

Appendix to Chinese Taipei's Tariff Schedule in Annex 1 Part B
Chinese Taipei's Tariff Rate Quotas (TRQ) for Liquid Milk and Deer Velvet

Elimination of Customs Duties

1. Chinese Taipei shall eliminate its customs duties on liquid milk and deer velvet of New Zealand origin up to the quantities specified for each calendar year in the TRQ Table below. Imports of any quantity of liquid milk and deer velvet of New Zealand origin in excess of the specified quantities in any given calendar year shall be subject to the over-quota tariff rates set out in the TRQ Table. Chinese Taipei shall eliminate its over-quota tariff rates for liquid milk and deer velvet of New Zealand origin by the 12th year following entry into force of the Agreement.

2. Chinese Taipei may at any time unilaterally accelerate the elimination of customs duties on liquid milk and deer velvet of New Zealand origin, by increasing the quantities subject to the in-quota tariff rate, reducing the over-quota tariff rate, or both. Chinese Taipei shall inform New Zealand as early as practicable in the event that such action is considered.

TRQ Administration

3. Each TRQ shall be administered in accordance with the procedures set out in the TRQ Table below. In addition, the following provisions apply to both TRQs.
4. The TRQs shall be applied on a calendar year basis. If the Agreement enters into force on a date other than 1 January, the TRQ quantities for that year shall be adjusted on a pro-rata basis in accordance with the number of months remaining in that calendar year.
5. Products imported under the TRQs in this Appendix shall not be counted towards any other tariff quotas provided for such goods in Chinese Taipei's WTO tariff schedule.
6. During the first 11 years following entry into force of the Agreement Chinese Taipei shall not apply or maintain a safeguard measure (including a provisional safeguard and special safeguard measure) under Article XIX of GATT 1994, *WTO Agreement on Safeguards* and Article 5 of the *WTO Agreement on Agriculture*, to in-quota product imported under the TRQ. During the 12th and subsequent years following entry into force of the Agreement, Chinese Taipei shall not apply a special safeguard measure under Article 5 of the *WTO Agreement on Agriculture* to imports of liquid milk from New Zealand.

Contact Points and Consultations

7. In accordance with Article 7 of Chapter 2 (Trade in Goods) each Party shall designate one or more contact points to facilitate communications between the Parties on matters relating to TRQ administration, and shall provide details of such contact points to the other Party. The Parties shall notify each other promptly of any amendments to the details of their contact points.

8. If, during the first 12 years following entry into force of the Agreement, New Zealand's total exports of deer velvet (HS05079020) to Chinese Taipei during a calendar year decrease below the three year average for calendar years 2010-2012, Chinese Taipei and New Zealand shall undertake immediate consultations with a view to increasing the quantities subject to the in-quota tariff rate, reducing the over-quota tariff rate, or both.

Most-Favoured-Nation Treatment

9. Chinese Taipei shall accord to New Zealand treatment no less favourable than that it accords to any non-Party with respect to market access for liquid milk and deer velvet. In that regard, should Chinese Taipei negotiate an agreement or arrangement with a non-Party that provides for duty free access in quantities greater (in absolute terms or relative to traditional trade patterns) than that set out in the TRQ Table, Chinese Taipei shall enter into discussions with New Zealand to determine how equivalent treatment shall be extended to New Zealand. Should Chinese Taipei

negotiate an agreement or arrangement with a non-Party that provides for faster liberalisation of over-quota tariff rates than that set out in the TRQ Table, such treatment shall be extended to New Zealand.¹

¹ This paragraph does not apply to any agreement concluded between Chinese Taipei and Singapore.

TRQ Table

Liquid Milk														
HS Code (2012)		EIF	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Y11	Y12
04011010	Quantity (tonnes)	5,500	5,500	5,500	7,000	7,000	7,000	8,500	8,500	8,500	10,000	10,000	10,000	-
04011020														
04012010	In-quota tariff rate	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	-
04012020														
04014010	Over- quota tariff rate	NT\$14 /KGM	0%											
04014020														
04015010														
04015020														
Administration														
<p>1. The liquid milk TRQ shall be administered on a first-come-first-served basis upon acceptance of an import declaration by the Customs Administration. There shall be no additional import requirements for importation of product under the TRQ, other than the operational procedures set out in Section B of Chapter 3 (Rules of Origin) and routine customs or quarantine clearance procedures.</p> <p>2. The TRQ shall be administered in a transparent manner. Chinese Taipei shall promptly and regularly publish on a publicly accessible website the quantity of imports entered under the TRQs in each calendar year. Chinese Taipei shall give notice in writing, including relevant data, to the New Zealand contact point, as far in advance as practicable and in any event within 15 days of the TRQ quantity being:</p> <p>(a) 90% filled, and</p> <p>(b) 100% filled.</p>														

Deer Velvet														
HS Code (2012)		EIF	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Y11	Y12
05079020	Quantity (KGM)	1,000	1,250	1,500	1,750	2,000	2,250	2,500	2,750	3,000	3,250	3,500	3,750	-
	In-quota tariff rate	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	-
	Over-quota tariff rate	500%	500%	500%	500%	400%	400%	400%	400%	300%	300%	300%	300%	0%
Administration														
The deer velvet TRQ shall be administered in accordance with the arrangements in place for administration of Chinese Taipei's WTO tariff quota for deer velvet as at entry into force of this Agreement, subject to the following modifications:														
<p>(a) for the first two years following entry into force of the Agreement, the TRQ shall be allocated on a pro-rata basis to those applicants who have traded in New Zealand deer velvet in the 2011 and 2012 years; and</p> <p>(b) for the third and subsequent years following entry into force of the Agreement, applicants for an allocation of the quota shall receive an allocation at least as large as the average of the amount actually imported by the applicant in the prior two allocation periods under the TRQ. Any remaining quota amounts and increases in the quota amount shall be allocated to applicants on a first-come-first-served basis.</p>														