

法規名稱：Regulatory Cooperation Arrangement on Standards, Technical Regulations and Conformity Assessment between the Taipei Economic and Cultural Office in New Zealand and the New Zealand Commerce and Industry Office

簽訂日期：民國 99 年 03 月 04 日

生效日期：民國 99 年 03 月 04 日

The Taipei Economic and Cultural Office in New Zealand (TECO) and the New Zealand Commerce and Industry Office (NZCIO) (“ the Participants ”) have approved an Arrangement on Regulatory Cooperation on Standards, Technical Regulations and Conformity Assessment (“ the Arrangement ”). The purpose of this Arrangement is to achieve more effective, systematic and transparent regulatory cooperation between the Participants in order to balance the costs associated with regulations to consumers and manufacturers with the appropriate protection for health, safety, consumers and the environment.

Paragraph 1 Scope

1.1 Regulatory cooperation under this Arrangement will be centred on issues involving standardisation, technical regulations and conformity assessment procedures relating to traded goods in sectors decided by the Participants in accordance with Paragraph 3.

Paragraph 2 Implementing Agencies

2.1 For the purposes of the Arrangement the implementing agencies will be:

- (a) The Bureau of Standards, Metrology and Inspection, Ministry of Economic Affairs, Taipei; and
- (b) Ministry of Economic Development, Wellington.

Paragraph 3 Regulatory Cooperation Work Programmes

3.1 The Participants will, within a period of 12 months from the date of signature of this Arrangement, identify and jointly decide sectors and priority issues for which Regulatory

Cooperation Work Programmes will be established under this Arrangement. The Work Programmes, including their objectives, will be elaborated in Annexes to this Arrangement.

3.2 In identifying and deciding sectors and priority issues, the Participants will focus on areas of common interest and mutual benefit.

3.3 Work Programmes will aim to:

- (i) Further implement principles of Good Regulatory Practice (“ GRP ”);
- (ii) Improve the quality, transparency and effectiveness of technical regulations;
- (iii) Develop and implement initiatives around risk management; and
- (iv) Achieve better regulatory compliance.

3.4 Recognising the importance of open communications when building confidence between regulators, implementing Work Programmes and deepening cooperative activities, the Participants will seek to:

- (i) Engage with relevant regulatory authorities;
- (ii) Promote exchange of views and experiences; and
- (iii) Share information on regulator approaches and other relevant matters.

3.5 Further Work Programmes may be established by mutual decision of the Participants at any stage.

Paragraph 4 Good Regulatory Practice

4.1 Where a Work Programme relates to implementing principles of GRP, the Participants will work together to build effective mechanisms to promote the development and adoption of better quality technical regulation.

4.2 The Participants will enhance their understanding of each others' regulatory practices with a view to promoting quality regulation and, where appropriate, regulatory alignment. This can be facilitated through exchanges on a

range of issues, including but not limited to:

- (i) Transparency provisions;
- (ii) Public consultations;
- (iii) Impact assessment methodologies;
- (iv) Risk assessment methodologies; and
- (v) Conformity assessment procedures.

4.3 The Participants will ensure, with respect to transparency and participation of the public, that their regulatory procedures include the opportunity for the Participants and all interested parties to have meaningful input which receives reasonable consideration.

Paragraph 5 Mutual Recognition

5.1 Where a Work Programme relates to mutual recognition, the Participants, taking into account their respective administrative procedures, will promote positive consideration and appropriate use of a range of possible mechanisms to facilitate the cross-border acceptance of conformity assessment results.

Paragraph 6 Standards Development Activities

6.1 Where a Work Programme relates to standards development activities, the Participants will promote cooperation between their respective Standards bodies, in respect of the regulatory standards that are referenced in technical regulations and fall within the responsibility of the respective implementing agencies, including by encouraging:

- (i) The exchange of normative documents, information and periodicals published by the respective official standardisation bodies, catalogues of official standards, separate official standards and standards programmes for the purpose of enhancing mutual understanding;
- (ii) Participation of specialists/experts, as observers, at each other's official technical committees for standards development and for collaboration on important

standardisation issues; and

- (iii) Cooperation in comparatively assessing specific product safety standards and in initiating standardisation activities according to their respective rules and procedures.

Paragraph 7 Market Surveillance of Consumer Products

7.1 Where a Work Programme relates to market surveillance of consumer products, the Participants will exchange a range of information to help ensure the safety of consumer products, including:

- (i) General information on market surveillance and enforcement activities;
- (ii) Risks of products;
- (iii) Major withdrawal/recall operations;
- (iv) Incident analysis and hazard alerts;
- (v) Annual reports, case studies or statistics relating to consumer product safety; and
- (vi) Other documents, discussion papers or techniques on issues relating to consumer product safety.

7.2 The Participants will cooperate on the development and implementation of risk management principles including product monitoring, safety, compliance and enforcement practices. The Participants will consider, on a case-by-case basis and subject to resource and other limitations, implementing safety training programmes, expert exchanges and other activities that are considered to be mutually beneficial.

Paragraph 8 Confidentiality

8.1 The Participants will ensure confidentiality concerning documents and information designated as such that are received within the framework of this Arrangement. Such confidential information will only be transferred to a third party after gaining the written consent of the Participant

that provided the information.

Paragraph 9 Implementation

- 9.1 The Participants may, where necessary, jointly establish working groups to facilitate the discussions on Work Programmes established under this Arrangement.
- 9.2 Each Participant will identify a contact point for communications within each working group and notify this to the other Participant.
- 9.3 The Participants will regularly review the implementation of Work Programmes established under Paragraph 3 with a view to evaluating the effectiveness of actions in fulfilling the purpose of this Arrangement.
- 9.4 The Participants will record all decisions, including designation of working group contact points under Paragraph 9.2, designation of liaison points under Paragraph 10, and the establishment of further Work Programmes under Paragraph 3.5, by exchange of letters which will be annexed to this Arrangement.

Paragraph 10 Liaison Points

- 10.1 Each of the Participants will designate liaison points to whom correspondence and communications concerning this Arrangement will be directed.

Paragraph 11 Coming into Effect, Review and Termination

- 11.1 This Arrangement will come into effect on the date of the last signature.
- 11.2 The Arrangement, or any Annexes to it, may be reviewed at any time by the written request of the representatives of either Participant, and may be changed at any time by written consent of both Participants.
- 11.3 Either Participant may terminate this Arrangement by giving six months written notice to the other Participant.



Signed in duplicate in the Chinese and English languages, each text having equal validity. In the case of any divergence of meaning between the two texts, the English text will prevail.

For the Taipei Economic
and Cultural Office in
New Zealand:
Tsai, Erh-huang
Representative
Signed at Wellington
this 16th day of
February 2010

For the New Zealand
Commerce and Industry
Office:
Michelle Slade
Director
Signed at Taipei this 4th
day of March 2010