

法規名稱：MEMORANDUM OF UNDERSTANDING ON TECHNICAL COOPERATION BETWEEN THE BUREAU OF STANDARDS, METROLOGY AND INSPECTION, MINISTRY OF ECONOMIC AFFAIRS, REPUBLIC OF CHINA (TAIWAN) AND THE REGULATORY AND QUALITY INFRASTRUCTURE DEVELOPMENT DEPARTMENT, MINISTRY OF COMMERCE, INDUSTRY AND TRADE, KINGDOM OF SWAZILAND

簽訂日期：民國 106 年 01 月 19 日

生效日期：民國 106 年 01 月 19 日

In recognition of good relations existing between the Republic of China (Taiwan) and Kingdom of Swaziland (Swaziland) and of the mutual desire to develop closer relationship, a Memorandum of Understanding (MoU) is reached between the Bureau of Standards, Metrology and Inspection (BSMI), Ministry of Economic Affairs (MOEA), and the Regulatory and Quality Infrastructure Development Department (RQID), Ministry of Commerce, Industry and Trade (MCIT), (hereinafter referred to as “ the Parties ”)to facilitate transfer of technical knowledge, advice and skills in areas of standardization, metrology and conformity assessment.

Believing that the cooperation will enhance mutual understanding and facilitate trade in goods between both countries, the Parties have agreed that:

ARTICLE 1

PRINCIPLES AND OBJECTIVES

The Parties will cooperate in a spirit of trust and confidence and to implement this MoU with the principles and objectives of:

1. Eliminating technical barriers to trade and promoting economic relations between Taiwan and Swaziland; and
2. Developing cooperation in the fields of capacity building of quality infrastructure related to industrial products, in particular standardization, metrology, technical competence of conformity assessment bodies and accreditation system, as well as areas of mutual interest.

ARTICLE 2

SCOPE

Cooperation between the Parties will be carried on through the following ways:

1. To exchange delegations to study, share experience, conduct consultations and train specialists on mutually agreed technical cooperation programs;
2. To provide information on any significant changes to the regulatory requirements under the jurisdictions of the Parties that would create impact on goods traded between the

- Parties;
3. To promote and develop direct relationship between conformity assessment bodies or scientific and research institutes of both Parties in the fields of standardization, laboratories, metrology, calibration, and conformity assessment procedures; and
 4. To organize activities concerning the development of quality infrastructure to enhance the capability and competitiveness of conformity assessment bodies.

ARTICLE 3

TECHNICAL COOPERATION PROGRAMS

1. The Parties agree to cooperate in the following aspects:
 - (1) Various standardization activities, including information exchange and standards development;
 - (2) Training of technical personnel on the good practices of testing and calibration laboratories, measurement and legal metrology, product and management systems certification, accreditation, etc.;
 - (3) Consultations on developing regulatory framework for consumer products; and
 - (4) Provision of inspection or technical services for products to be exported.
2. Needs identified by RQID for technical cooperation shall be communicated to the BSMI through contact points designated by each Party. The technical cooperation programs shall be coordinated in advance and agreed upon by both Parties.
3. Cooperation activities under this MoU shall be subject to and dependent upon the availability of appropriate funds, personnel and resources. Neither Party is obliged to provide funds pursuant to this MoU. Any financial arrangements shall be negotiated on a case by case basis, as permitted by relevant laws and regulations.
4. The technical cooperation programs delivered under this Article shall be reviewed to determine whether the identified needs are addressed satisfactorily.

ARTICLE 4

RELEVANT IMPLEMENTING ORGANIZATIONS

With a view to implementing technical cooperation programs mentioned in Article 3, the Parties may coordinate participation or resources from relevant expert agencies or organizations depending on the specific area of interest. Such expert agencies or organizations may include, but are not limited to, the Taiwan Accreditation Foundation (TAF), Center for Measurement Standards of Industrial Technology Research Institute (CMS/ITRI) on Taiwan side, and Weights and Measures Section under the MCIT and Swaziland Standards Authority (SWASA) on Swaziland side.

ARTICLE 5

CONFIDENTIALITY

The Parties shall ensure confidentiality concerning documents and information received within the framework of this MoU. This information can only be transferred to a third Party after gaining the written consent of the Party that provided the information.

ARTICLE 6

FORCE MAJEURE

1. Any delay in or failure in the implementation of this MoU by either Party shall not constitute default by such Party or give rise to any claim for damages against it if such delay or failure of performance is caused by Force Majeure.
2. The Party affected by the Force Majeure Event shall notify the other Party without delay and shall advise the other Party as to the extent and presumable duration of the Force Majeure Event; and the time for the performance of that obligation shall be extended accordingly.

ARTICLE 7

DISPUTE RESOLUTION

The Parties agree that they shall use their best endeavor to settle any dispute or difference of opinion between them, arising from or connected with this MoU, amicably through mutual discussions and negotiations. Such negotiations shall be conducted in good faith.

ARTICLE 8

VALIDITY AND TERMINATION

1. This MoU shall be valid for a period of two years from the date of signature and shall be automatically extended every two years unless otherwise terminated.
2. Either Party may terminate this MoU by providing the other Party with a written notice at least six months in advance.
3. Any amendment and/or revision to this MoU shall be mutually agreed upon by the Parties in writing.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Memorandum of Understanding.

Done in duplicate at Mbabane, Swaziland, this 19th day of January, two thousand seventeenth, in the Chinese and English languages, both texts being equally authentic.

For the Bureau of
Standards, Metrology
and Inspection,
Ministry of Economic
Affairs, Republic of
China (Taiwan)

Dr. Ming-Jong Liou

Director General

For the Regulatory and
Quality Infrastructure
Development
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