



No. 04-2019

The Permanent Mission of the Republic of the Philippines to ASEAN presents its compliments to the ASEAN Secretariat and has the honor to refer to the **Third Protocol to Amend the ASEAN Comprehensive Investment Agreement**, signed on 20 December 2017.

The Permanent Mission of the Republic of the Philippines to ASEAN has further the honor to deposit with the Secretary-General of ASEAN, the Philippines' Instrument of Ratification of the said Protocol.

The Permanent Mission of the Republic of the Philippines to ASEAN avails itself of this opportunity to renew to the ASEAN Secretariat the assurances of its highest consideration.

Jakarta, 11 January 2019

Secretary General of ASEAN



THE ASEAN SECRETARIAT		
RECEIVED	DATE	TIME
14	14/1/19	15.00
BY ESD / 140119 - 14		
DESTINATION	ACTION	INFO
USM		SG
		ADR
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		ARC
COMMENT: original N and instrument to USM ESD		

MALACAÑANG

MANILA

**INSTRUMENT OF RATIFICATION**

**TO WHOM THESE PRESENTS SHALL COME, GREETINGS:**

**KNOW YE**, that whereas, the *Third Protocol to Amend the ASEAN Comprehensive Investment Agreement (ACIA)* was signed on 20 December 2017 in Hanoi;

**WHEREAS**, the Third Protocol deletes paragraph 8 of the ACIA Headnote for the Reservation List (RL), which states that:

*"8. In the case of Thailand, as stipulated in the Foreign Business Act B.E. 2542 (1999), nothing in this Agreement shall apply to an investor of the other Member States, which is a juridical person constituted or otherwise organized under the law of a Member State that is not owned and/or controlled by nationals of Member States and its investment. This provision shall be subject to review by the AIA Council on an annual basis."*

**WHEREAS**, the implementation of the Third Protocol will allow juridical entities organized in other ASEAN Member States, including the Philippines, to avail of the benefits of ACIA regardless of the nationality of the owner or controlling interest in such juridical entities, should they wish to invest or have investments in Thailand;

**NOW, THEREFORE**, be it known that **I, RODRIGO ROA DUTERTE**, President of the Republic of the Philippines, after having seen and considered the *Third Protocol to Amend the ASEAN Comprehensive Investment Agreement*, do hereby ratify and confirm the same and each and every article and clause thereof.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

**GIVEN** under my hand at the City of Manila, this **10th** day of **December** in the year of Our Lord Two Thousand and Eighteen.

  


By the President:

  
**SALVADOR C. MEDIALDEA**  
Executive Secretary

