

法規名稱：MEMORANDUM OF UNDERSTANDING (MOU) ON OPERATIONAL COOPERATION BETWEEN THE CUSTOMS SERVICE OF TAIWAN AND THE ITALIAN CUSTOMS AGENCY

簽訂日期：民國 100 年 11 月 08 日

生效日期：民國 100 年 11 月 08 日

The Customs Service of Taiwan and the Italian Customs Agency,
hereinafter referred to as “ the Parties ” ,

Acknowledging the importance to enhance adequate information and sharing of experience between the Customs Service of Taiwan and the Italian Customs Agency;

Considering that offenses against customs laws are prejudicial to the economic, fiscal and commercial interests of their respective customs territories;

Recognizing the need for international cooperation in matters related to the administration and enforcement of the customs laws of their respective customs territories;

Having regard to the international conventions containing prohibitions, restrictions and special measures of control in respect of specific goods;

Recognizing that the cooperation between the Parties in accordance with the provisions of the MOU, will increase the efficiency of customs control;

Have agreed to the following:

Article 1

Scope of the Cooperation

In order to ensure trade safety and facilitation, as well as effectiveness in fighting against illegal and criminal acts, the Parties, according to the terms and conditions set out in this

MOU, will cooperate to share their experience in the field of risk management, customs controls, laws and customs certification.

Article 2

General Provisions

1. The Parties will carry out the activities provided for under this MOU in accordance with their respective laws and regulations, and subject to the availability of their funds and human resources.
2. The Parties will cooperate under the MOU in compliance with the agreements that both of them have signed with other international organizations and third Parties.

Article 3

Contents of Cooperation

1. In order to improve risk management, the Parties will cooperate in:
 - analyzing their risk management systems, sharing the results by means of visits and assessments;
 - learning from each other ' s best practices, so as to develop a joint risk assessment model over the trade flow, and to establish criteria through which to exchange the details included in the joint assessment model.
2. In order to strengthen customs control, the Parties will undertake the following cooperation:
 - to exchange information on the technologies and techniques of customs controls on shipments of goods;
 - to communicate information for the accurate assessment of customs duties of the imported goods;
 - on request, to provide information regarding origin of goods exported from its territory with details in the authenticity of the certificate of origin;
 - to exchange their know-how and experience in customs control.

3. Acknowledging the damages brought by customs offences, the Parties will undertake the following cooperation:
 - to inform each other of the results stemming from control measures on shipments in severe customs offences, also referring to restrictions provided by EU legislation;
 - to divulge and emphasize effective methodologies to identify reliable companies;
 - to cooperate in organizing seminars and events, concerning the enforcement of customs legislation and latest fraud phenomena.
4. In order to provide each other with technical assistance in customs matters, the Parties may organize mutual customs visits to provide training and assistance in building up and developing specific capacities of their own officials.

Article 4

Ways of Cooperation

1. In accordance with the scope of the MOU, the Parties, within their competence and in accordance with their legislations, will encourage direct communication between the two customs authorities through their contact points.
2. In order to define in detail the actions to be periodically implemented, and to monitor and disseminate the results of those actions, the Parties may hold meetings to draft the relevant operational documents.
3. The officials of the Parties will meet, whenever necessary, to discuss the matters connected with implementation of this MOU and other issues of mutual interest including meeting concerning training issues and professional development of the officers.

Article 5

Confidentiality of Information

1. Information obtained under this MOU shall be accorded the same degree of confidentiality by the receiving Party that it

applies to similar information in its possession.

2. Information obtained under this MOU may only be used or disclosed for the purposes specified in this MOU, including use in judicial, administrative, criminal or investigative proceedings. However, this Article shall not preclude the use or disclosure of information received pursuant to this MOU to the relevant law enforcement authorities of its customs territories, to the extent that there is an obligation to do so under the respective legislations. In these cases, the requesting administration shall give advance notice of any such disclosure to the requested administration.
3. Notwithstanding the paragraph 1 of this article, upon request of the requested administration, the requesting administration shall treat information received as confidential except to the extent necessary to fulfill the purposes of this MOU.

Article 6

Costs

The costs incurred for the implementation of this MOU shall be borne by the respective Parties.

Article 7

Final dispositions

1. This MOU enters into force from the date of last signature. Amendments to this MOU can be made by mutual consent of the Parties.
2. Disputes and divergences concerning application and interpretation of the provisions of this MOU shall be settled by the Parties.
3. This MOU is concluded for an unlimited period of time. It can be terminated by either Party at any time by giving at least 30 calendar days ' written notice to the other Party. The termination of this MOU shall not affect the ongoing cooperation activities, undertaken prior to the date of

denunciation.

Signed in duplicate in the English language.

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|-------------------|------------------|
| For the Customs | For the Italian |
| Service of Taiwan | Customs Agency |
| Hwang, Ding-Fang | Giuseppe Peleggi |
| November 8, 2011 | November 8, 2011 |
| Taipei | Rome |

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<List of nominated contact points>

In compliance with Article 4 of the Memorandum of Understanding on operational cooperation between the Customs Service of Taiwan and the Italian Customs Agency, signed today November 11, 2011, in Taipei, the following Offices have been nominated as contact points for any activities related to the above mentioned Memorandum of Understanding:

For the Customs Service of Taiwan:

Department of Collection & Procedures, Directorate General of
Customs

10F., No. 13, Tacheng St., Datong District, Taipei City 10341,
Taiwan

dft6@webmail.customs.gov.tw;

TEL: +886-2-25505500 ext.2927

FAX: +886-2-25597322

For the Italian Customs Agency:

Central Directorate for International Relations, Via Mario
Carucci 71, 00143 Roma

dogane.internazionali@agenziadogane.it;
+39 06 50246003-2044

Taipei, 11 November 2011

Chao-Hsiang Liao

Director

Department of

Collection & Procedures

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Head

Central Directorate for

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