

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

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.

For the Customs Service of Taiwan

For the Italian Customs Agency

Hwang, Ding-Fiang

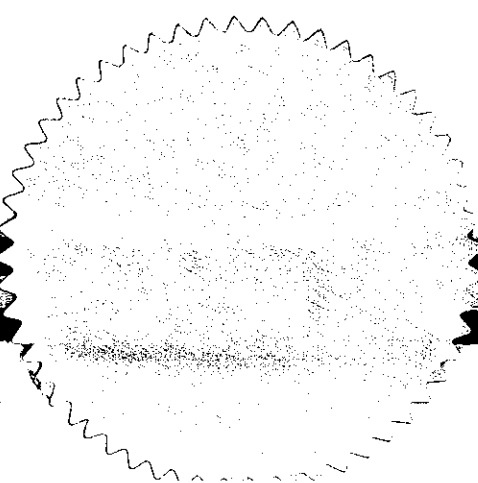
Luigi Basso

Date: *08 NOV. 2011*

Date: *08 NOV. 2011*

Place: *Taipei*

Place: *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;

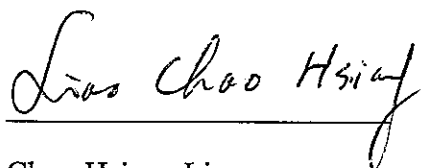
TEL: +886-2-25505500 ext.2927, FAX: +886-2-25597322

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



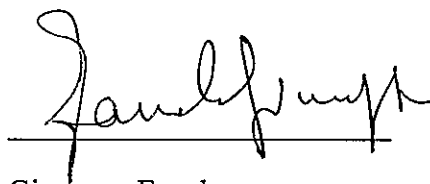
Chao-Hsiang Liao

Director

Department of Collection & Procedures

Directorate General of Customs

Ministry of Finance, Taiwan



Giuseppe Favale

Head

Central Directorate for International

Relations

Italian Customs Agency

臺灣海關與義大利海關作業合作瞭解備忘錄

臺灣海關與義大利海關，以下簡稱為「雙方」

鑑於臺灣海關與義大利海關間適當加強情資及經驗分享之重要性，

考慮違反關務法令之行為有害於各自關稅領域內之經濟、財政及商業利益，

認知在各自關稅領域內關務法令之管理及執行有賴於國際合作，

顧及國際條約對特定物品之禁止、限制及特別管制規定，

確信雙方依據本瞭解備忘錄之規定進行合作，更能增進海關監控之效果，

茲達成協議如下：

第一條

合作範圍

為確保貿易安全與便捷，同時有效打擊非法及犯罪行為，雙方依據本瞭解備忘錄之條文規定，分享有關風險管理、海關監控、法律規範及海關認證之經驗。

第二條

通則

1. 雙方依據各自領域內法律規章之規定，於其國內可得之資金及人力資源下，執行本瞭解備忘錄之作業合作活動。
2. 雙方在不違反各自與其他國際組織或第三方簽署之協定內容情況下，依據本瞭解備忘錄進行合作。

第三條

合作內容

1. 為增進風險管理，雙方將就下列事項進行合作：
 - 分析風險管理系統，透過互訪及評估方式分享成果；
 - 學習對方之最佳執行範例，以發展對貿易流通之共同風險評估模型，建立評量標準，據以交換共同風險評估模型之詳細資料。
2. 為增進海關監控，雙方將就下列事項進行合作：
 - 就海關監控貨運之科技及技術進行資訊交換；
 - 對進口貨物正確進行關稅估價交換相關資訊；
 - 於受請求時，對其國內出口貨物提出原產地證明並提供詳細資料以證明其真實性；
 - 交換海關監控之相關知識及經驗；
3. 鑑於違反關務法規行為所帶來之損害，雙方將就下列事項進行合作：
 - 於不違反歐盟法律限制之情況下，提供彼此嚴重違反關務案件之貨運監控成果；
 - 分享並強調認定可信賴廠商之有效方法；
 - 共同規劃辦理海關執法與近期有關詐欺行為之研討會及類似活動。
4. 為彼此提供關務技術協助，雙方得規劃互訪行程，提供雙方人員建構發展特殊能力之訓練與協助。

第四條

合作方式

1. 依據本瞭解備忘錄之規範內容，雙方於能力所及與各自法律規定範圍內，應儘可能由雙方海關之聯絡窗口進行直接溝通。
2. 為詳細定義應定期執行之行動，並監控及分享活動執行成果，雙方得召開會議，草擬相關作業文件內容。
3. 於必要情況下，雙方之官員應會面討論執行本瞭解備忘錄之相關事項及雙方關切議題，包括官員之訓練及其專業能力建構問題。

臺灣海關與義大利海關作業合作瞭解備忘錄

<指定聯絡窗口名單>

依據臺灣海關與義大利海關作業合作瞭解備忘錄第 4 條規定，於 2011 年 11 月 11 日指定下列單位為執行前述瞭解備忘錄相關活動之聯絡窗口：

臺灣海關窗口：

中華民國關稅總局徵課處

臺灣臺北市大同區塔城街 13 號 10 樓

dft6@webmail.customs.gov.tw;

電話：+886-2-25505500 分機 2927 傳真：+886-2-25597322

義大利海關窗口：

義大利關稅總局國際關係處

Via Mario Carucci 71, 00143 Roma

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

2011 年 11 月 11 日，臺北

廖超祥

廖超祥

處長

徵課處

臺灣財政部關稅總局

Giuseppe Favale

Giuseppe Favale

處長

國際關係處

義大利關稅總局