

法規名稱：MEMORANDUM OF UNDERSTANDING BETWEEN THE TAIPEI ECONOMIC AND CULTURAL OFFICE IN AUSTRALIA AND THE AUSTRALIAN COMMERCE AND INDUSTRY OFFICE IN TAIPEI ON COOPERATION WITHIN THE FIELDS OF ENERGY AND MINERALS

簽訂日期：民國 99 年 08 月 30 日

生效日期：民國 99 年 08 月 30 日

The Taipei Economic and Cultural Office in Australia and the Australian Commerce and Industry Office in Taipei (hereafter referred to as the “ Parties ” or individually as the “ Party ” ),

ACKNOWLEDGING the readiness of the Parties to develop cooperation in bilateral and multilateral programmes and to develop cooperation in the energy and minerals sectors;

RECOGNISING mutual competencies and the desire to enhance and develop the cooperation between the two Parties based on mutual interest with respect to the energy and minerals sectors;

EXPRESSING this desire as set forth under this Memorandum of Understanding (hereafter referred to as the MoU);

AFFIRMING that the MoU will promote good relations between the Parties and provide for favorable conditions of cooperation between Taiwan and Australia;

CONSCIOUS of the need for a common basis for their mutual relations in line with the legal regulations in force in Taiwan and Australia.

Have reached the following understanding:

IMPLEMENTING AUTHORITIES:

The MoU will be implemented on behalf of:

- a) The Taipei Economic and Cultural Office in Australia by the Bureau of Energy, Ministry of Economic Affairs (MOEA) of Taiwan.
- b) The Australian Commerce and Industry Office in Taipei by the Resources Division, Department of Resources, Energy and Tourism (DRET) of Australia.

#### PARAGRAPH I - OBJECTIVES OF COOPERATION

Within the framework of their respective functions and duties under laws and regulations of Taiwan and Australia, the Parties will closely cooperate in order to establish a framework to pragmatically promote comprehensive cooperation in the energy and minerals sectors. The technical objectives of the cooperation are to:

- a) Pursue opportunities to strengthen energy supply security;
- b) Undertake energy and minerals economic and trade cooperation to enhance our complementary and mutually beneficial partnership; and
- c) Expand energy and minerals technical development to enhance the opportunity of energy diversification.

#### PARAGRAPH II - AREAS OF COOPERATION

Cooperative activities under the MoU will be determined through consultations between the Implementing Authorities of both Parties. Activities of cooperation may include, but are not limited to, the following:

- a) Identify opportunities for cooperation and collaboration in the energy and minerals sectors of Taiwan and Australia, including but not limited to the areas of exploration and development;
- b) Facilitate opportunities for trade and investment in their respective energy and minerals sectors through enhanced awareness of policy and regulatory frameworks;
- c) Enhance collaborative relationships by promoting commercial linkages between the energy and minerals sectors of Taiwan

- and Australia;
- d) Foster knowledge growth and exchange of information in the areas of, but not limited to, policies, management and technology of energy and minerals, including clean energy systems, low emission and renewable energy technologies;
  - e) Identify areas for the potential exchange and training of scientific and technical personnel for participation in mutually arranged research, development, analysis, design, and experimental activities; and
  - f) Other forms of cooperation in the area of energy, minerals and related fields as may be mutually determined by the Parties including meetings or official dialogues on mutually determined topics.

#### PARAGRAPH III - IMPLEMENTING AND REPORTING MECHANISMS

During the annual Taiwan - Australia Joint Energy and Minerals, Trade and Investment Cooperation Consultations, hereafter referred to as the Consultations, both Parties mutually decide to:

- a) Report on the status of activities under the MoU;
- b) Discuss issues and trends regarding bilateral energy and minerals developments; and
- c) Determine future areas of cooperation in the energy and minerals sectors.

Both Parties mutually decide that Implementing Authorities will gather relevant authorities and interested personnel of essential organisations, institutions, associations, and enterprises to attend and present (where appropriate) at the aforementioned Consultations.

All further negotiations required for the implementation of the MoU will be conducted by the Parties.

#### PARAGRAPH IV - MUTUAL ASSISTANCE

All activities carried out under the MoU will be subject to

discussion and mutual consent and arrangement according to the resources available to the Parties. The Parties may, by mutual consent, invite other organisations, institutions, associations, and enterprises to participate in activities carried out under the MoU.

#### PARAGRAPH V - CONFIDENTIALITY

Any information exchanged under the MoU and identified by either Party as confidential will be used only by the Parties and Implementing Authorities, and solely for the purposes of the MoU. That information will be kept confidential and will be protected with the same confidentiality level as similar kind of information, as provided for under internal legislation of Taiwan and Australia.

#### PARAGRAPH VI - INTERNAL LAWS AND ARRANGEMENTS

The MoU does not affect the rights or obligations of the Parties under the laws and regulations of Taiwan and Australia or any other arrangements to which Taiwan or Australia is party.

#### PARAGRAPH VII - EFFECTIVE DATE

The MoU will come into effect on the date of the signatures by the representatives of both Parties.

#### PARAGRAPH VIII - AMENDMENTS

The MoU may be amended by the mutual written decision of the Parties.

#### PARAGRAPH IX - DURATION AND TERMINATION

The MoU will cease to have effect on the fifth anniversary of its signing unless the Parties mutually determine that the MoU is to be extended for a further period.

Either Party may terminate the MoU by giving written notice to the other Party at any time. In that event, the MoU will cease to have effect six (6) months after the date of receipt of such

notice.

The termination of the MoU will not affect the validity or implementation of any project, programme or activity between the Parties under the MoU, which has started before the date of such notice.

#### PARAGRAPH X - RESOLUTION OF DIFFICULTIES

Both Parties will consult, upon request of either Party, regarding any matter related to the terms of the MoU, and will endeavour jointly, in a spirit of cooperation and mutual trust, to resolve any difficulties or misunderstandings that may arise.

Signed at Taichung City, on the 30th August 2010 in duplicate in the English language.

Mr Gary Song-Huann Lin  
Representative,  
Taipei Economic and  
Cultural Office in  
Australia

Alice Cawte  
Representative,  
Commerce and Industry  
Office, Taipei