



A.S.S.I.S.T.: Procedures Guide

Paolo R. Vergano

Institutional Strengthening Expert, ARISE

Keith Atkinson

M&E Expert, ARISE

ASEAN Regional Integration Support from the EU

ASSIST: the Procedural Guidelines

Procedure

- Responsibilities of the ASEAN Enterprise Lodging the Complaint (AE);
- Responsibilities of the Central Authority (CA);
- Responsibilities of the Destination Contact Point (DCP);
- Responsibilities of the Home Contact Point (HCP);
- Outcome of a case;
- Deadlines; and
- Other key features.



ASSIST: the Procedural Guidelines

Responsibilities of the AE Lodging the Complaint

- Registration requirement: Upon registration, AE will be given password-protected log-in rights. All complaints must be submitted using the standardised template.
- Use of online form with mandatory fields:
 - Name and nature of AE;
 - Full address and contact details;
 - Representative of AE;
 - AMS of legal registration;
 - Type of business;
 - AMS where trade problems are occurring;
 - Type of trade, (service or investment) problems being encountered; and
 - Complaint being lodged, with facts and supporting evidence.



ASSIST: the Procedural Guidelines

Responsibilities of the Central Authority

- Review of complaint:
 - Verification of complaint and allocation of tracking code;
 - Verification of standing of AE;
 - Verification that complaint falls within scope of ASSIST; and
 - Verification that issues is not already being dealt with under other DSM, either nationally, regionally or internationally.
- CA must review complaint within 10 Working Days from its receipt and then duly inform AE;
- If complaint is duly and validly filed, CA informs DCP and HCP; and
- CA gives DCP a deadline within which to submit proposed solution (maximum 40 working days from date of notification to DCP).



ASSIST: the Procedural Guidelines

Responsibilities of the Destination Contact Point

- The DCP shall take responsibility for solving cross-border problems. It should promptly activate the domestic network of competent authorities, identify the Responsible Authority and set in motion a process, based on deadlines and clear procedures;
- Acceptance or rejection of complaint within 10 Working Days from receipt of complaint from CA;
- Reasoning to be provided in case of rejection;
- If accepted, RA (or RAs) must be activated and given deadlines (maximum 30 working days). Under exceptional circumstances RA may request time extension (maximum of 20 working days) with reasons;
- DCP must provide proposed solution to CA within the established deadline; and
- If DCP is unresponsive, the CA will refer the matter to HCP, and other peer pressure mechanisms may be activated.



ASSIST: the Procedural Guidelines

Responsibilities of the Home Contact Point

- Informed by CA of status of the complaint and may request information from CA at any time;
- Upon request by CA, it may contact and interact with DCP in order to facilitate the resolution of the matter;
- If the DCP is unresponsive, the HCP may offer its good offices to trigger a response; and
- If no solution is proposed by DCP or found, the HCP may set in motion other ASEAN peer pressure mechanisms.



ASSIST: the Procedural Guidelines

Outcome of a case

- CA to send DCP's proposed solution to AE and notify HCP;
- Proposed solutions must be in conformity with ASEAN agreements;
- If AE is not satisfied, it may consider to request its AMS of registration to pursue other dispute settlement mechanisms (*i.e.*, ASEAN Compliance Body or EDSM);
- If AE is satisfied with the proposed solution, it must notify the CA and the solution will be registered on ASSIST's web portal; alternatively
- DCP may find that it is in compliance with its ASEAN commitments and that the complaint lacks merit. CA must be notified and CA must inform AE accordingly. AE may accept or reject this finding. The CA shall also enter this information in the ASSIST web portal.



ASSIST: the Procedural Guidelines

Deadlines and Other Key Features

- Overall timeframe shall not exceed 40 Working Days from the date in which the complaint is lodged on the ASSIST web portal by the CA;
- In exceptional circumstances, an extension of maximum 20 days may be granted to the DCP, if it is probable that a solution will be found within that timeframe;
- The CA is responsible for monitoring the process and DCPs' adherence to the agreed deadlines;
- Cooperation between DCPs and RAs is crucial. Communications between all actors must be timely and expedited; and
- Access to the ASSIST web portal and confidentiality must be well maintained.



ACCESS & CONFIDENTIALITY

- Access to complaint information in the ASSIST web portal will be restricted and protected. Information on the specific active complaints shall be restricted to the AE that lodged it, the CA and the HCP/DCP involved in the specific complaint.
- The CA shall normally disclose the AE's identity to the HCP/DCP in order to facilitate the problem-solving process.
- The information provided by the AE shall be used by the DCP only for addressing the specific ASSIST complaint. Steps shall be taken to safeguard commercially sensitive or personal data at all times, especially when transferring data across the network.
- ASSIST is there to build transparency, solve problems and enhance regional trade



ASSIST - ACCESS



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

WHAT IS ASSIST?

FILE A COMPLAINT

FOLLOW A COMPLAINT

PROCESS

CONTACT

DISCLAIMER

Welcome to ASSIST

The ASEAN Solutions for Investments, Services and Trade (ASSIST) is a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by ASEAN-based enterprises on cross-border issues related to the implementation of ASEAN economic agreements and within the framework of the ASEAN Economic Community (AEC) launched in 2015. ASSIST is fully internet based and free of charge.

The ASEAN Solutions for Investments, Services and Trade (ASSIST) is a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by ASEAN-based enterprises on intra-ASEAN cross-border issues. ASSIST is fully internet based and free of charge [What is ASSIST?]

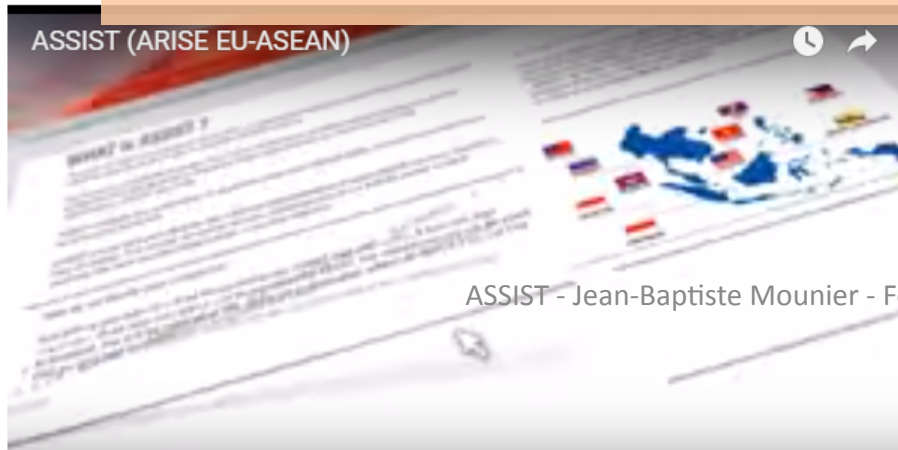
ASSIST ASEAN Solutions for Investment Services and Trade

Are you an ASEAN ENTERPRISE with a complaint within the ASEAN?

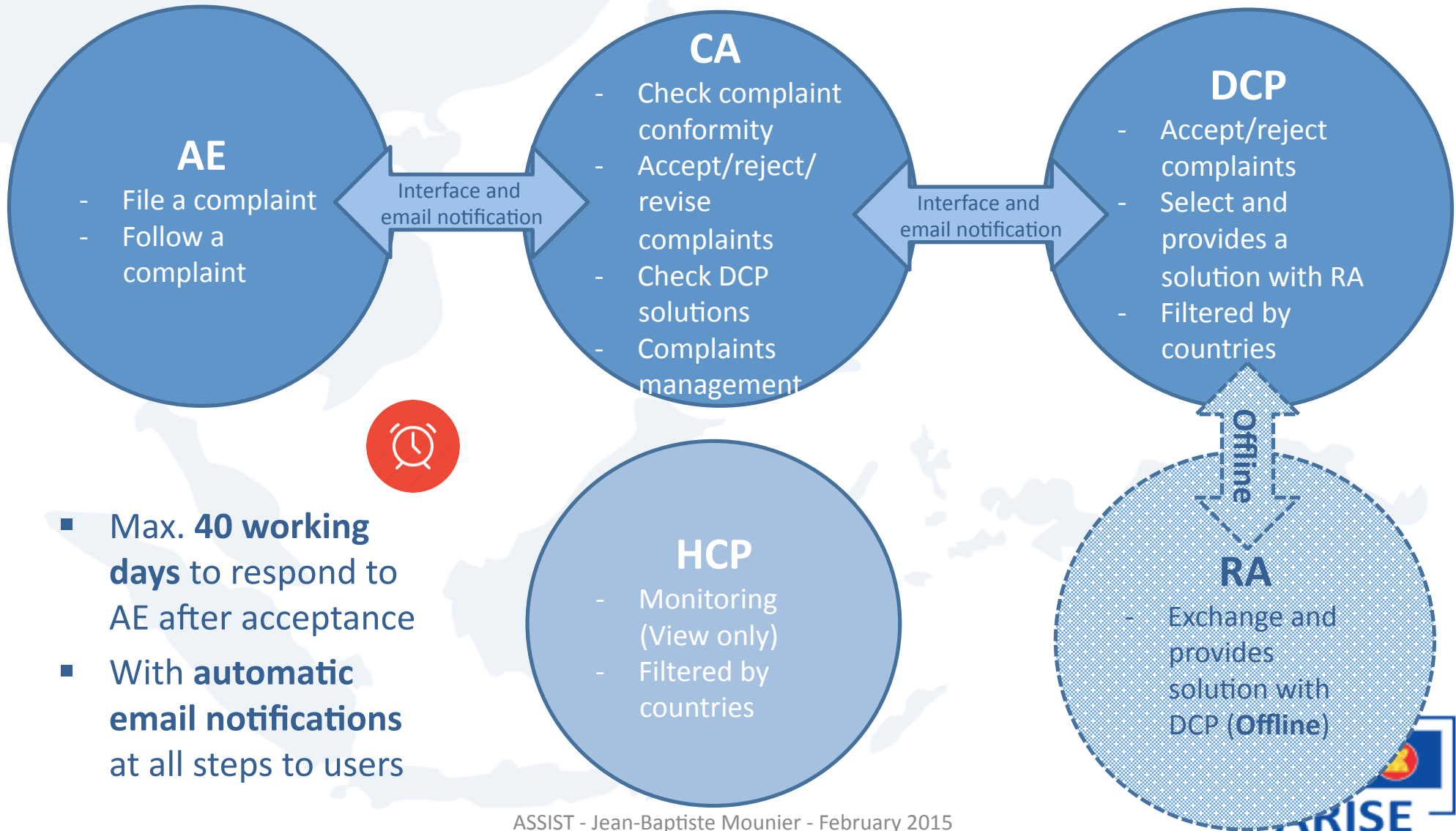
Online at

<http://assist.asean.org/>

The ASSIST mechanism was established to implement the ASEAN Consultations to Solve Trade and Investment Issues (ACT) mandated under the ASEAN Trade in Goods Agreement (ATIGA) and the ASEAN Trade in Services Agreement (ATISA) in the context of the European Union (EU) SOLVIT system. ASSIST reaffirms the consultative and non-binding characteristics of the ACT while maintaining its structure and enabling the mechanism to operate in a more effective and efficient manner.



ASSIST – SIMPLIFIED SOP



ASSIST – TECHNICAL SOP / AE

AE Step 1: AE starts to file its



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

WHAT IS ASSIST?

FILE A COMPLAINT

FOLLOW A COMPLAINT

PROCESS

CONTACT

DISCLAIMER

File a complaint

Your complaint will be processed by the Central Administrator of ASSIST within 5 business days maximum. In order to file a valid complaint, you shall verify your submission by replying to the automated email that you will receive from ASSIST shortly after submission. If you do not receive any such communication, please verify your email and resubmit the complaint.

The Central Administrator of ASSIST may request that you resubmit your complaint if any of the information is incomplete or incorrect. Once your complaint has been accepted by ASSIST, the related country will be asked to respond. You will be notified of the response and of the proposed solution, if any. Complaints are usually addressed and a solution proposed within 40 to 60 business days maximum.

Please fill in the form below and provide ASSIST with enough information as to what trade problem you are experiencing. Fields with an * are mandatory fields

ASEAN ENTERPRISE

| | |
|-------------------------|---|
| * ASEAN Enterprise Name | <input type="text" value="MNCONCEPT"/> |
| * Phone | <input type="text" value="08129429448"/> |
| * Email | <input type="text" value="jb.mounier@arsenadevelopment.com"/> |
| Website | <input type="text"/> |
| * Address | <input type="text" value="Jalan Kemang"/> |

The ASEAN Solutions for Investments, Services and Trade (**ASSIST**) is a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by **ASEAN-based enterprises on intra-ASEAN cross-border issues**. ASSIST is fully internet based and **free of charge** [\[What is ASSIST?\]](#)



ASSIST – TECHNICAL SOP / AE

AE Step 2: AE is requested to verify its contact person email by automatic email notification to AE and CA

[ASSIST] Thanks to confirm your complaint #7220160216 submission

Inbox x



No Reply ASSIST <no-reply-assist@asean.org>
to p.vergano

11:58 AM (23 hours ago)



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments,
Services and Trade

Dear **Mr Paolo Vergano**,

Thanks to file your complaint to **ASSIST**, the ASEAN Solutions for Investments, Services and Trade for businesses in ASEAN.

Please **confirm** your complaint **7220160216** by this [LINK](http://assist.asean.org/user/confirm_email/?email=p.vergano@fratinivergano.eu&id=7220160216&code=f7a419w5108k) (you can also copy paste the link http://assist.asean.org/user/confirm_email/?email=p.vergano@fratinivergano.eu&id=7220160216&code=f7a419w5108k)

After your confirmation, ASSIST will monitor your complaint and you will be able to access it on

<http://assist.asean.org/user/login>

with your email / tracking ID: p.vergano@fratinivergano.eu / **7220160216**

ASEAN Enterprise : Malaysian Palm Oil Company SDN BHD

Phone : +6031234567

Email : p.vergano@fratinivergano.eu

Website : www.fratinivergano.eu

Address : 1, Palm Oil Avenue

City : Kuala Lumpur / Zip Code : 50622

Country : **Malaysia**

Contact person : Mr Paolo Vergano

Phone : +6031234567

Position : Market Access Director

Email : p.vergano@fratinivergano.eu

Address : 1, Palm Oil Avenue

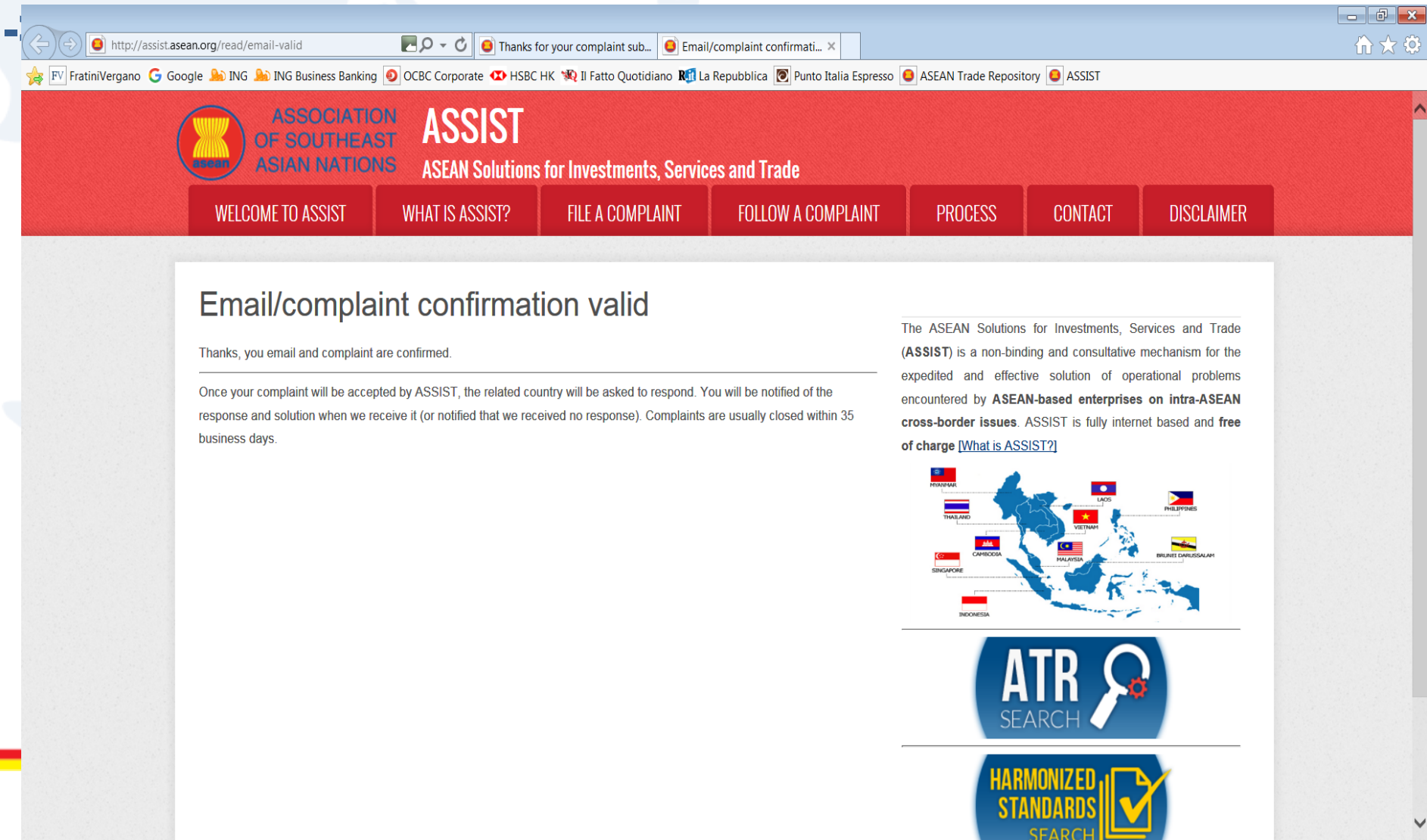
City : Kuala Lumpur / Zip Code : 50622

Country : **Malaysia**



ASSIST – TECHNICAL SOP / AE

AE Step 3: AE confirmed its contact person email and complaint.



The screenshot shows a web browser window with the URL <http://assist.asean.org/read/email-valid>. The browser's address bar and tabs are visible, along with a taskbar at the bottom showing various applications like Google, ING, and OCBC Corporate.


The website header features the ASEAN logo and the text "ASSIST ASEAN Solutions for Investments, Services and Trade". Below the header is a navigation menu with the following items: WELCOME TO ASSIST, WHAT IS ASSIST?, FILE A COMPLAINT, FOLLOW A COMPLAINT, PROCESS, CONTACT, and DISCLAIMER.

Email/complaint confirmation valid

Thanks, you email and complaint are confirmed.

Once your complaint will be accepted by ASSIST, the related country will be asked to respond. You will be notified of the response and solution when we receive it (or notified that we received no response). Complaints are usually closed within 35 business days.

The ASEAN Solutions for Investments, Services and Trade (ASSIST) is a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by **ASEAN-based enterprises on intra-ASEAN cross-border issues**. ASSIST is fully internet based and **free of charge** [\[What is ASSIST?\]](#)



Below the text, there are two logos: "ATR SEARCH" and "HARMONIZED STANDARDS SEARCH".

ASSIST – TECHNICAL SOP / CA

AE Step 4: “Follow up a complaint” (and in case of INCOMPLETE complaint): AE needs to access to its complaint form for view or revision – with the email and the complaint ID No. generated by the system (and sent by email)



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

WHAT IS ASSIST?

FILE A COMPLAINT

FOLLOW A COMPLAINT

PROCESS

CONTACT

DISCLAIMER

Follow a complaint

Please log in using your email address and the tracking ID that you were given at the time of filing your complaint to enter the ASSIST dashboard and check on the progress of your proceeding.

Email

Tracking ID

LOGIN

The ASEAN Solutions for Investments, Services and Trade (ASSIST) is a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by ASEAN-based enterprises on intra-ASEAN cross-border issues. ASSIST is fully internet based and free of charge [What is ASSIST?](#)



ASSIST – TECHNICAL SOP / CA

AE Step 5: “Follow up a complaint” – AE Dashboard



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

WELCOME TO ASSIST

WHAT IS ASSIST?

MY COMPLAINT

LOGOUT

PROCESS

CONTACT

DISCLAIMER

legal notice assist

Tracking ID #7220160216 / Singapore

History

| Date | Action | Action By | Notes |
|---------------------|-----------------|---------------------------------|--|
| 17/02/2016 09:58:48 | Revised | ASEAN-based Enterprise | |
| 16/02/2016 15:27:15 | Incompleted | Central Administrator of ASSIST | Dear Mr. Paolo Vergano of Malaysian Palm Oil Company SDN BHD, Thank you for lodging your... |
| 16/02/2016 11:59:18 | Email Confirmed | ASEAN-based Enterprise | Email Confirmed |
| 16/02/2016 11:58:04 | New | ASEAN-based Enterprise | |

ASEAN ENTERPRISE

| | | | |
|-----------------------|------------------------------------|----------|--------------------|
| ASEAN Enterprise Name | Malaysian Palm Oil Company SDN BHD | Address | 1, Palm Oil Avenue |
| Phone | +6031234567 | City | Kuala Lumpur |
| Email | p.vergano@fratinivergano.eu | ZIP Code | 50822 |
| Website | www.fratinivergano.eu | Country | Malaysia |

CONTACT PERSON

The ASEAN Solutions for Investments, Services and Trade (ASSIST) is a non-binding and consultative mechanism for the expedited and effective solution of operational problems encountered by ASEAN-based enterprises on intra-ASEAN cross-border issues. ASSIST is fully internet based and free of charge [\[What is ASSIST?\]](#)



ASSIST – TECHNICAL SOP / CA

Access to the back office for CA / DCP / HCP:

<http://assist.asean.org/admin/>

Welcome to ASSIST Administrator Panel

Please login with your Email and Password.

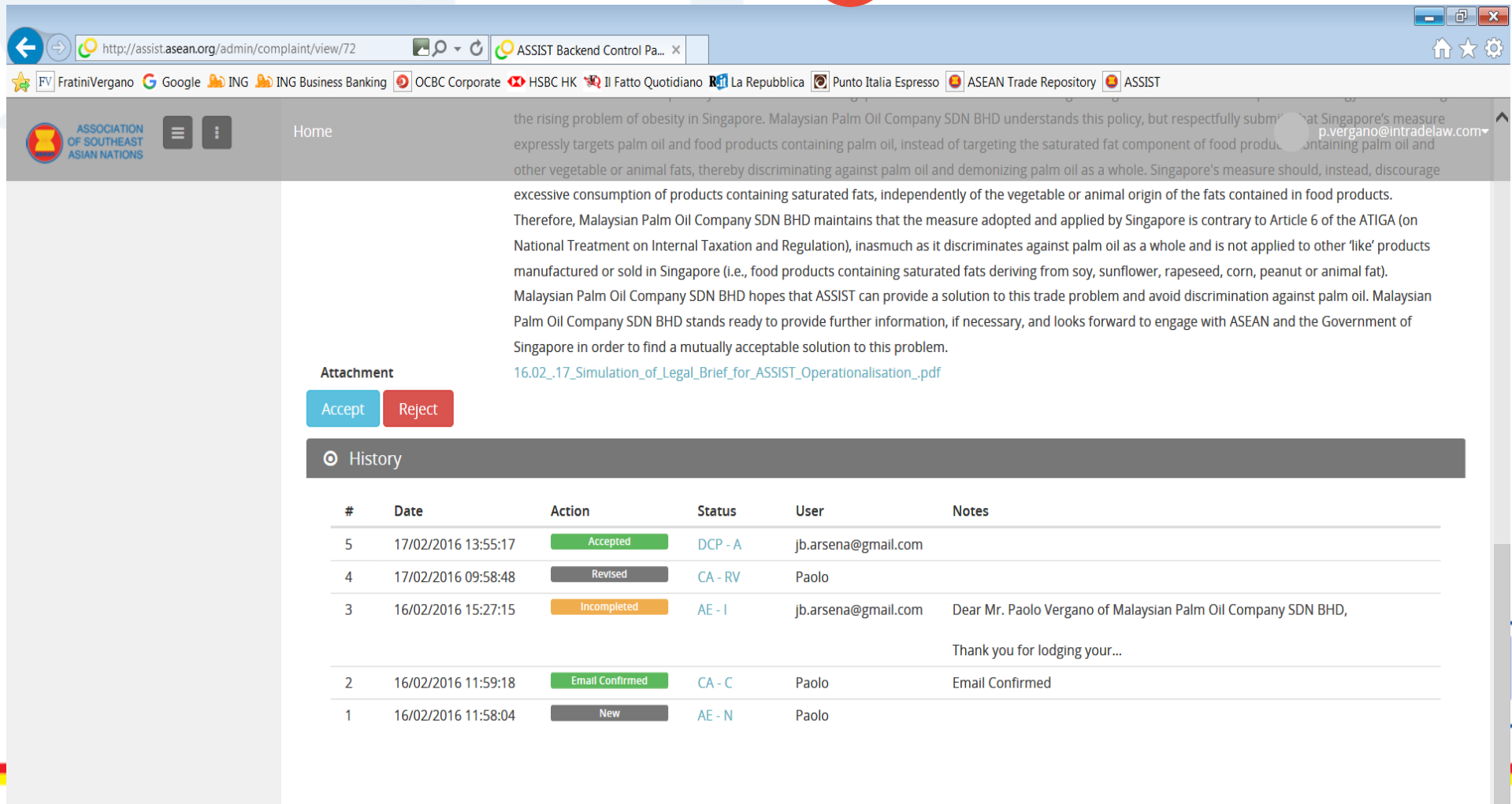
Email

Password

Login

ASSIST – TECHNICAL SOP / DCP (RA)

DCP Step 1: ... to **ACCEPT** or **REJECT** the complaint with email notification to DCP, CA and HCP –  Max. 10 w/days by DCP



The screenshot shows the ASSIST web application interface. The browser address bar displays <http://assist.asean.org/admin/complaint/view/72>. The page header includes the ASSIST logo and navigation icons. The main content area displays a complaint text regarding the rising problem of obesity in Singapore and the measures taken by the Malaysian Palm Oil Company SDN BHD. Below the text, there is an "Attachment" section with a link to [16.02_17_Simulation_of_Legal_Brief_for_ASSIST_Operationalisation_.pdf](#). Two buttons, "Accept" and "Reject", are visible. A "History" section is also present, containing a table with the following data:

| # | Date | Action | Status | User | Notes |
|---|---------------------|-----------------|---------|---------------------|--|
| 5 | 17/02/2016 13:55:17 | Accepted | DCP - A | jb.arsena@gmail.com | |
| 4 | 17/02/2016 09:58:48 | Revised | CA - RV | Paolo | |
| 3 | 16/02/2016 15:27:15 | Incompleted | AE - I | jb.arsena@gmail.com | Dear Mr. Paolo Vergano of Malaysian Palm Oil Company SDN BHD, Thank you for lodging your... |
| 2 | 16/02/2016 11:59:18 | Email Confirmed | CA - C | Paolo | Email Confirmed |
| 1 | 16/02/2016 11:58:04 | New | AE - N | Paolo | |

ASSIST – TECHNICAL SOP / CA

DCP Step 2: Sample of email notification (ACCEPT case) to AE, CA, DCP and HCP (may also be Reject)

[ASSIST] Complaint #7220160216 is accepted by DCP

Inbox x



No Reply ASSIST <no-reply-assist@asean.org>
to dedy, me

3:25 PM (2 hours ago)



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments,
Services and Trade

The complaint **7220160216** has been **accepted** by the DCP:
Having consulted internally with the Relevant Authorities (RAs), the Government of Singapore agrees to accept this complaint under ASSIST and to engage with the complainant (the ASEAN Enterprise) with a view to finding a solution to the matter.

ASEAN Enterprise : Malaysian Palm Oil Company SDN BHD

Phone : +6031234567

Email : p.vergano@fratinivergano.eu

Website : www.fratinivergano.eu

Address : 1, Palm Oil Avenue

City : Kuala Lumpur / Zip Code : 50622

Country : Malaysia

Contact person : Mr Paolo Vergano

Phone : +6031234567

Position : Market Access Director

Email : p.vergano@fratinivergano.eu

Address : 1, Palm Oil Avenue

City : Kuala Lumpur / Zip Code : 50622

Country : Malaysia

Country of Legal Registration : Malaysia

Legal Registration Number : 1234567890

Type of Business : Manufacturer

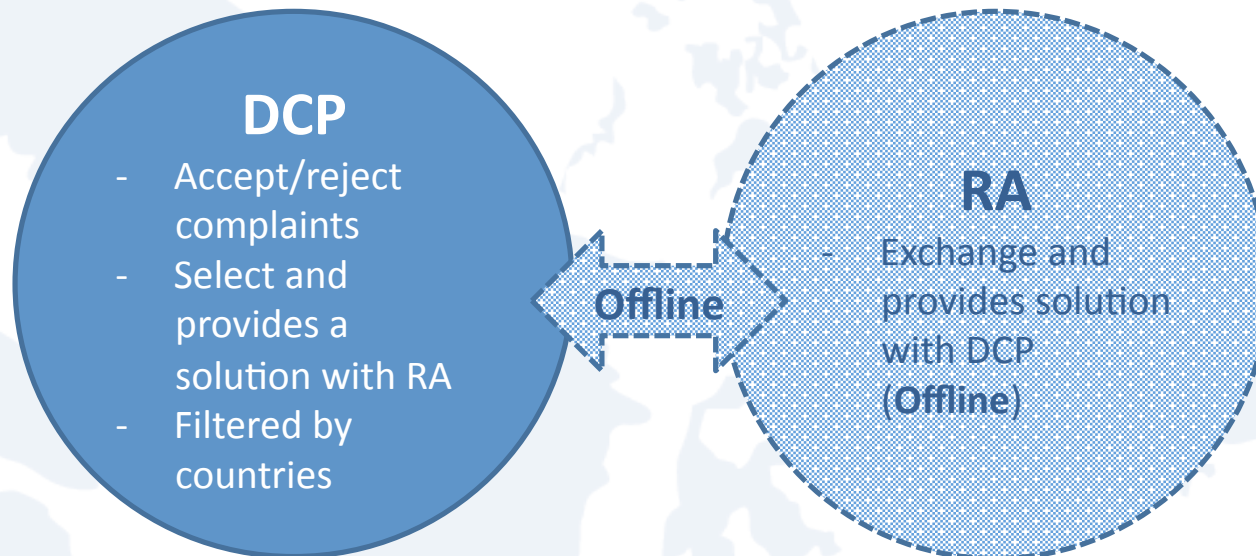
Business Sector :

Destination Country : Singapore



ASSIST – TECHNICAL SOP / CA

DCP Step 3: Offline exchange between DCP and the selected RA in order to submit a solution (or “non” solution) – Max. 30 w/days from DCP acceptance



ASSIST – TECHNICAL SOP / DCP (RA)

DCP Step 4: ... To submit the SOLUTION to CA

Home / Complaint List / Complaint View / Response

ASSIST

- Dashboard
- Complaint
- Logout

Response #6820160210

* Response

Authority of Singapore, and the Health Promotion Board of Singapore.

Having communicated to ASSIST's Central Administrator (CA) that it wished to accept the complaint and engage in the ASSIST procedure, the Government of Singapore acknowledges that, indeed, the measure adopted in December 2015 (i.e., Sale of Food Act, Chapter 1000, Section 100, Food Regulations, Revised Edition of 2015, which entered into force on 1 January 2016) does impose increased excise duties to a range of foods high in sugar and saturated fat, and is indeed aimed at discouraging excessive consumption of substances considered dangerous under Singapore's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action Plan for the Prevention and Control of Non-Communicable Diseases 2013-2020, such as diabetes and obesity.

However, Singapore recognizes that the measure did single-out certain products (i.e., inter alia, palm oil) and did not target, in a 'neutral manner', the substances (i.e., saturated fats) that the Government considers dangerous (if consumed in excess) from a dietary and health policy perspective. Therefore, the DCP, in coordination with Singapore's RA, proposes the immediate suspension of the measure

2524 characters remaining (5000 maximum)

Attachment No file chosen

i

ASSIST – TECHNICAL SOP / CA

CA Step 5: Sample of email Solution notification from CA to AE, copied to DCP and HCP

[ASSIST] Response for your #7220160216 complaint

Inbox x



No Reply ASSIST <no-reply-assist@asean.org>
to p.vergano

Feb 17 (2 days ago)



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS

ASSIST

ASEAN Solutions for Investments, Services and Trade

Dear Mr Paolo Vergano,

The response for your complaint **7220160216** is ready:

"The Singapore's Ministry of Trade and Industry, in its capacity as Singapore's Focal Point for ASSIST, acting in the present case as the Destination Contact Point, has reviewed the complaint made by the ASEAN Enterprise (AE) Malaysian Palm Oil Company SDN BHD (ASSIST Complaint No. 7220160216 on 16 February 2016) and has interacted domestically with Singapore's Relevant Authorities (RAs), namely the Prime Minister Office, the Ministry of Health, the Ministry of Finance, the Agri-Food and Veterinary Authority of Singapore, and the Health Promotion Board of Singapore. Having communicated to ASSIST's Central Administrator (CA) that it wished to accept the complaint and engage in the ASSIST procedure, the Government of Singapore acknowledges that, indeed, the measure adopted in December 2015 (i.e., Sale of Food Act, Chapter 1000, Section 100, Food Regulations, Revised Edition of 2015, which entered into force on 1 January 2016) does impose increased excise duties to a range of foods high in sugar and saturated fat, and is indeed aimed at discouraging excessive consumption of substances considered dangerous under Singapore's strategy for addressing the rising problem of obesity among its citizens. This is in line with similar actions taken by several countries around the world and with the World Health Organization's Global Action Plan for the Prevention and Control of Non-Communicable Diseases 2013-2020, such as diabetes and obesity. However, Singapore recognizes that the measure did single-out certain products (i.e., inter alia, palm oil) and did not target, in a 'neutral manner', the substances (i.e., saturated fats) that the Government considers dangerous (if consumed in excess) from a dietary and health policy perspective. Therefore, the DCP, in coordination with Singapore's RA, proposes the immediate suspension of the measure contained in its Sale of Food Act, Chapter 1000, Section 100, Food Regulations, Revised Edition of 2015, pending its amendment to delete any express reference to specific products and application only to products containing saturated fats, irrespective of their vegetable or animal origin. The Government of Singapore wishes to underline that its measure was never intended to have, de jure or de facto, any discriminatory effect or objective. The measure as a whole is justified in science and, in light of its health protection purpose, intended to apply to all 'like' products containing saturated fats."

Please check also online your complaint at <http://assist.asean.org/user/login>

ASSIST – TECHNICAL SOP / CA

**CA: ... With a satisfaction survey to the AE: YES / NO
AE clicks on link and replies.**

to have, de jure or de facto, any discriminatory effect or objective. The measure as a whole is justified in science and, in light of its health protection purpose, intended to apply to all 'like' products containing saturated fats. "

Please check also online your complaint at <http://assist.asean.org/user/login> with your email / tracking ID: p.vergano@fratinivergano.eu / 7220160216.

Are you satisfied with the answer ?

[Yes](#) [No](#)

ASEAN Enterprise : Malaysian Palm Oil Company SDN BHD

Phone : +6031234567

Email : p.vergano@fratinivergano.eu

Thank You



ASEAN Regional Integration Support from the EU

ASEAN Secretariat

Jl. Sisingamangaraja 70A, Jakarta 12110 – Indonesia

Tel: (+62 21) 726 2991, 724 3372 ext. 852

Fax: (+62 21) 739 8234

E-mail: arise@asean.org

<http://arise.asean.org>