

法規名稱：AGREEMENT BETWEEN DQS DEUTSCHE GESELLSCHAFT ZUR ZERTIFIZIERUNG VON QUALITÄTSMANAGEMENTSYSTEMEN MBH AND BUREAU OF COMMODITY INSPECTION AND QUARANTINE (AD.1995.10.01)

簽訂日期：民國 84 年 10 月 01 日

生效日期：民國 84 年 12 月 18 日

This Agreement serves to promote free trade and reduce trade barriers in the spirit of GATT, of the Treaty of Rome and of the Single European Act.

The aim of this agreement is to avoid multiple assessment of organizations' Quality Systems.

The undersigned parties undertake

- to assess the organizations' Quality Systems on the basis of ISO 9001, ISO 9002 and ISO 9003,
- to operate equivalent procedures for carrying out quality audits, for the qualification of auditors, for the certification and surveillance of organizations' Quality Systems, these procedures being described in mutually exchanged system documents.

Each of the two parties recognizes that having reviewed and observed the operation of the other party's procedures

- the certification of organizations' Quality Systems, carried out by the other party according to procedures and described in documents provided by this agreement, is equivalent to its own certification;
- the certificates issued by the other party for a given quality assurance model and a given scope of activity, are equivalent to certificates issued by itself.

Each of the parties agrees

- to promote to the best of its ability the acceptability and use by customers of any organization the Quality System of which has been certified by either party;
- if requested by a certified organization, to add as an appendix to certificates issued by itself the following statement of equivalence:

for DQS According to the agreement between DQS and BCIQ (Bureau of Commodity Inspection and Quarantine), dated October 1995 it is hereby confirmed that this DQS certificate is equivalent to BCIQ certificate.

for BCIQ According to the agreement between BCIQ and DQS (Deutsche Gesellschaft zur Zertifizierung von Qualitätsmanagementsystemen mbH) dated October 1995 this is to confirm that this BCIQ certificate is equivalent to a DQS certificate.

- to refer organizations which apply for certification and which are located in the country of the other party to that party (subject to agreement by the applicant organization);

Recognizing the need many organizations have of obtaining certificates in countries other than their own, the parties will cooperate to provide the most effective service to the organizations.

Should an organization located in one country (a) require the certificate issued by the party of the other country (b), this will normally be effected by the party in country (b) requesting the party in country (a) to carry out the quality audit and to transmit the resulting Quality Audit Report to the party in country (b). The report shall be written in English. The certificate will then be issued on the basis of this - if satisfactory - Report.

Should an organization located in one country specifically wishes to be audited by the party of the other country, this latter party will inform the other party, and arrangement for carrying out the quality audit, issuing a certificate(s) and surveillance of this organization's Quality System will be agreed by the two parties and this organization.

Should an organization in the country of Party (a) holding a certificate issued by this Party (a), wish in addition, to obtain the certificate of the other party (b), the organization must make application direct to party (b). Party (b) will on receipt of a satisfactory Audit Report* (written in English) issue the certificate** for the same scope and quality assurance model of

ISO 9001, ISO 9002 or ISO 9003. The applicant organization will be required to pay the normal application and certification fees to Party (b). Surveillance of the organization's Quality System will be agreed by the two parties.

- to carry out regular common quality audits and surveillance visits in order to ensure the equivalent execution of the agreed procedures;
 - to provide the other party, without delay, with any new document modifying its own procedures;
 - to maintain contact with each other to ensure the smooth application of this agreement-representatives of both parties will meet periodically to review its operation and resolve any problems which may have arisen;
 - to accept liability for and to indemnify and to hold harmless the other party against any liability or claim or proceedings arising out of each party's obligation under this Agreement.**
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- to inform the other party of any other bilateral agreement relating to recognition of organization's quality system certificates;
 - to revise, if necessary, this agreement if a multinational agreement is signed by one of the two parties.

The present agreement has been drawn up in English.

This agreement may be revised by written agreement between DQS and BCIQ and may be terminated by either party upon 90 days written notice.

Berlin/Frankfurt, October 1995

Taipei, October 1995

For DQS

for BCIQ

The President

Director General

[Signed]

[Signed]

Dr.-Ing. Wolfgang Hansen

Mr. P.S. Hsu

Managing Director

(Berlin Office)

[signed]

Dr.-Ing. Klaus Petrick

Compiler's Note: The term marked with "****" was amended as follows on December 18, 1995.

- to acknowledge its legal responsibility in carrying out its activities in accordance with this agreement and to undertake to ensure that no consequent liability falls upon the other party.
- not to disclose to any third-party confidential information that may be imparted from one party to the other without the written consent of the party finalising the confidential information.

* Party (a) shall be able to demonstrate that expertise in the relevant sector of industry (to which the organization belongs) was present in the audit team for the certification audit. Records of the qualifications of auditors used shall be available on request.

** The certificate will state that the basing quality audit was performed by Party (a).

*** see the compiler's note at the end of this Agreement