

TERMS OF REFERENCE OF THE ASEAN AUTOMOTIVE COMMITTEE

Background

The ASEAN Consultative Committee on Standards and Quality (ACCSQ) was formed by the ASEAN Economic Minister in October 1992 with the aim of removing technical barriers to trades in order to facilitate the implementation of the Common Effective Preferential Tariff (CEPT) Agreement and to realise the ASEAN Free Trade Area (AFTA)

At the 4th Senior Economic Officials Meeting (SEOM) held in Medan, Indonesia, on 8-10 September 1997, the SEOM approved the revised TOR of the ACCSQ, which among others, authorised the ACCSQ to involve regulatory bodies in the ACCSQ in order to achieve its mandate of eliminating technical barriers to trade.

During the 9th ASEAN Summit held in October 2003, the Leaders of ASEAN adopted the ASEAN Economic Community (AEC) as the end-goal of ASEAN Economic Integration as outlined in ASEAN Vision 2020 – “to create a stable, prosperous and highly competitive ASEAN economic region in which there is a free flow of goods, services, investment and freer flow of capital, equitable economic development and reduced poverty and socio economic disparities in 2020”. The AEC is based on a convergent of interests among ASEAN members to deepen and broaden economic integration efforts through existing and new initiatives with clear timelines, aiming at establishing ASEAN as a single market and production base to turn the diversity that characterises the region into opportunity for business complementation making ASEAN a more dynamic and stronger segment of the global supply chain.

At the 24th ACCSQ meeting held in Kuala Lumpur on 3 – 4 August 2004, the ACCSQ Leaders agreed to establish new product Working Groups on Automotive, Wood based Products, Traditional Medicines and Health Supplements, Rubber-based Products and Medical Device, in order to eliminate technical barriers to trade in these sectors to achieve ASEAN Economic Community (AEC) with the end goal of ASEAN Economic Integration.

At the 12th ASEAN Summit in January 2007, the ASEAN Leaders affirmed their strong commitment to accelerate the establishment of an ASEAN Community by 2015 and signed the Cebu Declaration on the Acceleration of the Establishment of an ASEAN Community by 2015.

Recognising the entry into force of the ASEAN Trade in Goods Agreement (ATIGA) in May 2010 consolidating all the existing ASEAN Agreements into one single agreement for trade in goods which supersedes the Common Effective Preferential Tariff (CEPT).

With the establishment of the ASEAN Economic Community (AEC) on 31 December 2015 on the facilitation of goods in ASEAN characterised as a single market and production base; highly competitive economic region; equitable economic development; and fully integrated into the global economy, the ASEAN is moving further into a greater goal under the ASEAN 2025 envisioned to be (i) a Highly Integrated and Cohesive Economy; (ii) a

Competitive, Innovative, and Dynamic ASEAN; (iii) Enhanced Connectivity and Sectoral Cooperation; (iv) A Resilient, Inclusive, People-Oriented, and People-Centred ASEAN; and (v) a Global ASEAN.

The ACCSQ, in its role as the main body responsible for the overall coordination of matters related to metrology, standards, technical regulations and conformity assessment procedures (STRACAP), has developed the ASEAN Standards and Conformance Strategic Plan 2016-2025 in response to the ASEAN vision 2025. The ACCSQ-Automotive Product Working Group (APWG), in support of the realisation of the ASEAN Standards and Conformance Strategic Plan 2016-2025 has also developed its action plan.

At the 47th meeting of the ACCSQ held on 25-27 April 2017, the ACCSQ revised its terms of reference (TOR) in line with the mandate provided under the ASEAN Trade in Goods Agreement (ATIGA) and to be in line with the ASEAN Economic Community (AEC) Blueprint 2025 and ASEAN Standards and Conformance Strategic Plan 2016-2025. The ACCSQ then mandated the working group and product working groups under its purview to review their terms of references to align with ACCSQ TOR. **The TOR of the APWG was revised accordingly at the 27th meeting of the APWG in May 2018, and endorsed by the 49th meeting of the ACCSQ in June 2018.**

At 28th meeting of the APWG held on 17-18 October 2018, the APWG agreed that once the ASEAN MRA on Type Approval for Automotive Products (APMRA) is finalised, its Task Force for Mutual Recognition of Arrangement on Type Approval of Automotive Products (TFMRA) shall be elevated to become the ASEAN Automotive Committee (AAC) to oversee the implementation of the APMRA.

Philosophy

Automotive constitute an important and integral role in the transportation of people and in facilitating goods and services towards trade flow. In consideration of this important role, automotive technology and energy resources would need to take into account along with safety aspects and environmental considerations. This philosophy will be considered in the overall discussion process on all issues related to automotive by the ASEAN Automotive Committee (AAC).

Article 1: Objectives and Scope of the AAC

As stipulated in Article 5 of ASEAN MRA, roles and responsibilities of the AAC are includes:

- a) developing and making available documents to public concerning requirement verification and/or standards operation procedure in assessing the proposed technical services;
- b) coordinating, reviewing, monitoring and enhancing the implementation of this Arrangement;
- c) reviewing and updating the Annexes to the Arrangement;
- d) listing, suspending, withdrawing, removing, reinstating and verifying Technical Service(s) (or conformity assessment bodies) in accordance with this Arrangement;

- e) providing a forum for discussion of issues that may arise concerning the implementation of this Arrangement;
- f) reviewing and proposing amendments to this Arrangement; and
- g) considering any other matters and taking appropriate technical decisions relating to the implementation of this Arrangement.

As addition to the roles and responsibilities as stipulated in the ASEAN MRA, AAC shall sufficiently confirm and deliberate with the Member States on the following matters:

- a) Roadmap to apply UN regulations as per scope of ASEAN MRA;
- b) Designation and update of Technical Services, as set forth in Annex 2 of ASEAN MRA which is referred to ECE/TRANS/WP.29/343;
- c) Update of Technical Services in the ASEAN region;
- d) Technical competence of Technical Services in the ASEAN region as per requirements in the Annex 2 of ASEAN MRA;
- e) Update status of the UN Regulations, as set forth in Annex 1 of the ASEAN MRA, and the necessity of updating the Series;
- f) The necessity of addition or removal of the UN Regulations, as set forth in Annex 1 of the ASEAN MRA; and
- g) Issues, if any, that may hinder the transparent and smooth administration of the ASEAN MRA (corresponding countermeasures, if any)

AAC shall be required to set up an environment of mutual cooperation among Technical Services in order to improve the technical skills of the Technical Services in the ASEAN region and to ensure the uniformity of the UN Regulation conformity assessments.

Article 2: Structure

The AAC will be composed of:

- a) The Chairperson and Vice-Chairperson, which should not be from the same Member State;
- b) AAC Secretary, which shall be assigned by the Chairperson;
- c) ASEAN Secretariat;
- d) Maximum of three (3) Official members nominated by each ASEAN Member State (AMS), to comprise of a Head of Delegation (HOD) and two (2) official members;
- e) Other delegates may participate to provide input but not to be involved in the voting process with the following composition:
 - 1) Three (3) representative(s) from ASEAN Automotive Federation (AAF);
 - 2) Observers nominated by the HoD of Member States
 - 3) Expert/s may be invited by the AAC to provide technical inputs

The AAC may form committee(s) or task force(s) to assist the AAC in carrying out specific activities.

Representative(s) from other relevant organisations such as UN or WP 29, and ASEAN Free Trade Area (FTA) or Dialogue Partners that are interested in, and/or contribute to the development of the AAC, could be invited to take part in the AAC Meeting on a case-by-case basis.

Article 3: The Duties and Responsibilities of the Chairperson and Vice-Chairperson.

- a) The Chair of the AAC shall be responsible to the APWG/ACCSQ. The Chair and/or Vice-chair shall preside at every meeting and ensure that all interests are heard, keep discussion to the point, decide when a consensus of opinion has been reached and express it by a summing up progress in order that the minutes of the meeting are clear and precise.
- b) Prior to any discussion, the Chair shall consult with the members of the AAC on the subject to be covered during the discussion.
- c) Any policy issues which might arise during discussion shall be reported to the APWG/ACCSQ for further consideration.
- d) The Vice-Chair shall assist the Chair in implementing the above duties and responsibilities and shall assume these duties and responsibilities when the Chair is not available.

Article 4: The Duties and Responsibilities of the Secretary

The Secretary of the AAC shall be appointed by the Chair and should be coming from the same Member State to assist the Chair in performing the following functions:

- a) to service the AAC during and between its meetings;
- b) to monitor the activities of the AAC;
- c) to compile and disseminate periodically, among Member States relevant data and information pertaining to automotive.

Article 5: Frequency of Meetings and Reports

- a) The AAC will meet at least twice a year prior to the ACCSQ meeting;
- b) Any member of the AAC can request for a meeting with the approval of the Chair and the Vice-Chair.
- c) At the conclusion of each meeting, the AAC will determine the time, date and venue of its next meeting. The AAC may hold a seminar or forum back-to-back with the AAC Meeting, if necessary.
- d) AAC Members shall be given at least 1 month notice of the Meeting

- e) The AAC shall report its recommendations and proceedings to the APWG/ACCSQ, who will report to SEOM and AEM.

Article 6: Chairmanship and Vice-Chairmanship of AAC

- 6.1 The appointment of the first Chair and the first Vice-Chair will be determined through consultation with all members. The Vice-Chair succeeds the Chair at the end of the second year of the appointed period and a new Vice-Chair will be appointed from the Member State of the next succeeding alphabetical order.
- 6.2 In case a Member State is not ready to take up the chairmanship, the AAC shall be informed officially and concurrence will be sought from all Member States. The subsequent Member State shall assume the chairmanship. The Chair and Vice-Chair shall not be from the same Member State.
- 6.3 The Chair shall be present at every meeting of the AAC and ensure that all decisions made are based on consensus.
- 6.4 In the absence of the Chair, the Vice-Chair shall assume the duties and responsibilities of the Chair.
- 6.5 The term of office for the Chair and Vice-Chair of the AAC shall be two years.

Chairperson of APWG

Vice-Chairperson of APWG

(Haji Mohammad Syafien bin Yandol Abdullah)

(Mr. Nguyen Van Phuong)

Date: 8 November 2019