



ASEAN AGREEMENT ON MOVEMENT OF NATURAL PERSONS (MNP AGREEMENT)

Background

The ASEAN Agreement on Movement of Natural Person was a concrete form of implementation of the first pillar of AEC 2015 which is to develop single market and production base, envisions the free flow of capital of goods, services, investment, and skilled labour, as well as the freer flow of capital. Triggered by the previous framework between ASEAN and Australia – New Zealand regarding Free Trade Agreement, in which consist of one clause that focuses on natural persons for the first time in the the history of ASEAN Agreement. The negotiation between members of ASEAN started back in 2010 and following the two years of deliberating, the MNP Agreement was signed in November 19th 2012 in Phnom Penh, Cambodia. MNP Agreement known as the first ever framework to facilitate the movement of natural persons within ASEAN.

Concept

According to the Article 1 of the MNP Agreement, the objective that shall be accomplished are to provide rights and obligation additional to those set out in the ASEAN Framework Agreement on Services and its Implementing Protocols in relation to the movement of natural persons, to facilitate the movement of natural persons within the conduct of trade in goods, services, and investment, to establish streamlined and transparent procedures for applications for immigration formalities for the temporary entry or temporary stay of natural persons. Last but not least, the Agreement shall also protect the integrity of each member

states' borders and protect domestic labour force and permanent employment within the territories of Member States

Entry into Force

Following the previous statement on the first part of the writing, the ASEAN Agreements on Movement of Natural Persons was signed in November 19th 2012 and referring to the Article 16 of the Agreements:

1. This Agreement shall enter into force after all Member States have notified or, where necessary, deposited instruments of ratification with the Secretary-General of ASEAN, which shall not take more than 180 days after the signing of this Agreement;
2. The Secretary-General of ASEAN shall promptly notify all Member States of the notifications or deposit of each instrument of ratification referred to in paragraph 1 of this article.

Main Features

The ASEAN Agreements on Movement of Natural Persons consists of 14 Articles and the regulations written within the Agreements shall be applied in purpose to facilitate movement of natural persons within ASEAN whether it is for temporary entry or temporary stay.

As stated in Article 2, natural persons classified as business visitors, intra-corporate transferees, and contractual service suppliers. Natural persons who are willing to enter other Member States' are not allowed to request for any permanent acknowledgement whether it is a citizenship, resident or employment within the Member States. Following this policy, the Member States are allowed to apply their national policy to any entering natural persons in purpose to prevent any condescending action from the natural persons and to protect the integrity of the Member States. In studying the specification of each category of natural persons can be referred to Article 3 of the Agreement.

Reviewing the temporary entry or temporary stay, every natural persons who wish to do so must attain certain qualification as regulated in Article 4 and Article 13 which in Article 13 specifies on the recognition by Member States about the background of natural persons. Referring

to the Article 4, contain certain steps; following the prescribed application procedures for immigration purposes, all natural persons must meet all relevant eligibility requirements provided by Member States, if there are any fees imposed during the administration process should be in accordance to the domestic law, also it is necessary to know that the Member States have the rights to deny any application that don't meet the qualification mentioned within the Article 4. Related to the entry or stay of natural persons, Member States shall provide schedules of commitments (Annex 1), in which the schedule contains of the general condition and limitation governing those commitments. The schedule of commitment shall also be made based on AFAS in relation to mode 4, as regulated in Article 6 of the Agreement. Referring to the Article 7, the schedule of commitment is also an essential part for the Member States to conduct a further liberalisation on the movement of natural persons. The MNP Agreement also emphasized on the importance of transparency in which can be seen on Article 8 of the Agreement.

In regards to the Article 9, Member States have the rights to provide a general exception concerning public morals or public order, the protection of human, animal, plant life or health, securing compliance with laws on fraud, privacy and safety. Referring to Article 10, the Member States shall also provide security exception in which the Agreement should not be interpreted for certain activities by Member States, such activities are as follows; furnishing information that are considered contrary for national security interests, any Member States should not take action during time of war or other emergency condition. If by any chance there is a dispute between parties, therefore the settlement shall be conducted through consultation and shall not recourse to the ASEAN Protocol on enhanced Dispute Settlement Mechanism as stated in Article 11.

It is also important to know that the Article 12, mentioned about the relation of the MNP Agreement and ASEAN Comprehensive Investment Agreement (ACIA), which within Article 12, any policy that already been adopted in ACIA should not be applied by MNP Agreement. In accordance to the Article 13, the implementation of the Agreement shall be supervised by the AEM and the AEM also held responsible for the outcome of the Agreement. In doing the responsibility, AEM will be

assisted by The ASEAN Coordinating Committee or CCS. AEM also have rights to establish subsidiary bodies and delegate its responsibilities to the subsidiary bodies.



BREXIT IMPACT FOR EU

<http://www.bbc.com/news/uk-politics-32810887>

Brexit is surely a phenomenon. Although it was predictable and has become a talk ever since that motion was brought, no one actually knows what will happen until it was decided.

Brexit is a word that has become used as a shorthand way of saying the UK leaving the EU - merging the words Britain and exit to get Brexit, in a same way as a possible Greek exit from the euro was dubbed Grexit in the past. Since the Referendum on 23 June 2016 to decide whether the UK should leave or remain in the European Union, the people who wanted to leave the EU won by 52% to 48%. The referendum turnout was 71.8%, with more than 30 million people voting.

Although the referendum didn't apply ipso facto, but the impact can be seen right away. in the scope of business, Big business - with a few exceptions - tended to be in favour of Britain staying in the EU because it makes it easier for them to move money, people and products around the world.

Given the crucial role of London as a financial centre, there's interest in how many jobs may be lost to other hubs in the EU. Four of the biggest US banks have committed to helping maintain the City's position. But HSBC will move up to 1,000 jobs to Paris, the BBC understands.

Some UK exporters say they've had increased orders or enquiries because of the fall in the value of the pound. Pest control firm Rentokil Initial says it could make £15m extra this year thanks to a weaker currency.

In the scope of financial, during the referendum campaign, David Cameron said the so-called "triple lock" for state pensions would be threatened by a UK exit. This is the agreement by which pensions increase by at least the level of earnings, inflation or 2.5% every year - whichever is the highest.

If economic performance deteriorates, the Bank of England could decide on a further programme of quantitative easing,

as an alternative to cutting interest rates, which would lower bond yields and with them annuity rates. So anyone taking out a pension annuity could get less income for their money. Though it's worth pointing out that annuity rates have been falling since before the vote anyway.

The Bank of England may consider raising interest rates to combat extra pressure on inflation. That would make mortgages and loans more expensive to repay but would be good news for savers. However it is still too soon to say whether or not these warnings will prove accurate.

In the scope of citizenship, for EU citizens living in the UK The government has declined to give a firm guarantee about the status of EU nationals currently living in the UK, saying this is not possible without a reciprocal pledge from other EU members about the millions of British nationals living on the continent.

EU nationals with a right to permanent residence, which is granted after they have lived in the UK for five years, will be able to stay, the chief civil servant at the Home Office has said. The rights of other EU nationals would be subject to negotiations on Brexit and the "will of Parlia-

ment", he added. For the UK citizens working in the EU?

A lot depends on the kind of deal the UK agrees with the EU. If it remains within the single market, it would almost certainly retain free movement rights, allowing UK citizens to work in the EU and vice versa. If the government opted to impose work permit restrictions, then other countries could reciprocate, meaning Britons would have to apply for visas to work.

And for EU nationals who want to work in the UK, it depends on whether the UK government decides to introduce a work permit system of the kind that currently applies to non-EU citizens, limiting entry to skilled workers in professions where there are shortages.

Citizens' Advice has reminded people their rights have not changed yet and asked anyone to contact them if they think they have been discriminated against following the Leave vote.

Brexit Secretary David Davis has suggested EU migrants who come to the UK as Brexit nears may not be given the right to stay. He has said there might have to be a cut-off point if there was a "surge" in new arrivals.

(GP)