

TRADE AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE REPUBLIC OF INDONESIA

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Note: The Agreement entered into force, May 30, 1969.

Reference: This Agreement is also published in VIII DFA TS No. 1, p. 76.

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES and the GOVERNMENT OF THE REPUBLIC OF INDONESIA,

DESIROUS of promoting and expanding trade relations between the Philippines and Indonesia based on the principles of equality and mutual benefit,

REFERRING to the BASIC AGREEMENT ON ECONOMIC AND TECHNICAL COOPERATION between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia signed on the 30th day of May 1969, the Contracting Parties have agreed as follows:

ARTICLE 1

The two Governments shall apply all possible measures with a view to facilitating and promoting the exchange of goods/commodities in accordance with the existing laws and regulations in force in both countries.

Both Governments will grant the required approval in connection with the deliveries of goods/commodities according to the general import-export regulations in force in each country during the validity of this Agreement.

ARTICLE 2

Both Governments shall endeavour to expand the volume of trade between the two countries by supplying to each other goods and services produced by each country that are mutually advantageous to them. In addition, both Governments shall take appropriate measures to facilitate trade on a multilateral basis.

ARTICLE 3

The Contracting Parties agree to grant each other no less favorable treatment in trade relations between the two countries than that applying to any other country, particularly as regards customs rules and formalities, customs duties, taxes and charges of any kind, and regulations governing the import and export of goods/commodities.

The provisions of this Article shall not apply to:

- a. the preferences or advantages existing as of the date of this Agreement accorded by the Government of the Republic of the Philippines to any country or accorded by that Government in replacement of such existing preferences or advantages;
- b. the preferences or advantages existing as of the date of this Agreement accorded by the Government of the Republic of Indonesia to any country or accorded by that Government in replacement of such existing preferences or advantages;

- c. the preferences which either of the two countries grant or may grant to facilitate frontier traffic; and
- d. the advantages resulting from customs unions which either of the two Governments have previously concluded or may conclude, or resulting from a free exchange system as in a free trade area.

ARTICLE 4

Deliveries of goods/commodities between the Republic of the Philip-pines and the Republic of Indonesia will be carried out on the basis of com-mercial contracts to be concluded between the enterprises and firms domiciled in the Republic of the Philippines, authorized to participate in foreign trade, on the one hand, and the enterprises and firms domiciled in the Republic of Indonesia similarly authorized, on the other. The above-mentioned enterprises and firms, in accordance with the respective laws of the State in which they are domiciled, have the status of independent juridical persons and shall be fully responsible for their commercial transactions.

ARTICLE 5

Shipments of goods/commodities from the Republic of the Philippines to the Republic of Indonesia or from the Republic of Indonesia to the Republic of the Philippines will be done preferably by the national commercial fleets of both Parties to this Agreement.

Merchant vessels of one country while entering, putting off and laying at the ports of the other country, will enjoy treatment no less favorable than that accorded by their respective laws, rules and regulations to the vessels under the flag of any third country.

ARTICLE 6

Both parties agree that all payments arising from trade between the two countries shall be effected in convertible currency acceptable to both parties.

Tin: Central Bank of the Philippines and the Central Bank of Indonesia shall cooperate closely to explore the possibilities of improving payments arrangements which will farther the expansion of trade between both countries.

ARTICLE 7

The Contracting Parties agree to accord to each other, subject to their respective laws and regulations, facilities for the holding of trade fairs and exhibitions and visits of businessmen and trade delegations.

ARTICLE 8

Each Contracting Party shall take all necessary measures in order to prevent the infringement and unlawful or unauthorized use of patents for inventions and improvements, copyrights, industrial models, drawings and designs, trademarks, and commercial names.

ARTICLE 9

In order to facilitate the implementation of this Agreement, both Contracting Parties agree to consult each other in respect of any matter arising from or in connection with the trade between the two countries.

ARTICLE 10

This Agreement shall come into force provisionally on the day of the signing of this Agreement. It will definitely come into force after an exchange of notes to that effect between the two Governments and shall remain in force for a period of one year following the exchange of notes. This Agreement shall be automatically extended from year to year unless either of the contracting parties gives written notice of its intention to terminate this agreement three months before the expiration date.

ARTICLE 11

This Agreement amends the trade agreement between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia dated the 27th day of May 1963. For purposes of implementing the provisions of Article 3 of this Agreement, the same shall be deemed to have become effective on the 27th day of May 1963.

DONE and signed in Manila on the 30th day of May 1969, in two original copies in the English language, both texts being equally authentic.

FOR THE GOVERNMENT OF THE FOR THE GOVERNMENT OF

PHILIPPINES: INDONESIA:

(Sgd.) ROMAN A. CRUZ, JR.

(Sgd.) MOHAMMAD SISMAN

Undersecretary of Finance and

Secretary General for Trade and

Chairman, Philippine Panel to the

Chairman, Indonesian Panel to the

RP-RI Joint Commission on

RI-RP Joint Commission on

Economic Matters

Economics Matters

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