

PROTOCOL  
AMENDING THE IMPLEMENTING AGREEMENT BETWEEN THE GOVERNMENT  
OF JAPAN AND THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE  
PURSUANT TO ARTICLE 7 OF THE AGREEMENT BETWEEN JAPAN AND  
THE REPUBLIC OF SINGAPORE FOR A NEW-AGE ECONOMIC  
PARTNERSHIP

The Government of Japan and the Government of the Republic of Singapore (hereinafter referred to in this Protocol as "the Parties");

Desiring to conclude a protocol to amend the Implementing Agreement between the Government of Japan and the Government of the Republic of Singapore pursuant to Article 7 of the Agreement between Japan and the Republic of Singapore for a New-Age Economic Partnership, signed at the Republic of Singapore on January 13, 2002 (hereinafter referred to as "the Implementing Agreement");

HAVE AGREED as follows:

Article 1

Article 1 of the Implementing Agreement shall be amended as follows:

1. By deleting the expression "Customs Administration" in sub-paragraphs (a) and (b) and replacing it respectively by the expression "customs administration"; and
2. By deleting the expression "the Customs and Excise Department" in sub-paragraph (a) and replacing it by the expression "the Singapore Customs".

Article 2

Article 2 of the Implementing Agreement shall be amended by deleting the expression "the Customs and Excise Department" in sub-paragraphs (a) and (c) of paragraph 1 and replacing it respectively by the expression "the Singapore Customs".

Article 3

Articles 3 through 7 of the Implementing Agreement shall be amended by deleting the expressions "Customs Administration" and "Customs Administrations" and replacing them respectively by the expressions "customs administration" and "customs administrations".

#### Article 4

Article 7 of the Implementing Agreement shall be amended by renumbering paragraphs 3 through 6 as paragraphs 4 through 7 respectively, and inserting the following new paragraph immediately after paragraph 2:

"3. If a Party that requests information pursuant to this Chapter would be unable to comply with a similar request in case such a request were made by 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 latter Party."

#### Article 5

Article 16 of the Implementing Agreement shall be amended as follows:

1. By deleting the expression "the Ministry of Trade and Industry" in sub-paragraph (ii) of paragraph (a) and replacing it by the expression "the Competition Commission of Singapore";

2. By deleting sub-paragraph (ii) of paragraph (c) and replacing it by the following:

"(ii) for Singapore, the Code of Practice for Competition in the Provision of Telecommunications Services pursuant to the Telecommunication Act (Cap. 323), Part VII "Competition" of the Electricity Act (Cap. 89A), Part IX "Competition" of the Gas Act (Cap. 116A), and the Competition Act (Cap. 50B);"; and

3. By deleting sub-paragraph (ii) of paragraph (d) and replacing it by the following:

"(ii) for Singapore, the Info-communications Development Authority of Singapore for the telecommunications sector, the Energy Market Authority of Singapore for the electricity and gas sectors and the Competition Commission of Singapore for sectors regulated by the Competition Act (Cap 50B);".

#### Article 6

Article 17 of the Implementing Agreement shall be amended by deleting paragraph 5.

## Article 7

The following new paragraph shall be inserted immediately after Article 17 of the Implementing Agreement:

### "Article 17A Transparency

Each Party shall:

- (a) promptly notify the other Party of any amendment of competition laws and any adoption of new laws and regulations of its Country that control anti-competitive activities; and
- (b) provide, as appropriate, the other Party with copies of its publicly-released guidelines or policy statements issued in relation to the competition laws of its Country."

## Article 8

Article 22 of the Implementing Agreement shall be amended by deleting paragraph 2 and replacing it by the following:

"2. The Parties may consult with each other to consider whether or not to amend this Chapter for the purpose of extending the scope of co-operation specified in paragraph 1 above."

## Article 9

Article 25 of the Implementing Agreement shall be amended by deleting the expression "Communications under Articles 17 and 18", and replacing it by the expression "Communications under Articles 17, 17A and 18".

## Article 10

Articles 39 and 40 of the Implementing Agreement shall be amended as follows:

1. By deleting the expression "the Singapore Trade Development Board (hereinafter referred to in this Chapter as "TDB")" in paragraph 1 of Article 39 and replacing it by the expression "International Enterprise Singapore Board (hereinafter referred to in this Chapter as "IE Singapore")", and

2. By deleting the expression "TDB" in Article 39 and sub-paragraphs (a) and (c) of paragraph 1 of Article 40 and replacing it respectively by the expression "IE Singapore".

#### Article 11

Articles 41 and 42 of the Implementing Agreement shall be amended as follows:

1. By deleting the expression "the Singapore Productivity and Standards Board (hereinafter referred to in this Chapter as "PSB")" in paragraph 1 of Article 41 and replacing it by the expression "the Singapore Standards, Productivity and Innovation Board (hereinafter referred to in this Chapter as "SPRING Singapore")"; and

2. By deleting the expression "PSB" in Article 41 and sub-paragraphs (a) and (c) of paragraph 1 of Article 42 and replacing it respectively by the expression "SPRING Singapore".

#### Article 12

1. This Protocol shall enter into force on the day on which the Protocol amending the Agreement between Japan and the Republic of Singapore for a New-Age Partnership, signed at Tokyo on 19 March, 2007, enters into force.

2. This Protocol shall remain in force as long as the Implementing Agreement remains in force.

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

DONE at Tokyo this 19th day of March of the year 2007 in duplicate in the Japanese and English languages, both texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government of  
Japan:

For the Government of  
the Republic of Singapore: