

IMPLEMENTING AGREEMENT
BETWEEN
THE GOVERNMENT OF JAPAN AND
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
PURSUANT TO ARTICLE 13 OF THE AGREEMENT
BETWEEN JAPAN AND THE REPUBLIC OF INDONESIA
FOR AN ECONOMIC PARTNERSHIP

Preamble

The Government of Japan and the Government of the Republic of Indonesia (hereinafter referred to as "Indonesia"),

In accordance with Article 13 of the Agreement between Japan and the Republic of Indonesia for an Economic Partnership, signed at Jakarta on August 20, 2007 (hereinafter referred to as "the Basic Agreement"),

HAVE AGREED as follows:

Chapter 1
General Provisions

Article 1
Definitions

For the purposes of this Agreement:

- (a) the term "Countries" means Japan and Indonesia and the term "Country" means either Japan or Indonesia; and
- (b) the term "Parties" means the Government of Japan and the Government of Indonesia and the term "Party" means either the Government of Japan or the Government of Indonesia.

Chapter 2
Customs Procedures

Article 2
Mutual Assistance in Customs Matters

1. The Parties shall assist each other through their customs authorities to ensure proper application of the customs laws of the Countries, and to prevent, investigate and repress any violation or attempted violation of the customs laws of the Countries.

2. The Parties shall cooperate through their customs authorities, when necessary and appropriate, in the area of research, development, and testing of new customs procedures and new enforcement aids and techniques, and training activities of customs officers.

Article 3
Information and Communications Technology

1. The customs authorities of the Parties shall make cooperative efforts to promote the use of information and communications technology in their customs procedures.
2. The customs authorities of the Parties shall exchange information, including best practices, on the use of information and communications technology for the purpose of improving customs procedures.

Article 4
Risk Management

1. In order to facilitate customs clearance of goods traded between the Countries, the customs authorities of the Parties shall continue to use risk management.
2. The customs authorities of the Parties shall endeavor to promote the use of risk management and the improvement of risk management techniques in the Countries, *inter alia*, through seminars and courses.
3. The customs authorities of the Parties shall exchange information, including best practices, on risk management techniques and other enforcement techniques.

Article 5
Enforcement against Illicit Trafficking

1. The customs authorities of the Parties shall cooperate and exchange information in their enforcement against the trafficking of illicit drugs and other prohibited goods at their customs checkpoints.
2. The Parties shall endeavor to promote regional cooperation under the Customs Co-operation Council in fighting the trafficking of illicit drugs and other prohibited goods.

Article 6
Intellectual Property Rights

The customs authorities of the Parties shall cooperate and exchange information in their enforcement against the importation and exportation of goods suspected of infringing intellectual property rights.

Article 7
Exchange of Information

1. Each Party shall maintain the confidentiality of any information communicated to its customs authority in confidence by the customs authority of the other Party pursuant to this Chapter, unless the latter customs authority consents to the disclosure of such information.

2. The customs authority of each Party may limit the information it communicates to the customs authority of the other Party when the latter customs authority is unable to give the assurance requested by the former customs authority with respect to the maintenance of confidentiality or the limitations of purposes for which the information will be used.

3. If the customs authority of a Party that requests information would be unable to comply with a similar request in case such a request were made by the customs authority of the other Party, it shall draw attention to that fact in its request. Execution of such a request shall be at the discretion of the customs authority of the other Party.

4. Information provided from the customs authority of a Party to the customs authority of the other Party pursuant to this Chapter shall be used only for the discharge of functions of the latter customs authority under its Country's customs laws.

5. Information obtained by the customs authority of a Party pursuant to this Chapter shall not be used by the Party in criminal proceedings carried out by a court or a judge.

6. In the event that information communicated by the customs authority of a Party to the customs authority of the other Party pursuant to this Chapter is needed for presentation to a court or a judge in criminal proceedings, that other Party shall submit a request for such information to the former Party through the diplomatic channel or other channels established in accordance with the laws and regulations of the Country of the former Party. The former Party will make its best efforts to respond promptly and favourably to meet any reasonable deadlines indicated by the other Party.

7. Notwithstanding any other provision of this Chapter, the customs authority of a Party shall not be required to communicate information to the customs authority of the other Party if such communication is prohibited by the laws and regulations of the Country of the former Party or if the former Party considers such communication incompatible with its important interests.

Article 8 Sub-Committee on Customs Procedures

Pursuant to Article 56 of the Basic Agreement, the Sub-Committee on Customs Procedures (hereinafter referred to in this Article as "the Sub-Committee") shall comprise:

- (a) an official from the Ministry of Finance of Japan and an official from the Directorate General of Customs and Excise of Indonesia, as co-chairs;
- (b) for Japan, officials from the Ministry of Finance and the Ministry of Foreign Affairs, and other government officials with necessary expertise relevant to the issues to be discussed who may be included on an ad hoc basis; and
- (c) for Indonesia, officials from the Directorate General of Customs and Excise, and other government officials with necessary expertise relevant to the issues to be discussed who may be included on an ad hoc basis.

Chapter 3 Energy and Mineral Resources

Article 9 Forms of Cooperation

Pursuant to subparagraph 3(b) of Article 104 of the Basic Agreement, the forms of cooperation may include:

- (a) encouraging exchange of views and information on laws and regulations;
- (b) encouraging and facilitating visits and exchanges of experts;
- (c) encouraging joint studies, workshops and training; and
- (d) promoting implementation of joint projects and programs.

Chapter 4
Intellectual Property

Article 10
Areas and Forms of Cooperation

Pursuant to paragraph 2 of Article 122 of the Basic Agreement:

- (a) the areas of cooperation may include:
 - (i) intellectual property brokerage or licensing, intellectual property management, registration and exploitation, and patent mapping;
 - (ii) intellectual property protection in the digital environment;
 - (iii) intellectual property education and public awareness programs;
 - (iv) further modernization of administration of intellectual property protection system; and
 - (v) further improvement of enforcement of intellectual property rights; and
- (b) the forms of cooperation may include:
 - (i) exchanging information and sharing experiences and skills;
 - (ii) undertaking training and exchange of experts;
 - (iii) holding consultations on activities relating to enforcement of intellectual property rights; and

- (iv) other forms to be mutually agreed upon by the Parties.

Chapter 5
Competition

Article 11
Purpose and Definitions

1. The purpose of this Chapter is to provide for the details and procedures concerning the implementation of the cooperation set forth in Article 127 of the Basic Agreement.

2. For the purposes of this Chapter:

(a) the term "competition authority" means:

- (i) for Japan, the Fair Trade Commission; and
- (ii) for Indonesia, the Commission for the Supervision of Business Competition;

(b) the term "competition law" means:

- (i) for Japan, the Law Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade (Law No. 54, 1947) (hereinafter referred to in this Chapter as "the Antimonopoly Law") and its implementing regulations as well as any amendments thereto; and
- (ii) for Indonesia, the Law No. 5 of Year 1999 Concerning Prohibition of Monopolistic Practices and Unfair Business Competition (hereinafter referred to in this Chapter as "the Law No. 5") and its implementing regulations as well as any amendments thereto; and

(c) the term "enforcement activities" means any investigation or proceeding conducted by a Party in relation to the application of the competition law of its Country, but shall not include:

- (i) the review of business conduct or routine filings; and

- (ii) research, studies or surveys with the objective of examining the general economic situation or general conditions in specific sectors.

Article 12
Notification

1. The competition authority of each Party shall notify, to the extent consistent with the laws and regulations of its Country, the competition authority of the other Party of the enforcement activities of its Party that it considers may affect the important interests of the other Party.
2. Notifications pursuant to paragraph 1 shall be given as promptly as possible when the competition authority of a Party becomes aware that the enforcement activities of its Party may affect the important interests of the other Party.

Article 13
Exchange of Information

The competition authority of each Party shall, as appropriate, provide the competition authority of the other Party with information that is relevant to the enforcement activities of the competition authority of the other Party to the extent consistent with the laws and regulations of its Country, subject to its available resources.

Article 14
Coordination of Enforcement Activities

1. The competition authorities of the Parties (hereinafter referred to in this Chapter as "the competition authorities") shall, as appropriate, consider coordination of their enforcement activities with regard to matters that are related to each other.
2. Nothing in paragraph 1 shall be construed to affect the right of each Party to enforce the relevant laws and regulations of its Country and to implement its competition policy, and the right of the competition authority of each Party to limit or terminate, at any time, the coordination of enforcement activities and to pursue its enforcement activities independently.

Article 15
Technical Cooperation

1. The Parties agree that it is in their common interest for the competition authorities to work together in technical cooperation activities for capacity building related to strengthening of competition policy and implementation of competition law.
2. The forms of technical cooperation activities for capacity building referred to in paragraph 1 shall be:
 - (a) exchange of personnel of the competition authorities for training purposes;
 - (b) participation of personnel of the competition authorities as lecturers or consultants at training courses on strengthening of competition policy and implementation of competition law organized or sponsored by either or both competition authorities;
 - (c) assistance by the competition authority of a Party to advocacy and educational campaign of the competition authority of the other Party for the consumers, business sector and related agencies of its Country; and
 - (d) other forms to be mutually agreed upon by the competition authorities.
3. The technical cooperation activities under this Article shall be implemented within the available resources of the competition authority of each Party.
4. Other details of technical cooperation activities under this Article may be agreed between the competition authorities.

Article 16
Transparency

The competition authority of each Party shall:

- (a) promptly inform the competition authority of the other Party of any amendment of the competition law of its Country and any adoption of new laws and regulations by its Country that address anti-competitive activities;

- (b) provide, as appropriate, the competition authority of the other Party with copies of its publicly-released guidelines or policy statements issued in relation to the competition law of its Country; and
- (c) provide, as appropriate, the competition authority of the other Party with copies of its annual reports and/or any other publication that are made generally available to the public.

Article 17
Consultations

The competition authorities shall consult with each other, upon request of either competition authority, on any matter which may arise in connection with this Chapter.

Article 18
Review

1. The Parties shall, as mutually agreed between the Parties, review the cooperation pursuant to this Chapter.
2. Upon such review, the Parties may consider enhancing the cooperation pursuant to this Chapter such as notification, exchange of information, coordination of enforcement activities and technical cooperation.
3. Any such enhancement of the cooperation shall be subject to the applicable laws and regulations of each Country and the available resources of each Party.

Article 19
Confidentiality of Information

1. Each Party shall, in accordance with the laws and regulations of its Country, maintain the confidentiality of any information provided to it in confidence by the other Party pursuant to this Chapter.
2. Each Party may limit the information it provides to the other Party when the other Party is unable to give the assurance requested by the former Party with respect to the maintenance of confidentiality or the limitations of purposes for which the information will be used.

3. Information, other than publicly available information, received by a Party or its competition authority pursuant to this Chapter:

- (a) shall only be used by that Party or competition authority for the purpose of effective enforcement of the competition law of its Country, unless the other Party or its competition authority has approved otherwise;
- (b) shall not be communicated by the former competition authority to other authorities or a third party, unless the competition authority of the other Party has approved otherwise;
- (c) shall not be communicated by the former Party to a third party, unless the other Party has approved otherwise; and
- (d) shall not be used in criminal proceedings carried out by a court or a judge of the Country of the former Party.

4. In the event that information provided by a Party to the other Party pursuant to this Chapter, except publicly available information, is needed for presentation in criminal proceedings carried out by a court or a judge of the Country of the other Party, the other Party shall submit a request for such information to the former Party through the diplomatic channel or other channels established in accordance with the laws and regulations of the Country of the former Party.

5. Notwithstanding subparagraph 3(b), the competition authority of a Party which receives information, other than publicly available information, pursuant to this Chapter may, unless otherwise notified by the competition authority of the other Party, communicate such information, for the purpose of enforcement of competition law, to relevant law enforcement authorities of the former Party, which may use the information under the conditions stipulated in subparagraph 3 (d) and paragraph 4.

6. Notwithstanding any other provision of this Chapter, neither Party is required to provide information to the other Party if such provision is prohibited by the laws and regulations of the Country of the former Party or would be incompatible with the important interests of the former Party. In particular:

- (a) the Government of Japan shall not be required to provide "trade secrets of entrepreneurs" covered by the provisions of Article 39 of the Antimonopoly Law to the Government of Indonesia; and
- (b) the Government of Indonesia shall not be required to provide "company secrets" covered by the provisions of Article 39(3) of the Law No. 5 to the Government of Japan.

Article 20
Communications

Unless otherwise provided for in this Chapter, communications under this Chapter may be directly carried out between the competition authorities. Notifications under Article 12, however, shall be confirmed in writing through the diplomatic channel. Such confirmation shall be made as promptly as practically possible after the communication concerned between the competition authorities.

Article 21
Miscellaneous

1. Detailed arrangements to implement this Chapter may be made between the competition authorities.
2. Nothing in this Chapter shall prevent the Parties from seeking or providing assistance to one another pursuant to other bilateral or multilateral agreements or arrangements.
3. Nothing in this Chapter shall be construed to prejudice the policy or legal position of either Party regarding any issue related to jurisdiction.
4. Nothing in this Chapter shall be construed to affect the rights and obligations of either Party under other international agreements or arrangements or under the laws of its Country.

Chapter 6
Improvement of Business Environment
and Promotion of Business Confidence

Article 22
Liaison Office on Improvement of Business Environment

1. The functions of the Liaison Office on Improvement of Business Environment in each Country designated pursuant to Article 133 of the Basic Agreement, shall be:

- (a) receiving complaints, inquiries and request for consultation from the enterprises of the other Country with regard to the laws, regulations and any other administrative measures of its Country which may adversely affect the business activities of the enterprises of the other Country;
- (b) transmitting the complaints, inquiries and request for consultation referred to in subparagraph (a) to relevant authorities of its Country;
- (c) seeking responses from the relevant authorities of its Country within a reasonable period of time, where appropriate, in writing with sufficient explanations, reasons and legal basis, if any;
- (d) transmitting the responses from the relevant authorities of its Country to the enterprises of the other Country which submitted the complaints, inquiries or request for consultation;
- (e) providing the enterprises of the other Country with necessary information and advice in collaboration with the relevant authorities of its Country; and
- (f) reporting the findings to the Sub-Committee on Improvement of Business Environment and Promotion of Business Confidence regarding the exercise of such functions as referred to in subparagraphs (a) through (e) in relation to the improvement of business environment.

2. Paragraph 1 shall not be construed as preventing or restricting any contacts made by the enterprises of a Country directly to relevant authorities of the other Country.

Chapter 7
Cooperation

Section 1
Cooperation in the Field of Manufacturing Industries

Article 23
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing the fundamental role of manufacturing industries in enhancing the dynamism and the competitiveness of the national economies of their respective Countries, shall cooperate in promoting the development of manufacturing industries of both Countries.

Article 24
Areas and Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
 - (i) strengthening of competitiveness of manufacturing industries including, *inter alia*, management, technology, research and development activities, and industrial standard;
 - (ii) human resource development related to manufacturing industries; and
 - (iii) improvement of manufacturing industry infrastructure; and
- (b) the forms of cooperation under this Section may include:
 - (i) promoting joint researches;
 - (ii) encouraging and facilitating visits and exchanges of experts, and exchange of knowledge and technology;

- (iii) promoting capacity building;
- (iv) promoting the holding of seminars, dialogue and workshops; and
- (v) other forms to be mutually agreed upon by the Parties.

Section 2
Cooperation in the Field of
Agriculture, Forestry and Fisheries

Article 25
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing the importance of food security, of multifunctionality of agriculture, of sustainable development of agriculture, forestry and fisheries, and of fostering the well-being of people in rural areas, shall cooperate in the field of agriculture, forestry and fisheries on the basis of mutual benefit.

Article 26
Areas and Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
 - (i) efficient and sustainable utilization of natural resources;
 - (ii) human resource development related to agriculture, forestry and fisheries;
 - (iii) development and promotion of technologies related to agriculture, forestry and fisheries;
 - (iv) improvement of market infrastructure, including the gathering and dissemination of market information related to agriculture and fisheries;
 - (v) improvement of productivity and quality in the field of agriculture, forestry and fisheries; and

- (vi) fostering the well-being of people in rural areas; and
- (b) the forms of cooperation under this Section may include:
 - (i) exchanging views and information;
 - (ii) encouraging exchanges of experts, knowledge and technology;
 - (iii) promoting the holding of seminars, joint studies, trainings and workshops; and
 - (iv) other forms to be mutually agreed upon by the Parties.

Section 3
Cooperation in the Field of
Trade and Investment Promotion

Article 27
Basic Principles

1. Pursuant to Chapter 13 of the Basic Agreement and with a view to enhancing the complementarity of the enterprises of the Countries, the Parties shall cooperate in promoting trade and investment activities by enterprises of the Countries, recognizing that the joint efforts of the Parties to facilitate exchange and collaboration between enterprises will act as a catalyst to further promote trade and investment between the Countries.

2. The Parties shall encourage and facilitate the cooperation among the Japan External Trade Organization (JETRO) on the Japanese side and the National Agency for Export Development (NAFED) of the Ministry of Trade and/or the Indonesia Investment Coordinating Board (BKPM) on the Indonesian side, to be conducted pursuant to an arrangement among them. Such cooperation may be implemented in collaboration with relevant agencies and organizations, including those from the private sector.

Article 28
Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement, the forms of cooperation under this Section may include:

- (a) exchanging and sharing information on trade, investment, business related laws and regulations and business environment of the Countries;
- (b) exchanging experts and trainees in order to promote trade and investment;
- (c) organizing missions, seminars and business meetings for further expansion of trade and investment;
- (d) organizing or taking part in trade fairs; and
- (e) other forms to be mutually agreed upon by the Parties.

Section 4
Cooperation in the Field of Human Resource Development

Article 29
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing that sustainable economic growth and prosperity largely depend on people's knowledge and skills, shall cooperate in the field of human resource development in order to raise the productivity and competitiveness of the industries of the Countries, including through encouraging the transfer of technology.

Article 30
Areas and Forms of Cooperation

Pursuant to Articles 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
 - (i) development of human resources with advanced knowledge and skills; and
 - (ii) technical and vocational training; and
- (b) the forms of cooperation under this Section may include:
 - (i) exchanging views and information;
 - (ii) encouraging and facilitating visits and exchanges of experts;

- (iii) providing and promoting opportunities for internship and training;
- (iv) encouraging and facilitating cooperation between entities of both Countries; and
- (v) other forms to be mutually agreed upon by the Parties.

Section 5
Cooperation in the Field of Tourism

Article 31
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing that tourism will contribute to the enhancement of mutual understanding between peoples of both Countries and that tourism is an important industry for their respective economies, shall cooperate in the field of tourism in both Countries.

Article 32
Areas and Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
 - (i) promotion of tourism;
 - (ii) human resource development related to tourism; and
 - (iii) sustainable development of tourism; and
- (b) the forms of cooperation under this Section may include:
 - (i) exchanging information and sharing experience;
 - (ii) encouraging and facilitating visits and exchanges of experts;
 - (iii) promoting the holding of seminars, dialogue and workshops; and

- (iv) other forms to be mutually agreed upon by the Parties.

Section 6
Cooperation in the Field of
Information and Communications Technology

Article 33
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing the rapid development of information and communications technology (hereinafter referred to in this Section as "ICT") and its important roles in fostering sustainable economic and social development, promoting sound business practices, and enabling partnership among the Parties, and the private sectors and other non-governmental entities of the Countries, shall cooperate in promoting and implementing activities towards the development of ICT infrastructure, ICT-related services, digital content and human resources in ICT sector in the Countries.

Article 34
Areas and Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
 - (i) next generation internet, broadband networks and ubiquitous networks;
 - (ii) use of ICT-related services;
 - (iii) electronic commerce, including facilitation of the procedures for accreditation of certification authorities for electronic signatures;
 - (iv) circulation of digital content over broadband networks;
 - (v) further development of network infrastructures, including tele center, in rural areas;
 - (vi) human resource development related to ICT;

- (vii) collaboration on ICT research and development; and
 - (viii) disaster management using ICT, including tsunami warning systems; and
- (b) the forms of cooperation under this Section may include:
- (i) exchanging information on policy issues;
 - (ii) encouraging and facilitating visits and exchanges of experts, and exchange of knowledge and technology;
 - (iii) promoting the holding of seminars and workshops;
 - (iv) promoting cooperation between the private sectors of both Countries;
 - (v) promoting cooperation in international fora related to ICT; and
 - (vi) other forms to be mutually agreed upon by the Parties.

Section 7
Cooperation in the Field of Financial Services

Article 35
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing the importance of enhancing knowledge and skills and exchanging experiences, shall promote cooperation in the field of financial services.

Article 36
Areas and Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
- (i) implementation of sound prudential policies, and enhancement of effective supervision of financial institutions of a Country operating in the other Country;

- (ii) proper response to issues relating to globalization in financial services;
 - (iii) maintenance of an environment that does not stifle legitimate financial market innovations; and
 - (iv) supervision of global financial institutions to minimize systemic risks and to limit contagion effects in the event of crises; and
- (b) the forms of cooperation under this Section may include:
- (i) exchanging information, experiences and skills, including on activities relating to development of financial services;
 - (ii) promoting trainings; and
 - (iii) other forms to be mutually agreed upon by the Parties.

Article 37
Dialogues on Financial Services

1. The Parties shall conduct dialogues on matters relating to financial services in order to promote cooperation in the field of financial services, at such times and venues as may be agreed by the Parties.
2. For the purposes of paragraph 1, the issues to be discussed shall include:
- (a) overall policy requirements to respond to the recent trends of uncertainties due to rapid expansion of cross-border financial transactions driven by technological advances in the financial sector;
 - (b) regulatory policies over the respective financial institutions of the Countries;
 - (c) supervision and inspection of financial institutions of a Country which are operating in the other Country;
 - (d) transparency in the laws and regulations of each Country and the application and enforcement thereof; and

- (e) other issues relating to cooperation in the field of financial services.

3. The findings and the outcome of the dialogues under this Article may be reported, as necessary, to the Sub-Committee on Cooperation.

- 4. (a) The dialogues under this Article shall be participated in by the following:
 - (i) for Japan, officials from the Financial Services Agency and the Ministry of Foreign Affairs and, where appropriate, other government officials with the necessary expertise relevant to the issues to be discussed; and
 - (ii) for Indonesia, officials from Bank Indonesia and the Ministry of Finance and, where appropriate, other government officials with the necessary expertise relevant to the issues to be discussed.
- (b) Representatives of relevant entities other than the Parties, with the necessary expertise relevant to the issues to be discussed, may be invited to the dialogues under this Article.

Section 8
Cooperation in the Field of Environment

Article 38
Basic Principles

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognizing the importance of strengthening capacity to protect the environment and promote sustainable development, and the critical role of bilateral and multilateral environmental agreements or arrangements, shall cooperate in the field of environment.

Article 39
Areas and Forms of Cooperation

Pursuant to Article 135 of the Basic Agreement:

- (a) the areas of cooperation under this Section may include:
 - (i) conservation and improvement of the environment; and

- (ii) promotion of sustainable development including measures to address climate change such as clean development mechanism; and
- (b) the forms of cooperation under this Section may include:
 - (i) exchanging information on policies, laws, regulations and technology;
 - (ii) promoting the holding of seminars;
 - (iii) encouraging and facilitating visits and exchanges of experts;
 - (iv) encouraging and facilitating transfer of knowledge of environmentally sound technology; and
 - (v) other forms to be mutually agreed upon by the Parties.

Chapter 8
Final Provisions

Article 40
Implementation

This Agreement shall be implemented by the Parties in accordance with the Basic Agreement and the laws and regulations in force in their respective Countries, and within the available resources of each Party.

Article 41
Headings

The headings of the Chapters, Sections and Articles of this Agreement are inserted for convenience of reference only and shall not affect the interpretation of this Agreement.

Article 42
Amendment

This Agreement may be amended by agreement between the Parties. The Parties shall, at the request of a Party, consult with each other as to whether to amend this Agreement.

Article 43
Entry into Force

This Agreement shall enter into force at the same time as the Basic Agreement and shall remain in force as long as the Basic Agreement remains in force.

Article 44
Dispute Settlement

Chapter 14 of the Basic Agreement shall apply *mutatis mutandis* with respect to the settlement of disputes between the Parties arising out of the interpretation and/or application of Chapter 2 and this Chapter.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at Jakarta on this twentieth day of August in the year 2007 in duplicate in the English language.

For the Government of
Japan:

安倍晋三

For the Government of
the Republic of Indonesia:

S.B.Yudhoyono