួបប្រទះបញ្ហាពាណិជ្ជកម្ម និងជាទីដែលអ្នកដាក់ពាក្យបណ្តឹងទៅកាន់ និងស្វែងរកដំណោះស្រាយពីប្រទេសនេះ។ DCP នៅក្នុង AMS-Y នឹងត្រូវទុកពេលឱ្យ ១០ ថ្ងៃ (ថ្ងៃធ្វើការ) ដើម្បីធ្វើការពិនិត្យពាក្យបណ្តឹង និងសម្រេចថាតើទទួលយក ច្រានចោល ឬត្រឡប់ទៅអ្នកវិញដើម្បីស្នើសុំព័ត៌មានបន្ថែម។ ធ្វើដូច្នេះគឺទុកពេលវេលាឱ្យ DCP ពិនិត្យព័ត៌មានលម្អិតអំពីបណ្តឹង និងពិគ្រោះយោបល់ដែលចាំបាច់ ជាមួយអាជ្ញាធរជាតិដែលពាក់ព័ន្ធ។

ចំណុចទំនាក់ទំនងនៃប្រទេសដើម ដែលជាទីភ្នាក់ងាររដ្ឋាភិបាល (អ្នកទំនាក់ទំនងផ្នែក ASSIST) នៅក្នុង AMS-X (ប្រទេសដើមរបស់អ្នក) ក៏ត្រូវបានជូនដំណឹងផងដែរថា អ្នកបានដាក់បណ្តឹងហើយ។

ជំហាន
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ចូលទៅ Dashboard នៃគេហទំព័រ ASSIST របស់អ្នក ដោយប្រើគណនីអ៊ីមែល និងលេខ ID បណ្តឹងដើម្បីមើលការឆ្លើយតបដាក់ស្តង់ដាររដ្ឋបាលកណ្តាល។

ប្រសិនបើអ្នកចង់មើលចម្លើយពេញលេញពី CA អ្នកចាំបាច់ត្រូវចុះឈ្មោះចូលទៅកាន់ dashboard របស់អ្នកនៅលើគេហទំព័រ ASSIST ដោយប្រើគណនីអ៊ីមែលរបស់អ្នក និងលេខ ID បណ្តឹង ដូចបានបង្ហាញនៅក្នុងជំហាន 11(ក) និង (ខ) ខាងលើ។

ខាងក្រោមនេះ គឺជារូបភាពនៃ dashboard ។ ដូចដែលអ្នកអាចមើលឃើញ ចំណាត់ការមួយផ្សេងទៀត ទើបតែត្រូវបានបន្ថែមទៅក្នុង "History" របស់អ្នក ដែលបញ្ជាក់ថា CA បាន "ទទួលយក" បណ្តឹងរបស់អ្នក។



Tracking ID #18120181102 / AMS-Y

History

Date	Action	Action By	Comments
02/11/2018 18:31:54	Accepted	Central Administrator of ASSIST	Thank you for the completion or revision of your complaint. The Central Administrator has verified that the complaint is now complete, with the submission of the following documents: (i) AMS-Y's Ministry of Health's Regulation of 2015, Chapter 1000, Section 100; and (ii) Legal Brief on the Complaint. 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.
02/11/2018 16:52:15	Revised	ASEAN-based Enterprise	
02/11/2018 16:10:12	Incomplete	Central Administrator of ASSIST	Dear Ms. Sierra Riviera, Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information. In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y's Ministry of Health's Regulation...
02/11/2018 12:19:35	Email Confirmed	ASEAN-based Enterprise	Email Confirmed
02/11/2018 12:18:02	New	ASEAN-based Enterprise	

WITHDRAW COMPLAINT

ASEAN ENTERPRISE

ASEAN Enterprise Name	ARISE & Partners	Address	Danube Street No. 13 City P Country X
Company Size		City	City P
Phone	+36 1 7653572	ZIP Code	12310
Website	www.arise&partners.com	Country	AMS-X

CONTACT PERSON

First Name	Sierra	Address	Danube Street No. 13 City P Country X
Last Name	Riviera	City	City P
Phone	+36 7878137686	ZIP Code	12310
Position	Senior Associate	Country	AMS-X
Email	aseanlawyer0@gmail.com (Confirmed)		

COMPLAINT DESCRIPTION

Country of Legal Registration	AMS-X	Business Sector	Goods
Registration Number	137911	Type of Problem	Goods / Internal taxes and charges levied on imports
Company Registration Proof	Annex 0: Simulated Professional License of Ms. Sierra Riviera4.pdf	Encountered	
Type of Business	Export/Import	Destination Country	AMS-Y
Description	We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other 'like' products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).		
Attachment	Annex 2-Simulated Regulation of AMS-Y1.pdf Annex 3-Simulated Legal Brief-ARISE Partners1.pdf		

ចូរចុចលើនិមិត្តសញ្ញាកែតម្រូវនៅក្នុងប្រអប់អធិប្បាយ។ ចម្លើយតបពេញលេញពី CA នឹងបង្ហាញឡើងដូចដែលអ្នកឃើញខាងក្រោមនេះ៖

Thank you for the completion or revision of your complaint. The Central Administrator has verified that the complaint is now complete, with the submission of the following documents: (i) AMS-Y's Ministry of Health's Regulation of 2015, Chapter 1000, Section 100; and (ii) Legal Brief on the Complaint. 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.

ដូចដែលបានប្រាប់នៅក្នុងជំហានទី15 នៅពេលដែល CA ទទួលយកបណ្តឹងរួចហើយបណ្តឹងនោះនឹងបញ្ជូនទៅកាន់កន្លែងទំនាក់ទំនងនៃប្រទេសគោលដៅ (DCP) នៅក្នុង AMS-Y ជាទីកន្លែងដែលអ្នកកំពុងជួបប្រទះនឹងបញ្ហាពាណិជ្ជកម្ម។ DCP នៅក្នុង AMS-Y នឹងត្រូវផ្តល់ពេលឱ្យ 90 ថ្ងៃ (ថ្ងៃធ្វើការ) ដើម្បីពិនិត្យមើលបណ្តឹងរបស់អ្នក រួចហើយសម្រេចថាតើទទួលយក ឬប្រានចោល។ ធ្វើដូច្នេះ គឺទុកពេលឱ្យ DCP ពិនិត្យសេចក្តីលម្អិតនៃបណ្តឹង រួចហើយពិគ្រោះជាមួយអាជ្ញាធរជាតិពាក់ព័ន្ធ ប្រសិនបើចាំបាច់។ នៅពេល DCP ឆ្លើយតប អ៊ីមែលនឹងបញ្ជូនទៅអ្នកចេញព័ត៌មាន ASSIST ដោយជូនដំណឹងអ្នកអំពីថាតើបណ្តឹងរបស់អ្នកត្រូវបានទទួលយក ឬប្រានចោលដោយ DCP នៅក្នុង AMS-Y។ ចូរពិនិត្យមើលគណនីអ៊ីមែលរបស់អ្នក ឱ្យបានជាប្រចាំក្នុងរយៈពេល 90 ថ្ងៃនេះ បន្ទាប់ពីទទួលបានចម្លើយពី CA ដែលប្រាប់ថា បណ្តឹងរបស់អ្នកត្រូវបានទទួលយករួចហើយ។ នៅទីបំផុត អ្នកនឹងទទួលបានអ៊ីមែលថ្មីមួយទៀតពី ASSIST។

នៅក្នុងរយៈពេល 90 ថ្ងៃ (ថ្ងៃធ្វើការ) បន្ទាប់ពីទទួលបានការឆ្លើយតបពី CA ថាបណ្តឹងរបស់អ្នកត្រូវបានទទួលយក អ្នកនឹងទទួលបានអ៊ីមែលមួយដូចខាងក្រោមនេះ ដែលប្រាប់ថា បណ្តឹងរបស់អ្នកត្រូវបានទទួលយក ឬប្រានចោលដោយ DCP នៅក្នុង AMS-Y។

ប្រសិនបើនៅខណៈនេះ DCP ពុំមានចំណាត់ការអ្វីទេ នោះ DCP នឹងទទួលបានសាររំលឹកដោយស្វ័យប្រវត្តិដូចខាងក្រោមនេះ តាមរយៈអ៊ីមែល ពីប្រព័ន្ធអនឡាញរបស់ ASSIST ក្នុងរយៈពេល ៧ ថ្ងៃ (ថ្ងៃប្រតិទិន) បន្ទាប់ពីបណ្តឹងត្រូវបានទទួលយកដោយ CA។ ដូចដែលបានបង្ហាញខាងលើ DCP ត្រូវតែសម្រេចចិត្តថា តើទទួលយក ឬប្រានចោលបណ្តឹង នៅក្នុងរយៈពេល 90 ថ្ងៃ (ថ្ងៃធ្វើការ) នៅពេលដែល CA បានទទួលបណ្តឹង។

សារព្រឹត្តិការណ៍អ៊ីមែលទី១ សម្រាប់ចំណុចទំនាក់ទំនងនៃប្រទេសគោលដៅ៖



AMS Y <aseanmemberstate.y@gmail.com>

[ASSIST] Complaint #18120181102 reminder for DCP

Sat, Nov 3, 2018 at 6:00 AM

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

Action is required by the DCP AMS-Y for the complaint:
18120181102

Thanking you, ASSIST is at your service.

assist.asean.org

ចូរចូលមើលគណនីអ៊ីមែលរបស់អ្នកជាប្រចាំក្នុងរយៈពេល ១០ថ្ងៃ (ថ្ងៃធ្វើការ) បន្ទាប់ពីទទួលបានការឆ្លើយតបពី CA ថា បណ្តឹងរបស់អ្នកត្រូវបានទទួលយក។ នៅទីបំផុត អ្នកនឹងទទួលបានអ៊ីមែលថ្មីមួយពី ASSIST។



ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Your complaint #18120181102 is accepted by DCP

Sun, Nov 4, 2018 at 4:50 AM

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear **Ms Sierra Riviera**,

Your complaint ID No. **18120181102** has been accepted by the Destination Country.

You are able to access your complaint at any time on the following webpage: <http://assist.arsenadevelopment.space/user/loginby> using your **e-mail / tracking ID**.

As your complaint has been accepted by the Destination Country, the ASSIST Focal Point of the Destination Country (DCP), in coordination with the competent national authorities (RAs), will now analyse your complaint in detail.

You are able to access your complaint at any time on the following webpage: <http://assist.asean.org/user/login> by using your **e-mail / tracking ID**.

You will be promptly notified of the proposed solution by the Destination Country through ASSIST.

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)

Company size
Phone : +36 1 7653572
Website : www.arise&partners.com
Address : Danube Street No. 13 City P Country X
City : City P / Zip Code : 12310
Country : **AMS-X**
ASEAN Jurisdiction(s) where Local Office(s) is(are) Established : Country X

Contact person : **Ms Sierra Riviera**
Phone : +36 7878137686
Position : Senior Associate
Email : aseanlawyer0@gmail.com
Address : Danube Street No. 13 City P Country X
City : City P / Zip Code : 12310
Country : **AMS-X**

Confidential case code (for law firm or lawyer only): ASSIST-X-001-2018
Country of Legal Registration : **AMS-X**
Legal Registration Number : 137911
Type of Business : Export/import
Business Sector : Goods /
Type of problem encountered : Internal taxes and charges levied on imports
Destination Country : **AMS-Y**

Description:
We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other "like" products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

assist.asean.org [\[Disclaimer\]](#)

នៅក្នុងករណីនេះ បណ្តឹងត្រូវបាន ទទួលយក ដោយ DCP ដូចដែលអ្នកអាចមើលឃើញនៅខាងលើ។

ប្រសិនបើអ្នកមិនបានទទួលអ៊ីមែលពី ASSIST ស្តីពីការឆ្លើយតបពី DCP នៅក្នុងពេលវេលាដែលបានតម្រូវ (១០ ថ្ងៃ នៃថ្ងៃធ្វើការ) បន្ទាប់ពី CA បានទទួលយកបណ្តឹងរួចហើយ ទេនោះ នេះមានន័យថា DCP មានចំណាត់ការយឺតយ៉ាវ។ DCP នឹងទទួលសារព្រឹត្តិការណ៍ស្វ័យប្រវត្តិមួយទៀត តាមរយៈអ៊ីមែល (១៥ថ្ងៃ នៃថ្ងៃប្រតិទិន បន្ទាប់ពីបណ្តឹងត្រូវបានដាក់) ដែលព្រឹត្តិការណ៍ DCP ចាំបាច់ត្រូវមានចំណាត់ការជាបន្ទាន់សម្រាប់បណ្តឹងនេះ។

សារព្រឹត្តិការណ៍តាមអ៊ីមែល ទី២ សម្រាប់ចំណុចទំនាក់ទំនងនៃប្រទេសគោលដៅ ៖

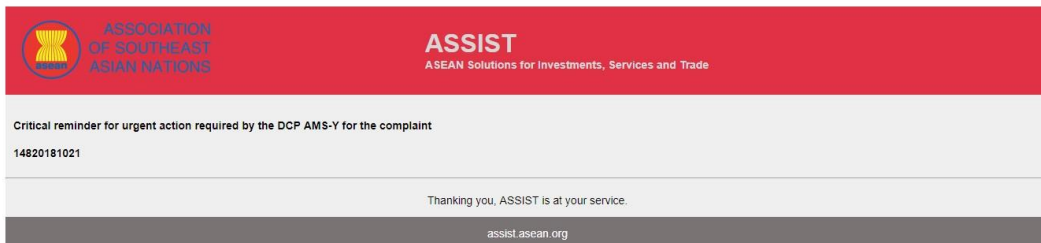


AMS Y <aseanmemberstate.y@gmail.com>

[ASSIST] Critical DCP reminder for the #14820181021 complaint

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Fri, Oct 26, 2018 at 5:00 AM



នៅពេលដែល DCP ទទួលយកបណ្តឹង សំណុំរឿងនេះត្រូវបានបញ្ជូនបន្តទៅឱ្យអាជ្ញាធរពាក់ព័ន្ធ (RAs) ដើម្បីសុំមតិយោបល់។ នៅពេលដែល RAs ពិនិត្យរួចហើយ DCP គួរតែពិនិត្យទៅលើដំណោះស្រាយ និង ផ្តល់ដំណោះស្រាយនោះទៅឱ្យ CA ក្នុងរយៈពេល ៤០ ថ្ងៃ (ថ្ងៃធ្វើការ) ជាក់ហ័ត។ ដូច្នេះ ដើម្បីបំពេញតាម កាលបរិច្ឆេទកំណត់នេះ DCP ត្រូវដាក់កំហិតពេលវេលាដល់ RAs សម្រាប់ស្វែងរកដំណោះស្រាយ។ DCP មានទំនួលខុសត្រូវក្នុងការជូនដំណឹងទៅ CA អំពីការផ្លាស់ប្តូរណាមួយ ទាក់ទងនឹងពេលវេលា រវាងខ្លួន និង អាជ្ញាធរជាតិ ។

CA អាចពន្យារពេលនៃកាលបរិច្ឆេទកំណត់នេះ បាន ២០ ថ្ងៃ (ថ្ងៃធ្វើការ) នៅពេលមានការស្នើសុំពី DCP។ ប្រព័ន្ធនឹងជូនដំណឹងដោយស្វ័យប្រវត្តិនៅពេលកាលបរិច្ឆេទកំណត់ខិតជិតមកដល់(ឧទាហរណ៍ ជាទូទៅ ១០ ថ្ងៃ(ថ្ងៃប្រតិទិន)នៅមុនកាលបរិច្ឆេទកំណត់ចូលមកដល់)។ ប្រសិនបើ DCP ហួសកាលបរិច្ឆេទកំណត់ ក្នុងការធ្វើដំណោះស្រាយឱ្យទៅ CA ប្រព័ន្ធអនឡាញនឹងជូនដំណឹងទៅ CA ដើម្បីឱ្យទំនាក់ទំនងសួរទៅ DCP។ ចូរពិនិត្យអ៊ីមែលរបស់អ្នកជាប្រចាំ ក្នុងរយៈពេល ៤០+២០ ថ្ងៃ (ថ្ងៃធ្វើការ) បន្ទាប់ពីអ្នកត្រូវបានជូនដំណឹងថា DCP បានទទួលយកបណ្តឹងរបស់អ្នករួចមក។ នៅទីបំផុត អ្នកនឹងទទួលបានអ៊ីមែលថ្មីមួយ ពី ASSIST ដែល បង្ហាញពីដំណោះស្រាយដែលស្នើឡើងដោយ DCP។

18

AMS-Y និងថា រដ្ឋបាលកណ្តាលបានទទួលដំណោះស្រាយនោះហើយ

បន្ទាប់ពី DCP (AMS-Y) ទទួលបានសំណើដំណោះស្រាយពី RAs របស់ខ្លួន និងយល់ឃើញថា សំណើនោះ ឆ្លើយចំទៅនឹងបញ្ហាដែលលើកឡើងដោយដើមបណ្តឹង DCP នឹងផ្តល់សំណើដំណោះស្រាយនោះទៅឱ្យ CA។ CA នឹង៖ (១) ពិនិត្យទៅលើដំណោះស្រាយនេះក្នុងបរិបទនៃបណ្តឹងដើម (២) ចុះបញ្ជីដំណោះស្រាយនេះ និង ធ្វើទៅឱ្យ AE តាមអ៊ីមែល និង (៣) ចម្លងដំណោះស្រាយនេះ ជូនទៅចំណុចទំនាក់ទំនងនៃប្រទេសដើម/HCP នៅក្នុង AMS-X (ប្រទេសដើមរបស់អ្នក)។

(ក) ចូរចូលទៅមើលគណនីអ៊ីមែលរបស់អ្នក។ អ្នកនឹងទទួលបានអ៊ីមែលថ្មីមួយ ពី ASSIST ដែលបង្ហាញពីការ ឆ្លើយតបទៅនឹងបណ្តឹងរបស់អ្នកពីសំណាក់ DCP ។



ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST] Response for your #18120181102 complaint

No Reply ASSIST <assist@asean.org>

Reply-To: "assist@asean.org" <assist@asean.org>

Sun, Nov 4, 2018 at 5:21 AM



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear Ms Sierra Riviera,

The response for your complaint **18120181102** is ready:

"Upon internal discussions between the DCP and the RAs, it emerges that, indeed, the measure adopted by AMS-Y, imposing increased excise duties to a range of foods high in sugar and saturated fat, is aimed at discouraging excessive consumption of substances considered dangerous under AMS-Y's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action Plan for the Prevention and Control of Non-Communicable Diseases 2013-2020, such as diabetes and obesity. However, AMS-Y recognizes that the measure did single-out certain products (i.e., inter alia, palm oil) and did not target, in a 'neutral manner', the substances (i.e., saturated fats) that the Government considers dangerous (if consumed in excess) from a dietary and health policy perspective. Therefore, the DCP, in coordination with AMS-Y's RA, proposes the immediate suspension of the measure contained in its Ministry of Health's Food Regulation of 2015, Chapter 1000, Section 100, pending its amendment to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. AMS-Y underlined that its measure was never intended to have, de jure or de facto, any discriminatory effect or objective, being justified in science and in light of its health protection purpose and applying to all 'like' products containing saturated fats."

You can also check the status of your complaint online at <http://assist.arsenaddevelopment.space/user/login> by using your email / tracking ID.

Please kindly indicate whether you are satisfied with the answer given by the DCP and the solution provided therein. You can do so by choosing 'Yes' or 'No' below:

[Yes](#) / [No](#)

ASEAN Enterprise / Trade Association / Law Firm : ARISE & Partners (type Law)

Company size

Phone : +36 1 7653572

Website : www.arise4partners.com

Address : Danube Street No. 13 City P Country X

City : City P / Zip Code : 12310

Country : AMS-X

ASEAN Jurisdiction(s) where Local Office(s) is(are) Established : Country X

Contact person : Ms Sierra Riviera

Phone : +36 7878137686

Position : Senior Associate

Email : aseanlawyer0@gmail.com

Address : Danube Street No. 13 City P Country X

City : City P / Zip Code : 12310

Country : AMS-X

Confidential case code (for law firm or lawyer only): ASSIST-X.001.2018

Country of Legal Registration : AMS-X

Legal Registration Number : 137911

Type of Business : Export/Import

Business Sector : Goods /

Type of problem encountered : Internal taxes and charges levied on imports

Destination Country : AMS-Y

Description:

We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other 'like' products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).

Thanking you, ASSIST is at your service.

assist@asean.org

(ខ) ចូរបើក dashboard នៅលើគេហទំព័រ ASSIST របស់អ្នក ដោយប្រើប្រាស់អ៊ីមែល និងលេខ ID តាមដានរបស់អ្នក ដូចបានណែនាំនៅក្នុងជំហានទី១១(ក) និង (ខ) ខាងលើ។ ខាងក្រោមនេះ ជាប្រភពបង្ហាញពី dashboard របស់អ្នក។ ដូចដែលអ្នកអាចមើលឃើញ ចំណាត់ការមួយទៀតទើបតែត្រូវបានបន្ថែមទៅក្នុង 'History' របស់អ្នក ដែលបង្ហាញថា ដំណោះស្រាយចំពោះបណ្តឹងរបស់អ្នកបានត្រូវស្នើឡើងរួចហើយ។ ដំណោះស្រាយពេញលេញពី DCP ដែលត្រូវបានទទួលយកដោយ CA ក៏ត្រូវបានផ្តល់នៅក្នុងកថាខណ្ឌទីមួយ នៃ dashboard របស់អ្នកផងដែរ។



ASSOCIATION
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ASSIST

ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

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MY COMPLAINT

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PROCESS

FAQ

CONTACT

DISCLAIMER

Tracking ID #18120181102 / AMS-Y

ASSIST Solution

Upon internal discussions between the DCP and the RAs, it emerges that, indeed, the measure adopted by AMS-Y, imposing increased excise duties to a range of foods high in sugar and saturated fat, is aimed at discouraging excessive consumption of substances considered dangerous under AMS-Y's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action Plan for the Prevention and Control of Non-Communicable Diseases 2013-2020, such as diabetes and obesity. However, AMS-Y recognizes that the measure did single-out certain products (i.e., inter alia, palm oil) and did not target, in a 'neutral manner', the substances (i.e., saturated fats) that the Government considers dangerous (if consumed in excess) from a dietary and health policy perspective. Therefore, the DCP, in coordination with AMS-Y's RA, proposes the immediate suspension of the measure contained in its Ministry of Health's Food Regulation of 2015, Chapter 1000, Section 100, pending its amendment to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. AMS-Y underlined that its measure was never intended to have, de jure or de facto, any discriminatory effect or objective, being justified in science and in light of its health protection purpose and applying to all 'like' products containing saturated fats.

Attachment

History

Date	Action	Action By	Comments
04/11/2018 05:21:40	Solution	Central Administrator of ASSIST	Upon internal discussions between the DCP and the RAs, it emerges that, indeed, the measure adopted by AMS-Y, imposing increased excise duties to a range of foods high in sugar and saturated fat, is aimed at discouraging excessive consumption of substances considered dangerous under AMS-Y's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action ...
02/11/2018 18:31:54	Accepted	Central Administrator of ASSIST	Thank you for the completion or revision of your complaint. The Central Administrator has verified that the complaint is now complete, with the submission of the following documents: (i) AMS-Y's Ministry of Health's Regulation of 2015, Chapter 1000, Section 100; and (ii) Legal Brief on the Complaint. 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.
02/11/2018 16:52:15	Revised	ASEAN-based Enterprise	
02/11/2018 16:10:12	Incomplete	Central Administrator of ASSIST	Dear Ms. Sierra Riviera, Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information. In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y's Ministry of Health's Regulation ...
02/11/2018 12:19:35	Email Confirmed	ASEAN-based Enterprise	Email Confirmed
02/11/2018 12:18:02	New	ASEAN-based Enterprise	

ASEAN ENTERPRISE

ASEAN Enterprise Name	ARISE & Partners		
Company Size		Address	Danube Street No. 13 City P Country X
Phone	+36 1 7653572	City	City P
Website	www.arise&partners.com	ZIP Code	12310
		Country	AMS-X

CONTACT PERSON

First Name	Sierra	Address	Danube Street No. 13 City P Country X
Last Name	Riviera	City	City P
Phone	+36 7878137686	ZIP Code	12310
Position	Senior Associate	Country	AMS-X
Email	aseanlawyer0@gmail.com (Confirmed)		

COMPLAINT DESCRIPTION

Country of Legal Registration	AMS-X	Business Sector	Goods
Registration Number	137911	Type of Problem Encountered	Goods / Internal taxes and charges levied on imports
Company Registration Proof	Annex 0-Simulated Professional License of Ms. Sierra Riviera4.pdf		
Type of Business	Export/import	Destination Country	AMS-Y
Description	<p>We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other 'like' products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).</p>		
Attachment	Annex 2-Simulated Regulation of AMS-Y1.pdf Annex 3-Simulated Legal Brief-ARISE Partners1.pdf		

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

ASSIST - Supported by ARISE - [Disclaimer]

ខាងក្រោមនេះ គឺជាសំណើដំណោះស្រាយពី DCP ៖

“នៅពេលពិភាក្សាផ្ទៃក្នុងរវាង DCP និង RAs យើងរកឃើញថា តាមពិតទៅ វិធានការដែលអនុម័តដោយ AMS-Y ដែលបង្កើនពន្ធទៅលើចំណីអាហារជាច្រើនមុខ ដែលមានជាតិស្ករនិងខ្លាញ់ខ្ពស់ គឺក្នុងគោលបំណងកាត់បន្ថយ ការប្រើប្រាស់ហ្វូសប្រមាណនូវសារធាតុនានាដែលគេគិតថាមានគ្រោះថ្នាក់ចំពោះសុខភាព នៅក្រោមយុទ្ធសាស្ត្ររបស់ AMS-Y ដើម្បីដោះស្រាយបញ្ហាជំងឺជាតិដែលកាន់តែកើនឡើង នៅក្នុងចំណោមប្រជាពលរដ្ឋរបស់ខ្លួន។ វិធានការនេះ គឺស្របទៅតាមសកម្មភាពស្រដៀងគ្នានេះដែរ ដែលប្រទេសជាច្រើននៅលើពិភពលោកបានអនុវត្ត និងស្របទៅតាមផែនការសកម្មភាពសាកលរបស់អង្គការ សុខភាពពិភពលោក ដើម្បីទប់ស្កាត់និងគ្រប់គ្រងជំងឺមិនឆ្លង ឆ្នាំ២០១៣-២០១០ ដូចជា ជំងឺទឹកនោមផ្អែម និងជំងឺជាតិ។

ប៉ុន្តែ AMS-Y ទទួលស្គាល់ថា វិធានការពិតជាបានដៅចំណុះនូវផលិតផលជាក់លាក់មួយចំនួន (ជាអាទិ៍ ប្រេងដូង) និងមិនសំដៅ ក្នុងលក្ខណៈអព្យាក្រឹតទៅលើសារធាតុនានា (ដូចជា ខ្លាញ់) ដែលរដ្ឋាភិបាលចាត់ទុកថា គ្រោះថ្នាក់ (ប្រសិនបើបរិភោគហ្វូសប្រមាណ) ផ្អែកតាមទស្សនវិស័យរបបចំណីអាហារ និងគោលនយោបាយសុខភាព។”

ដូច្នេះ DCP ដោយសម្របសម្រួលជាមួយ RA នៃ AMS-Y សូមស្នើឱ្យមានការផ្អាកជាបន្ទាន់នូវវិធានការដែលមានចែងនៅក្នុងបញ្ញត្តិស្តីពីចំណីអាហារ ឆ្នាំ២០១៥ ជំពូក ១០០០ ផ្នែកទី១០០ របស់ក្រសួងសុខាភិបាលរបស់ខ្លួន ដោយរង់ចាំការធ្វើវិសោធនកម្មដើម្បីលុបចោលនូវការនិយាយយោងទៅរកផលិតផលជាក់លាក់ និងការអនុវត្តចំពោះតែផលិតផលដែលមានជាតិខ្លាញ់ច្រើន ដោយមិនគិតពីប្រភពដើមមកពីបន្លែ ឬសត្វ។ AMS-Y គូសបញ្ជាក់ថា វិធានការរបស់ខ្លួនមិនមានចេតនាបង្កឱ្យមានផលប៉ះពាល់អ្វីសំខាន់នោះទេ ទោះតាមផ្លូវច្បាប់ក្តី តាមព្រឹត្តិវិធីក្តី ដោយឈរលើមូលដ្ឋានវិទ្យាសាស្ត្រ និងដោយគិតគូរដល់ការការពារសុខភាព និងអនុវត្តចំពោះគ្រប់ផលិតផល “ដូចគ្នា” ទាំងអស់ ដែលមានផ្ទុកជាតិខ្លាញ់ច្រើនលើសកម្រិត។

(ខ) នៅខាងក្រោមនៃអ៊ីមែលពី ASSIST នៅក្នុងជំហាន 18(ក)ខាងលើ អ្នកត្រូវបានស្នើឱ្យបញ្ជាក់ថា តើអ្នកពេញចិត្ត ឬមិនពេញចិត្តចំពោះចម្លើយដែលបានផ្តល់ដោយ DCP និងដំណោះស្រាយដែលមាននៅក្នុងចម្លើយនោះ។ អ្នកអាចជ្រើសរើសយកពាក្យថា “Yes” ឬ “No” ដែលបានផ្តល់ឱ្យ។

Please kindly indicate whether you are satisfied with the answer given by the DCP and the solution provided therein. You can do so by choosing 'Yes' or 'No' below:

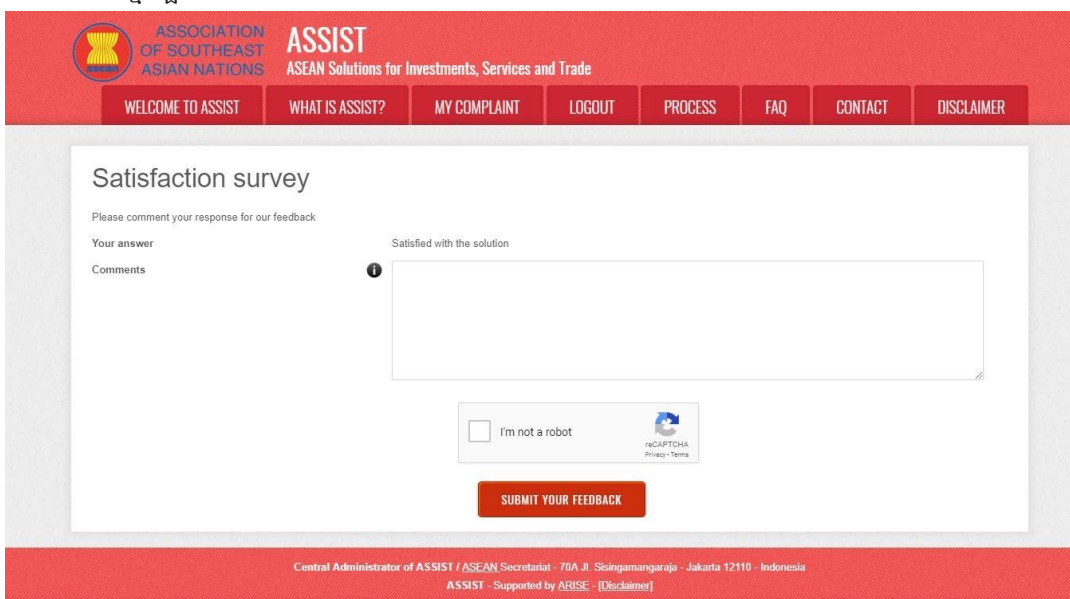
☒ Yes / ☐ No

នៅក្នុងករណីនេះ AE ជ្រើសរើសយក “Yes”។

ជំហាន
19

ផ្តល់មតិគ្រលប់របស់អ្នកចំពោះដំណោះស្រាយដែលស្នើឡើងដោយ AMS-Y នៅក្នុងការស្ទង់មតិការពេញចិត្ត និងទទួលអ៊ីមែលទទួលស្គាល់ ពី ASSIST

កាលណាអ្នកជ្រើសរើស “Yes/No” នៅក្នុងជំហានទី១៨(គ)ខាងលើរួចហើយ អ្នកនឹងត្រូវនាំទៅរកទំព័រមួយ ដូចបង្ហាញខាងក្រោមនេះ ដែលនៅលើទំព័រនោះអ្នកនឹងត្រូវស្នើឱ្យឆ្លើយសំណួរស្ទង់មតិអំពីការពេញចិត្ត ឬមិនពេញចិត្តរបស់អ្នក និងផ្តល់យោបល់របស់អ្នក ជាពិសេស ប្រសិនបើអ្នកមិនពេញចិត្តចំពោះចម្លើយ/ដំណោះស្រាយដែលបានស្នើឡើង។



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Satisfaction survey

Please comment your response for our feedback

Your answer Satisfied with the solution

Comments


☐ I'm not a robot

reCAPTCHA Privacy - Terms

SUBMIT YOUR FEEDBACK

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Setiabudi - Jakarta 12110 - Indonesia
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(ក) ចូរបំពេញការស្ទង់មតិ។ ក្នុងករណីនេះ សមាគមពាណិជ្ជកម្មអាស៊ាន ពេញចិត្តចំពោះដំណោះស្រាយ/ការឆ្លើយតបដែលផ្តល់ដោយ ASSIST ដូច្នេះ បានបញ្ជាក់ថាពេញចិត្ត។



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DISCLAIMER

Satisfaction survey

Please comment your response for our feedback

Your answer: Satisfied with the solution

Comments:

1

We are very satisfied with the solution provided by AMS-Y as AMS-Y has agreed to immediately suspend the measure contained in the Ministry of Health's Regulation of 2015, Chapter 1000, Section 100, pending the amendment of the measure to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. With this positive proposed solution by AMS-Y, we believe that it never intended to discriminate against palm oil as a whole.

I'm not a robot

HCAPTCHA

SUBMIT YOUR FEEDBACK

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

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(ខ) ចូរចូលទៅកាន់គណនីអ៊ីមែលរបស់អ្នក ។ អ្នកនឹងទទួលបានអ៊ីមែលថ្មីមួយ ឬពីរ (ប្រសិនបើអ្នកបានបំពេញបែបបទស្ទង់មតិ) ពី ASSIST ដែលទទួលស្គាល់ពីការទទួលបានការឆ្លើយតបរបស់អ្នកចំពោះដំណោះស្រាយដែលបានស្នើឡើង ដោយ AMS-Y។ ចម្លើយរបស់អ្នកក៏នឹងត្រូវចម្លងជូនទៅ DCP និង HCP ផងដែរ។

អ៊ីមែលទទួលស្គាល់ទីមួយ ពី ASSIST



ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST][#18120181102] Thank you for answer

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Sun, Nov 4, 2018 at 5:35 AM



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST
ASEAN Solutions for Investments, Services and Trade

Dear Ms Sierra Riviera,

With reference to your complaint ID No. 18120181102, your feedback on whether you are satisfied with the answer given by the DCP and the proposed solution is: "Yes"

ASSIST acknowledges receipt of your response to the proposed solution.

assist.asean.org

អ៊ីមែលទទួលស្គាល់ទីពីរ ពី ASSIST

ប្រសិនបើអ្នកបានផ្តល់អធិប្បាយនៅលើទម្រង់ស្ទង់មតិ អ្នកនឹងទទួលបានអ៊ីមែលទីពីរដូចខាងក្រោម ដែលទទួលស្គាល់ការទទួលបានចម្លើយរបស់អ្នក ចំពោះដំណោះស្រាយដែលបានស្នើឡើង ដែលនឹងត្រូវផ្ញើចេញដោយ ASSIST ទៅឱ្យអ្នក, DCP និង HCP ។



ASEAN Lawyer <aseanlawyer0@gmail.com>

[ASSIST][#18120181102] Thank you for answer

No Reply ASSIST <assist@asean.org>
Reply-To: "assist@asean.org" <assist@asean.org>

Sun, Nov 4, 2018 at 5:37 AM



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST
ASEAN Solutions for Investments, Services and Trade

Dear Ms Sierra Riviera,


With reference to your complaint ID No. 18120181102, your feedback on whether you are satisfied with the answer given by the DCP and the proposed solution is: "Yes"

We are very satisfied with the solution provided by AMS-Y as AMS-Y has agreed to immediately suspend the measure contained in the Ministry of Health's Regulation of 2015, Chapter 1000, Section 100, pending the amendment of the measure to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. With this positive proposed solution by AMS-Y, we believe that it never intended to discriminate against palm oil as a whole.

ASSIST acknowledges receipt of your response to the proposed solution.

assist.asean.org

(គ) ចូរបំពេញទម្រង់ដើម្បីចូលទៅប្រើ dashboard របស់អ្នកនៅលើ ASSIST ដោយប្រើអ៊ីមែល និងលេខ ID បណ្តឹងរបស់អ្នក ដូចបានណែនាំនៅក្នុងជំហានទី១១(ក) និង(ខ)ខាងលើ។ ខាងក្រោមនេះ ជាប្រភពនៃ dashboard របស់អ្នក។ ដូចដែលអ្នកអាចមើលឃើញ ចំណាត់ការមួយទៀតត្រូវបានបន្ថែមទៅក្នុង “History” របស់អ្នក ដែលបង្ហាញថា អ្នកបានបញ្ជាក់ពីការពេញចិត្តចំពោះដំណោះស្រាយដែលបានស្នើឡើង ដោយ ASSIST។



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DISCLAIMER

Tracking ID #18120181102 / AMS-Y

ASSIST Solution

Upon internal discussions between the DCP and the RAs, it emerges that, indeed, the measure adopted by AMS-Y, imposing increased excise duties to a range of foods high in sugar and saturated fat, is aimed at discouraging excessive consumption of substances considered dangerous under AMS-Y's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action Plan for the Prevention and Control of Non-Communicable Diseases 2013-2020, such as diabetes and obesity. However, AMS-Y recognizes that the measure did single-out certain products (i.e., inter alia, palm oil) and did not target, in a 'neutral manner', the substances (i.e., saturated fats) that the Government considers dangerous (if consumed in excess) from a dietary and health policy perspective. Therefore, the DCP, in coordination with AMS-Y's RA, proposes the immediate suspension of the measure contained in its Ministry of Health's Food Regulation of 2015, Chapter 1000, Section 100, pending its amendment to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. AMS-Y underlined that its measure was never intended to have, de jure or de facto, any discriminatory effect or objective, being justified in science and in light of its health protection purpose and applying to all 'like' products containing saturated fats.

Attachment

Satisfied : Yes

History			
Date	Action	Action By	Comments
04/11/2018 05:37:40	Satisfied	ASEAN-based Enterprise	We are very satisfied with the solution provided by AMS-Y as AMS-Y has agreed to immediately suspend the measure contained in the Ministry of Health's Regulation of 2015, Chapter 1000, Section 100, pending the amendment of the measure to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. With this positive proposed solution by AMS-Y, we believe that it never intended to discriminate against...
04/11/2018 05:21:40	Solution	Central Administrator of ASSIST	Upon internal discussions between the DCP and the RAs, it emerges that, indeed, the measure adopted by AMS-Y, imposing increased excise duties to a range of foods high in sugar and saturated fat, is aimed at discouraging excessive consumption of substances considered dangerous under AMS-Y's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action...
02/11/2018 18:31:54	Accepted	Central Administrator of ASSIST	Thank you for the completion or revision of your complaint. The Central Administrator has verified that the complaint is now complete, with the submission of the following documents: (i) AMS-Y's Ministry of Health's Regulation of 2015, Chapter 1000, Section 100; and (ii) Legal Brief on the Complaint. 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.
02/11/2018 16:52:15	Revised	ASEAN-based Enterprise	
02/11/2018 16:10:12	Incomplete	Central Administrator of ASSIST	Dear Ms. Sierra Riviera, Thank you for lodging your complaint under ASSIST. In order to properly assess your complaint and determine its eligibility under ASSIST, the Central Administrator of ASSIST (i.e. the ASEAN Secretariat or CA) requests additional information. In particular, the CA requests that your complaint be re-submitted together with information on the AMS-Y measure that is allegedly inconsistent with the ATIGA (i.e. AMS-Y's Ministry of Health's Regulation...
02/11/2018 12:19:35	Email Confirmed	ASEAN-based Enterprise	Email Confirmed
02/11/2018 12:18:02	New	ASEAN-based Enterprise	

ASEAN ENTERPRISE

ASEAN Enterprise Name		ARISE & Partners	
Company Size		Address	Danube Street No. 13 City P Country X
Phone	+36 1 7653572	City	City P
Website	www.arise&partners.com	ZIP Code	12310
		Country	AMS-X

CONTACT PERSON

First Name	Sierra	Address	Danube Street No. 13 City P Country X
Last Name	Riviera	City	City P
Phone	+36 7878137686	ZIP Code	12310
Position	Senior Associate	Country	AMS-X
Email	aseanlawyer0@gmail.com (Confirmed)		

COMPLAINT DESCRIPTION

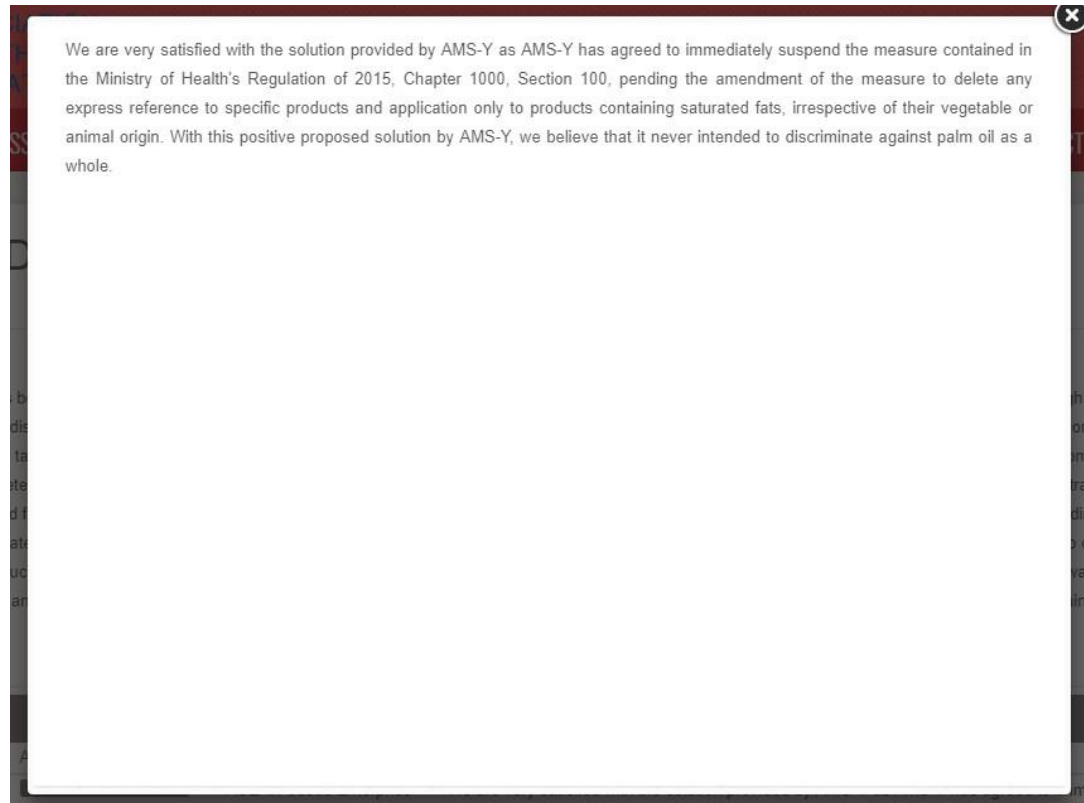
Country of Legal Registration	AMS-X	Business Sector	Goods
Registration Number	137911	Type of Problem	Goods / Internal taxes and charges levied on imports
Company Registration Proof	Annex 0: Simulated Professional License of Ms Sierra Riviera.pdf	Encountered	
Type of Business	Export/Import	Destination Country	AMS-Y
Description	We are a registered law firm in AMS-X filing a complaint under ASSIST on behalf of our client, a duly registered palm oil company in AMS-X. The complaint is in relation to the new excise duty imposed by AMS-Y (the Destination Contact Point or DCP) on palm oil and food products containing palm oil under its Ministry of Health's Food Regulation Chapter 1000, Section 100 of 2015. The measure adopted by AMS-Y introduced taxes on foods high in sugar and saturated fat as part of a strategy for addressing the rising problem of obesity in AMS-Y. We are of the view that AMS-Y's measure expressly targeted palm oil and not just the saturated fat component of palm oil and of products containing palm oil, thereby discriminating against palm oil and demonizing the product as a whole instead of just discouraging excessive consumption of products containing saturated fats, independently of the vegetable or animal origin of the fats. Thus, we find the measure adopted and applied by AMS-Y is contrary to Article 6 of the ATIGA (on National Treatment on Internal Taxation and Regulation), in as much as it discriminates against palm oil as a whole and is not applied to other 'like' products manufactured or sold in AMS-Y (i.e., food products containing saturated fats deriving from soy, sunflower, rapeseed, corn, peanut or animal fat).		
Attachment	Annex 2-Simulated_Regulation_of_AMS-Y1.pdf Annex 3-Simulated_Legal_Brief-ARISE_Partners1.pdf		

Central Administrator of ASSIST / ASEAN Secretariat - 70A Jl. Sisingamangaraja - Jakarta 12110 - Indonesia

ASSIST - Supported by ARISE - [Disclaimer]



(ឃ) ប្រសិនបើអ្នកចង់ឃើញអធិប្បាយរបស់អ្នក ដែលអ្នកទើបតែបានផ្តល់នៅក្នុងទម្រង់ស្ទង់មតិ ចូរចុចលើនិមិត្តសញ្ញាកែវពង្រីក បន្ទាប់មក អេក្រង់ខាងក្រោមនេះនឹងផុសឡើង។



នៅពេលទទួលបានការជូនដំណឹងថា ដំណោះស្រាយមួយត្រូវបានស្នើឡើងទៅកាន់ AE ត្រូវបានទទួលយកថាពេញចិត្តហើយ ពីសំណាក់មេធាវី/ក្រុមហ៊ុនមេធាវីអាស៊ាន DCP គួរតែបញ្ជូនការជូនដំណឹងអំពីការទទួលយកនេះ ទៅកាន់ RA(s) ដើម្បីធានាថា ការរៀបចំផ្នែករដ្ឋបាលដែលចាំបាច់ក្នុងការអនុវត្តដំណោះស្រាយនេះត្រូវបានធ្វើឡើងបានឆាប់រហ័សតាមដែលអាចធ្វើទៅបាន។

ASSIST នឹងចាត់ទុកនីតិវិធីនេះជានីតិវិធីមួយ ដែលបណ្តឹងត្រូវបានទទួលយក ហើយដំណោះស្រាយត្រូវបានផ្តល់ឱ្យដោយ DCP និងត្រូវបានទទួលយកដោយមេធាវី/ក្រុមហ៊ុនមេធាវីអាស៊ាន។

ចូរកត់សម្គាល់ថារយៈពេលសម្រាប់ការដោះស្រាយបញ្ហាឆ្លងដែន ដែលលើកឡើងនៅក្រោមប្រព័ន្ធ ASSIST គឺមិនលើសពី៤០ថ្ងៃ (ថ្ងៃធ្វើការ) ឬពីរខែ (ខែប្រតិទិន) (លើកលែងតែមានការព្រមព្រៀងគ្នាលើការពន្យារពេលបន្ថែមមិនលើសពី ២០ថ្ងៃ(ថ្ងៃធ្វើការ) គិតពីថ្ងៃដែលបណ្តឹងត្រូវបានទទួលយកដោយ DCP (ឧទាហរណ៍ រដ្ឋសមាជិកអាស៊ាន ដែលបណ្តឹងត្រូវបានប្តឹងប្រឆាំងទៅសមាជិកនោះ)។