

AGREEMENT
ENTERED INTO BY AND BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF CHINA (TAIWAN)
AND
THE GOVERNMENT OF THE KINGDOM OF ESWATINI
ON
ECONOMIC COOPERATION

PREAMBLE

WHEREAS the Government of the Republic of China (Taiwan) and the Government of the Kingdom of Eswatini (hereinafter jointly referred to as the “Parties” and separately as a “Party”);

RECOGNIZING the catalytic role that bilateral economic cooperation can play towards accelerating trade and investment;

DESIRING to enhance mutually beneficial bilateral trade and investment between the Parties;

CONSCIOUS that this Agreement on Economic Cooperation (hereinafter referred to as the “Agreement”) will contribute to the promotion of closer links between the Parties;

HAVE AGREED as follows:

INTERPRETATION

In this Agreement, in the absence of the express provision or statement to the contrary:

“Insignificant Value” shall refer to:

- (a) for the Republic of China (Taiwan), a value of no more than NT\$12,000 as stipulated under Article 3 of the Regulations Governing Customs Clearance for Importation of Advertising Matter and Samples of the Republic of China (Taiwan); and
- (b) for the Kingdom of Eswatini, such as determined in accordance with Schedule 4 of the Customs and Excise Act 1971 of the Kingdom of Eswatini.

CHAPTER I
INITIAL PROVISIONS

ARTICLE 1
Objectives

The Parties enter into this Agreement to ensure sustainable development that seeks to protect and preserve the environment and to explore new areas of economic, trade and investment through various methods, such as engaging in cooperation and personnel exchanges and other types of cooperation as provided in this Agreement or agreed by the Parties.

CHAPTER II
BILATERAL COOPERATION

ARTICLE 2
Economic Cooperative Programs

In order to raise the standards of living and ensure full employment and a large and steadily growing volume of real income and effective

demand, the Parties agree to the following Economic Cooperative Programs:

(a) Trade Cooperation

- (i) The Parties reaffirm their rights and obligations under the Marrakesh Agreement Establishing the World Trade Organization (hereinafter referred to as the “WTO Agreement”), in particular the Agreement on Technical Barriers to Trade and the Agreement on the Application of Sanitary and Phytosanitary Measures.
- (ii) The Parties shall cooperate in the fields of standardization, metrology, conformity assessment and quality infrastructure, with the aim of enhancing mutual understanding and promoting economic and trade relations and thereby eliminating technical barriers to trade.
- (iii) The Parties shall cooperate on sanitary and phytosanitary measures for the protection of human, animal and plant life.
- (iv) The Parties will cooperate in addressing supply side constraints with the aim of increasing competitiveness of the Parties at industry level. Such cooperation may include, but is not limited to, areas of innovation, production, technology, distribution, marketing and financing.
- (v) For purposes of maintaining sustainable economic development, fostering growth and prosperity and increasing wealth and welfare, the Government of the Republic of China (Taiwan) will eliminate tariffs on the products listed in the List of Products of the Republic of China (Taiwan) as provided in Annex I at entry into force of this Agreement, save for sugar

(Annex I-A), natural honey (Annex I-B) and avocados (Annex I-C), which will be subject to annual tariff rate quota treatment.

(b) Investment Cooperation

(i) The Parties shall require their designated agencies to hold regular consultations with investors of the Republic of China (Taiwan) in order to assist such investors with addressing issues and barriers to their investments, and providing investment incentives, including but not limited to stable electricity prices and improving the quality of facility maintenance to factories and buildings.

(ii) The Government of the Kingdom of Eswatini shall from time to time provide the Government of the Republic of China (Taiwan) with the information relating to its participation in African economic integration, including new market access opportunities created with third parties and shall assist the Government of the Republic of China (Taiwan) to use the Kingdom of Eswatini as a base in strengthening its investments in the African economy.

(c) Export Processing Zones Cooperation

The Export Processing Zone Administration of the Republic of China (Taiwan) shall engage in management experience exchanges, research and development and provide training programs to the special economic zones of the Kingdom of Eswatini.

(d) Technical Cooperation

- (i) The Parties shall establish a technical cooperation mechanism in order to develop the major areas of agriculture, tourism, environment, education, information and communications technology, and public health and medicine, including agricultural products processing, energy, mining, healthcare, vocational education, as well as other initiatives.
 - (ii) The Parties will encourage studies aiming at identifying potential investment sectors to develop clusters on agro industrial activities.
- (e) Personnel Exchange and Cooperation

The Parties shall establish a professional personnel exchange and cooperation mechanism in order to promote the growth and development of their respective economies. For these purposes, the Parties may cooperate through:

- (i) dispatching experts and scholars for exchange visits in order to provide assistance relating to the development of specific industry chains; and
- (ii) with respect to agreed fields of industry cooperation, engaging in personnel exchanges by way of research and study, experience sharing, consultations, professional training, among others.

CHAPTER III

INVESTMENT PROMOTION AND PROTECTION

ARTICLE 3

Investment Promotion

1. The Parties recognize the importance of promoting cross-border investment flows and technology transfers as means for achieving economic growth and development. In order to increase investment flows, the Parties may cooperate through:
 - (a) exchanging information, including potential sectors and investment opportunities, laws and regulations, so as to increase awareness on their investment environments;
 - (b) encouraging and supporting investment promotion activities such as investment conferences, fairs, exhibitions and investment promotion missions;
 - (c) discussing the possibility of negotiating bilateral investment promotion and protection agreements with a view to furthering investment flows and technology transfer; and
 - (d) developing mechanisms for investments conducted by the private sector on the basis of commercial considerations.
2. The Parties recognize that the objective of investment promotion shall be in conformity with their respective national legislation.

CHAPTER IV

CUSTOMS PROCEDURES AND COOPERATION

ARTICLE 4

Rules of Origin

In order to qualify for the trade cooperation in Article 2(a)(v), the imports listed in the List of Products of the Republic of China (Taiwan)

in Annex I of this Agreement shall meet the requirements of rules of origin as stipulated in Annex II of this Agreement.

ARTICLE 5

Duty-Free Importation of Certain Commercial Samples and Printed Advertising Material

Each Party shall authorize the duty-free importation of commercial samples of Insignificant Value and printed advertising materials from the territory of the other Party.

ARTICLE 6

Customs Valuation

1. The Agreement on the Implementation of Article VII of the General Agreement on Tariffs and Trade of 1994 (hereinafter referred to as the “Agreement of the WTO on Customs Valuation”) shall govern customs valuation rules applied by the Parties to their mutual trade.
2. The Parties shall cooperate with a view to reaching a common approach to issues relating to customs valuation.

ARTICLE 7

Facilitation of Customs Procedures

The Parties shall take all necessary measures to facilitate the customs procedures for originating products.

ARTICLE 8

Customs Cooperation

The Parties commit themselves to developing customs cooperation mechanisms to ensure that the provisions on trade are observed. For this purpose they shall establish a dialogue on customs matters and provide mutual assistance.

CHAPTER V

TRADE REMEDIES

ARTICLE 9

Antidumping, Subsidies and Countervailing Measures

In the application of antidumping or countervailing measures and with respect to subsidies, the Parties shall be governed by their respective legislation which shall be consistent with the WTO Agreement.

ARTICLE 10

Safeguard Measures

The rights and obligations of the Parties with respect to safeguard measures shall be governed by Article XIX of the GATT 1994 and the WTO Agreement on Safeguards.

CHAPTER VI

INTELLECTUAL PROPERTY

ARTICLE 11
Intellectual Property

In line with their rights and obligations under the WTO Agreement on Trade-related Aspects of Intellectual Property, the Parties agree to:

- (a) promote the importance of intellectual property rights in fostering trade in goods and services, innovation, and economic, social and cultural development;
- (b) promote the effective protection, enforcement and maintenance of intellectual property rights; and
- (c) recognize the need to achieve a fair balance among the rights of intellectual property rights holders, the legitimate interest of users and the wider interest of the public with regard to protected subject matters.

CHAPTER VII
TRANSPARENCY

ARTICLE 12
Publication

Each Party shall promptly publish its laws, regulations, procedures and administrative rulings of general application regarding any matter covered by this Agreement.

CHAPTER VIII
FINAL PROVISIONS

ARTICLE 13

Exceptions

No provision of this Agreement shall be interpreted to prevent the Parties from adopting or maintaining exception measures consistent with the rules of the WTO Agreement.

ARTICLE 14

Joint Committee

1. A Joint Committee is hereby established.
2. The Joint Committee shall comprise of representatives from each Party appointed by the Minister of Economic Affairs of the Republic of China (Taiwan) and the Minister of Commerce, Industry and Trade of the Kingdom of Eswatini or their representatives.
3. The tasks of the Joint Committee shall be to:
 - (a) promote the effective administration and implementation of this Agreement;
 - (b) facilitate regular communication and consultation between the Parties;
 - (c) facilitate the exchange of information at the request of either Party;
 - (d) periodically review the possibility of further removal of obstacles to trade between the Parties; and

- (e) within six (6) months of entry into force of this Agreement, define priority sectors for technical cooperation and request the Parties respective relevant authorities to identify specific projects and establish mechanisms for their implementation.
4. The Joint Committee shall establish its own rules of procedure.
5. The Joint Committee shall establish subcommittees for any purpose under this Agreement.

ARTICLE 15 ENTRY INTO FORCE

This Agreement shall enter into force thirty (30) days after the Parties have formally notified, through diplomatic channels, the completion of the domestic procedures necessary to that effect.

ARTICLE 16 MISCELLANEOUS PROVISIONS

1. Either Party may terminate this Agreement by giving one (1) year written notice of its intention to terminate to the other Party through diplomatic channels.
2. This Agreement may be amended in writing by mutual consent of the Parties through the Exchange of Notes between the Parties through diplomatic channels.
3. This Agreement shall include the Annexes thereto, and all future legal instruments agreed pursuant to this Agreement.

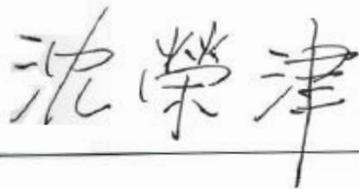
4. Each Party shall designate and notify to the other Party a contact point to facilitate communications between the Parties on any matter covered by this Agreement. At the request of a Party, the other Party's contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communication with the requesting Party.

DONE at Taipei on this 8th day of June 2018 in the English language.

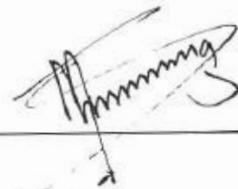
IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

FOR THE GOVERNMENT OF
REPUBLIC OF CHINA(TAIWAN)

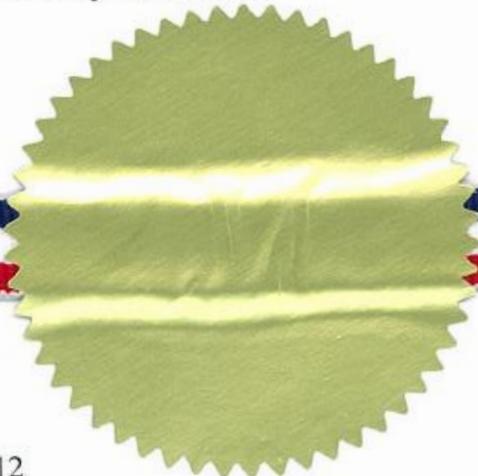
FOR THE GOVERNMENT OF
THE KINGDOM OF ESWATINI



Jong-Chin Shen
Minister,
Ministry of Economic Affairs



Honourable Jabulani C. Mabuza
Minister,
Ministry of Commerce,
Industry and Trade



ANNEX I

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
02011010	Special quality carcasses and half-carcasses of bovine animals, fresh or chilled
02011090	Other carcasses and half-carcasses of bovine animals, fresh or chilled
02012010	Special quality beef quarter-carcasses and cuts of steaks (rib, loins, sirloins, rump), of bovine animals, with bone in, fresh or chilled
02012020	Prime or choice grade shin/shank, short plate, brisket, ribs, rib finger, of bovine animals, with bone in, fresh or chilled
02012090	Other cuts of bovine animals, with bone in, fresh or chilled
02023090	Other meat of bovine animals, boneless, frozen
02031200	Hams, shoulders and cuts thereof, of swine, with bone in, fresh or chilled
02031919	Other meat of swine, boneless, fresh or chilled
02032100	Carcasses and half-carcasses of swine, frozen
02032200	Hams, shoulders and cuts thereof, of swine, with bone in, frozen
02062100	Tongues of bovine animals, frozen
02062200	Livers of bovine animals, frozen
03011100	Ornamental fish, freshwater
03019400	Atlantic and Pacific bluefin tunas, live
03019500	Southern bluefin tunas (<i>Thunnus maccoyii</i>), live
03019929	Other live fish
03023900	Other tunas (of genus <i>Thunnus</i>), fresh or chilled
03024400	Mackerel, fresh or chilled
03024600	Cobia, fresh or chilled
03061429	Other crabs, not smoked, frozen
03061600	Cold-water shrimps and prawns, frozen, smoked included
03074210	Cuttle fish, live, fresh or chilled
03077110	Clams, cockles and ark shells, fry
03081110	Sea cucumbers, fry
04090000	Natural honey
07039000	Leeks and other alliaceous vegetables, fresh or chilled
07061000	Carrots and turnips, fresh or chilled
07081000	Peas (<i>Pisum sativum</i>), fresh or chilled
07082000	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.), fresh or chilled
07089000	Other leguminous vegetables, fresh or chilled
07099300	Pumpkins, squash and gourds, fresh or chilled
07102200	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.), frozen
07142010	Sweet potatoes, fresh, chilled or dried

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
07142020	Sweet potatoes, frozen
08026100	Macadamia nuts, in shell, fresh or dried
08026200	Macadamia nuts, shelled, fresh or dried
08027000	Kola nuts, whether or not shelled or peeled, fresh or dried
08029090	Other edible nuts, whether or not shelled or peeled, fresh or dried
08044000	Avocados, fresh or dried
08051020	Fresh oranges (Imported from 1st March to 30th September each year)
08051030	Dried oranges (Imported from 1st March to 30th September each year)
08054091	Other grapefruits, fresh or dried (Imported from 1st January to 30th September each year)
13022000	Pectic substances, pectinates and pectates
17011200	Beet sugar, not containing added flavouring or colouring matter
17011300	Cane sugar specified in Subheading Note 2 to this Chapter
17011400	Other cane sugar, not containing added flavouring or colouring matter
17019910	Sugar, cube and loaf
17019920	Rock sugar
17019990	Other sugar, refined
17029011	Maltose
17029012	Chemically pure maltose
17029020	Caramel
17029030	Artificial honey
17029040	Chemically pure glucose (polarisation not less than 99.5%)
17029090	Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 percent by weight of fructose
17041000	Chewing gum, whether or not sugar-coated
17049000	Other sugar confectionery (including white chocolate), not containing cocoa
19011000	Preparations for infants or young children use, put up for retail sale
19012000	Mixes and doughs for the preparation of bakers' wares of heading 19.05
20011000	Cucumbers and gherkins, prepared or preserved by vinegar or acetic acid
20019012	Onions, prepared or preserved by vinegar or acetic acid

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
20019019	Other vegetables, prepared or preserved by vinegar or acetic acid
20079910	Morinda citrifolia jam
20079990	Other articles of heading No. 20.07
20082000	Pineapples, otherwise prepared or preserved
20083000	Citrus fruit, otherwise prepared or preserved
21039090	Other articles of heading No. 21.03 ¹
21069051	Non-alcoholic compound preparations for making foodstuff
22071010	Industrial ethyl alcohol, undenatured, of an alcoholic strength by volume of 80% or higher, used for manufacture of chemical products through chemical synthetic reaction
22071090	Other undenatured ethyl alcohol, of an alcoholic strength by volume of 80% or higher
22084000	Rum and other spirits obtained by distilling fermented sugar-cane products
23099010	Fish soluble
23099090	Other preparation for animal feeding
27011900	Other coal
27012000	Briquettes, ovoids and similar solid fuels manufactured from coal
28363000	Sodium hydrogencarbonate (sodium bicarbonate)
29163100	Benzoic acid, its salts and esters
29181400	Citric acid
29211900	Other acyclic monoamines and their derivatives; salts thereof
33021010	Compound alcoholic preparations based on odoriferous substance, of a kind used for the manufacture of beverages, with an alcoholic strength by volume exceeding 0.5% vol
33021090	Other mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used in the food or drink industries
33029000	Other mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry

¹ For greater certainty, "Other articles of heading No. 21.03" includes sauces and preparations thereof.

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
34011100	Soap and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent, for toilet use (including medicated products)
34011900	Soap and organic surface-active products and preparations, in the form of bars, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent, not for toilet use
34012090	Soap in other forms
34013000	Organic surface-active products and preparations for washing the skin, in the form of liquid or cream and put up for retail sale, whether or not containing soap
34060000	Candles, tapers and the like
38249999	Other chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included
39231010	Boxes, cases, crates and similar articles, of plastic, specially shaped or fitted for the conveyance or packing of semiconductors wafers, masks, or reticles
39231090	Other boxes, cases, creates and similar articles, of plastics
39232100	Sacks and bags (including cones), of polyethylene
44011100	Fuel wood, coniferous, in logs, in billets, in twigs, in faggots or in similar forms
44011200	Fuel wood, non-coniferous, in logs, in billets, in twigs, in faggots or in similar forms
44031100	Coniferous wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, treated with paint, stains, creosote or other preservatives
44031200	Non-coniferous wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, treated with paint, stains, creosote or other preservatives
44041000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like, coniferous
44042000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like, non-coniferous

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
44071100	Pine wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44071200	Fir and spruce wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44072900	Other tropical wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44091000	Coniferous wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed
44101100	Particle board of wood, whether or not agglomerated with resins or other organic binding substances
44140000	Wooden frames for paintings, photographs, mirrors or similar objects
44152000	Pallets, box pallets and other load boards, of wood; pallet collars, of wood
44211000	Clothes hangers, of wood
46021100	Basketwork and other articles, made directly to shape from bamboo plaiting materials or made up from articles of heading 46.01 of bamboo
46021200	Basketwork and other articles, made directly to shape from rattan plaiting materials or made up from articles of heading 46.01 of rattan
46021910	Bags, of straw and grass
46021990	Basketwork, wickerwork and other articles, made directly to shape from other vegetable plaiting materials or made up from articles of heading 46.01 of other vegetable materials; articles of loofah
46029000	Basketwork and other articles, made directly to shape from other plaiting materials or made up from articles of heading 46.01 of other materials
49019910	Reproductions, printed of work of art
49019990	Other printed books, brochures, leaflets and similar printed matter, not in single sheets
52030000	Cotton, carded or combed
57021000	Kelem, "Schumacks", "Karamanie" and similar hand-woven rugs
57022000	Floor coverings of coconut fibres (coir)

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
57023100	Other carpets and other floor coverings, woven, of pile construction, not made up, of wool or fine animal hair
57023200	Other carpets and other floor coverings, woven, of man-made textile materials, of pile construction, not made up
57023990	Other carpets and other floor coverings, woven, of pile construction, not made up, of other textile materials
60062200	Other knitted or crocheted fabrics of cotton, dyed
61046220	Women's or girls' bib and brace overalls, knitted or crocheted, of cotton
61091000	T-shirts, singlets and other vests, knitted or crocheted, of cotton
61099010	T-shirts, singlets and other vests, knitted or crocheted, of wool or fine animal hair
61099020	T-shirts, singlets and other vests, knitted or crocheted, of man-made fibres
61099030	T-shirts, singlets and other vests, knitted or crocheted, of silk or silk waste
61099090	T-shirts, singlets and other vests, knitted or crocheted, of other textile materials
62034210	Men's or boys' trouser, breeches and shorts, of cotton
62034310	Men's or boys' trousers, breeches and shorts, of synthetic fibres
62044910	Women's or girls' dresses, of silk or silk waste
62044990	Women's or girls' dresses, of other textile materials
62046210	Women's or girls' trousers, breeches and shorts, of cotton
62046911	Women's or girls' trousers, breeches and shorts, of silk or silk waste
62069000	Women's or girls' blouses, shirts and shirt-blouses, of other textile materials
62113200	Other garments, men's or boys', of cotton
63053300	Other, sacks and bags, of a kind used for the packing of good, of polyethylene or polypropylene strip or the like
69111000	Tableware and kitchenware, of porcelain or china
69119000	Other household articles and toilet articles, porcelain or china
69120010	Ceramic tableware and kitchenware, other than of porcelain or china
69120090	Other ceramic household articles and toilet articles, other than of porcelain or china
70042000	Drawn glass and blown glass, in sheets, coloured throughout the mass (body tinted), opacified, flashed or having an absorbent, reflecting or non-reflecting layer

List of Products of the Republic of China (Taiwan)	
HS Code	Product description
71131100	Article of jewellery and parts thereof of silver, whether or not plated or clad with other precious metal
71131900	Article of jewellery and parts thereof of other precious metal, whether or not plated or clad with precious metal
71132000	Jewellery and parts thereof, of base metal clad with precious metal
71171100	Cuff-links and studs, of base metal, whether or not plated with precious metal
71171900	Other imitation jewellery, of base metal, whether or not plated with precious metal
71179000	Imitation jewellery of other materials
84183090	Other freezers of the chest type, not exceeding 800 L capacity
84185010	Other freezers of exceeding low temperature (-70 degree C and under)
84185090	Other furniture (chests, cabinets, display counters, show-cases and the like) for storage and display, incorporating refrigerating or freezing equipment
84813000	Check (nonreturn) valves
94036010	Other wooden furniture, without any painted or coated
94036090	Other wooden furniture
96071100	Slide fasteners fitted with chain scoops of base metal
96071990	Slide fasteners, of other materials

ANNEX I-A

The elimination of duties for raw sugar and refined sugar originating in the Kingdom of Eswatini shall be subject to an annual quota. The quota level will be set at 53,000 metric tons for raw sugar annually and 28,000 metric tons for refined sugar annually. Out of quota imports shall be subject to MFN tariff rates. For raw sugar and refined sugar included in the duty-free quota, the Customs Authority of the Republic of China (Taiwan) will require the Certificate of Origin and Tariff Quota Certificate (TQC) (Annex I-D) issued by the Government of the Kingdom of Eswatini.

The relevant tariff codes for raw sugar and refined sugar are set out below:

Raw sugar	17011400
Refined sugar	17019990

ANNEX I-B

The elimination of duties for natural honey originating in the Kingdom of Eswatini shall be subject to an annual quota. The quota level set at 250 metric tons annually shall be subject to a 0% duty. The out of quota rate of duty shall be subject to a 3.5% annual reduction over a period of ten (10) years. For natural honey included in the duty-free quota, the Customs Authority of the Republic of China (Taiwan) will require the Certificate of Origin and Tariff Quota Certificate (TQC) (Annex I-D) issued by the Government of the Kingdom of Eswatini.

The relevant tariff code for natural honey is set out below:

Natural honey	04090000
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ANNEX I-C

The elimination of duties for avocados originating in the Kingdom of Eswatini shall be subject to an annual quota. The quota level set at 30 metric tons annually shall be subject to a 0% duty. The out of quota rate of duty shall be subject to a 3% annual reduction over a period of five (5) years. For avocados included in the duty-free quota, the Customs Authority of the Republic of China (Taiwan) will require the Certificate of Origin and Tariff Quota Certificate (TQC) (Annex I-D) issued by the Government of the Kingdom of Eswatini.

The relevant tariff code for avocados is set out below:

Avocados	08044000
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ANNEX I-D

The 1st copy: for Consignee of ROC (Taiwan)

<p>CERTIFICATE FOR PRODUCTS UNDER TARIFF QUOTA <i>ROC (TAIWAN)-ESWATINI ECONOMIC COOPERATION AGREEMENT</i></p>			
<table border="1"> <tr> <td>CERTIFICATE NO.:ET19 000000</td> </tr> <tr> <td>Valid period: From January 1 to December 31, YYYY (see note 2)</td> </tr> </table>		CERTIFICATE NO.:ET19 000000	Valid period: From January 1 to December 31, YYYY (see note 2)
CERTIFICATE NO.:ET19 000000			
Valid period: From January 1 to December 31, YYYY (see note 2)			
1. <i>NAME AND ADDRESS OF EXPORTER:</i>			
2. <i>PRODUCT:</i>			
3. <i>NAME OF VESSEL:</i>			
4. <i>CONSIGNEE:</i>	5. <i>NOTIFY:</i>		
6. <i>DESCRIPTION OF GOODS:</i>	7. <i>QUANTITY LOADED (MT):</i>		
PORT OF LOADING:	PORT OF DISCHARGE:		
8. <i>DATE OF DEPARTURE/BILL OF LADING NO. DATE OF ISSUE:</i>			
9. <i>AUTHORIZED STAMP AND SIGNATURE:</i>			
<p>Note:</p> <p>1 This certificate is subject to the terms and conditions set forth in the ROC (Taiwan)-Eswatini Economic Cooperation Agreement</p> <p>2 The valid period of this TRQ certificate is based on the date of arrival of the means of transportation in Taiwan in accordance with Article 6 of the “Enforcement Rules of the Customs Act”.</p>			

ANNEX II
Rules of Origin

SECTION I
GENERAL PROVISIONS

ARTICLE 1
Scope of Application

This Annex applies only to the List of Products of the Republic of China (Taiwan) in Annex I of this Agreement.

ARTICLE 2
Definitions

For the purposes of this Annex:

- (a) “authorized body” means the Bureau of Foreign Trade, Ministry of Economic Affairs for the Government of the Republic of China (Taiwan), and the Swaziland Revenue Authority for the Government of the Kingdom of Eswatini;
- (b) “customs authority” means the Customs Administration, Ministry of Finance for the Government of the Republic of China (Taiwan), and the Swaziland Revenue Authority for the Government of the Kingdom of Eswatini;
- (c) “manufacture” means working or processing, including assembling;
- (d) “material” means any ingredient, raw material, component or part used in the manufacture of a product;

- (e) “value of materials” means the customs value determined in accordance with the Agreement of the WTO on Customs Valuation at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in a Party; and
- (f) “heading” means a heading (four-digit code) of the Harmonized Commodity Description and Coding System.

SECTION II
CONCEPT OF “ORIGINATING PRODUCTS”

ARTICLE 3
General Requirements

A product shall be considered as originating in a Party if:

- (a) it has been wholly obtained in a Party, in accordance with Article 5 of this Annex;
- (b) the non-originating materials used in the working or processing have undergone sufficient working or processing in a Party, in accordance with Article 6 of this Annex; or
- (c) it has been produced in a Party exclusively from materials originating in the Party.

ARTICLE 4
Bilateral Accumulation of Origin

Notwithstanding Article 3, originating materials and products from a Party, used in working or processing of goods in the other Party, shall be considered as originating in the other Party, provided that they have undergone sufficient working or processing in one of the Parties, within the meaning of this Annex.

ARTICLE 5

Wholly Obtained Products

The following products shall be considered as wholly obtained in a Party:

- (a) minerals and other naturally occurring substances extracted or taken from its soil, waters, seabed or beneath the seabed there;
- (b) plant and plant products grown and harvested there;
- (c) live animals born and raised there;
- (d) products from live animals, raised there;
- (e) products from slaughtered animals born and raised there;
- (f) products obtained by hunting, trapping, fishing or aquaculture conducted there;¹

¹ For greater certainty, products obtained by fishing in the waters of Mozambique by a vessel flying the Eswatini flag shall be deemed products wholly obtained in the Kingdom of Eswatini. Furthermore, the Government of the Kingdom of Eswatini shall provide a list of all vessels flying the Eswatini flag that engage in fishing, such list being subject to the approval of the Government of the Republic of China (Taiwan). Only products obtained by fishing by vessels appearing on such list will be deemed products wholly obtained in the Kingdom of Eswatini. The Kingdom of Eswatini shall update this list of vessels if there is any change and shall notify the Government of the Republic of China (Taiwan) of such update, such updated list being subject to the approval of the Government of the Republic of China (Taiwan).

- (g) waste and scrap resulting from manufacturing operations conducted there fit only for the recovery of raw materials and not for their original purpose;
- (h) used products collected there fit only for the recovery of raw materials and not for their original purpose; or
- (i) products obtained or produced in a Party solely from products referred to in subparagraphs (a) to (h) or from their derivatives.

ARTICLE 6

Sufficient Working or Processing

Products which are not wholly obtained are considered to be sufficiently worked or processed when the conditions set out below are fulfilled:

- (a) goods have undergone working or processing in a Party and the CIF value of materials (raw materials, semi-finished or finished products) originating from countries other than either one of the Parties, and goods of unknown origin used in the production does not exceed 50% of the FOB value of goods exporting from a Party; or
- (b) these goods are manufactured from materials or products of any heading, except that of the goods.

ARTICLE 7

Insufficient Working or Processing Operations

The following operations do not meet the sufficient processing criteria:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) changes of packaging and breaking-up and assembly of packages;
- (c) washing, cleaning, the removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple painting and polishing operations;
- (f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (g) operations to colour or flavour sugar or form sugar lumps; partial or total milling of crystal sugar;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
- (i) sharpening, simple grinding, separating or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching; (including the making-up of sets of articles);
- (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other similar signs on products or their packaging;
- (m) simple mixing of products, whether or not of different kinds; mixing of sugar with any material;

- (n) simple assembly of non-originating parts to constitute a complete product or disassembly of products into parts;
- (o) simple addition of water or dilution or dehydration or denaturation of products;
- (p) a combination of two or more operations specified in subparagraphs (a) to (o); and
- (q) slaughter of animals.

ARTICLE 8

Treatment of Packing Materials and Containers

Packing materials and containers exclusively used for transportation and shipment of goods shall not be taken into account in determining the origin of any goods.

Packing materials and containers in which goods are packaged for retail sale, when classified together with those goods, shall not be taken into account in determining whether all of the non-originating materials used in the production of the goods have met the applicable change in tariff classification requirements for the goods.

If goods are subject to a regional value content requirement, the value of the packing materials and containers in which the goods are packaged for retail sale shall be taken into account as originating or non-originating materials, as the case may be, in calculating the regional value content of the goods.

ARTICLE 9

Accessories, Spare Parts, Tools and Instructional or Information Material

Accessories, spare parts, tools and instructional or other information materials presented with the goods shall be considered part of those goods and shall be disregarded in determining whether all the non-originating materials used in the production of the originating goods have undergone the applicable change in tariff classification, provided these are classified with and not invoiced separately from the goods.

The value of the accessories, spare parts, tools and instructional or other information materials presented with the goods shall be taken into account as originating or non-originating materials, as the case may be, in calculating the regional value content of the goods.

This Article applies only where the accessories, spare parts, tools and instructional or other information materials are presented with the goods are not invoiced separately from the originating goods; and the quantities and value of the accessories, spare parts, tools and instructional or other information materials presented with the goods are customary for those goods.

ARTICLE 10

Direct Consignment and Direct Purchase

Preferential tariff treatment shall be granted for goods originating from the exporting Party provided that such goods are purchased directly in that country and transported directly to the customs territory of the importing Party.

Originating goods shall be considered as purchased directly if the importer has acquired them from a person duly registered as a business entity in exporting Party.

Originating goods shall be considered as direct consignment if they are transported through the territories of other countries due to geographic, transport-related, technical or economic reasons, provided that such goods remain under customs control, including during their temporary storage in the territories of transit countries.

Direct consignment shall apply to goods purchased by the importer at exhibitions or fairs in a non-Party, provided that:

- (a) goods are transported from a Party to the non-Party where the exhibition or fair is being held and remained under customs control during the event;
- (b) goods are not used from the moment of their transportation to the exhibition or fair for any purpose other than demonstration.

ARTICLE 11

Proof of Origin

Products originating in a Party shall, on importation into the other Party, benefit from this Agreement upon submission of a Certificate of Origin, issued by authorized bodies designated by each Party.

The certificate shall be valid for the granting of tariff preferences for 12 months from its date of issuance.

The certificate shall be submitted to the customs authorities of the importing Party in a hard copy in English language.

In case of loss of the certificate, an officially certified duplicate shall be issued on the basis of the exporter documents in their possession.

The certificate is not required in order to confirm the origin of small consignments where the customs value does not exceed the amount of 5,000 US dollars or the equivalent amount. In this case, the exporter can declare the country of origin in commercial or other shipping documents.

In case of reasonable doubt about the authenticity of declared information the customs authority may require to provide the certificate of origin.

The Implementing Arrangement on Rules of Origin Operational Procedures, including the template and its instructions for a Certificate of Origin and declaration of origin, shall be implemented after the agreement is reached through the customs authorities of the Parties. The template and instruction for a Certificate of Origin are appended to this Agreement as Annex II-A, and the template and

instruction for a Declaration of Origin are appended to this Agreement as Annex II-B.

ARTICLE 12

Administrative Cooperation

Each Party shall inform the other Party the names, addresses and specimen impressions of stamps of each authorised body designated to issue certificates.

Where the customs authorities or other authorised bodies of the importing Party have a reasonable doubt about the authenticity of a certificate and information contained herein or the compliance of the goods, covered by the certificate, with the origin criteria, they may send a verification request for additional or more detailed information to the authorized bodies of the exporting Party. The customs authorities or other authorized bodies may request its Embassy in the territory of the other Party for assistance in those matters.

A certificate may be regarded as invalid if:

- (a) the customs authority receives no reply within a maximum of six (6) months after the date of a verification request from the authorized bodies of the exporting Party;
- (b) the authorized body of the exporting Party has confirmed that the certificate had not been issued (i.e. forged) or had been issued on the basis of invalid documents and/or false information;

- (c) according to the research by customs authority of the importing Party and (or) on the basis of information received by the requests made to the authorized bodies of the exporting Party, revealed that the certificate has been issued with violations of the requirements of these Rules.

Goods shall not be considered as originating in the exporting Party until duly completed certificate and other requested information are submitted.

Tariff preferences for such goods are provided only after receiving a satisfactory response of the authorized bodies of the exporting Party.

ANNEX II-A

AGREEMENT ENTERED INTO BY AND BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF CHINA (TAIWAN)
AND THE GOVERNMENT OF THE KINGDOM OF ESWATINI
ON ECONOMIC COOPERATION

Certificate of Origin

		Certificate No.:		
1. Name and address of the exporter :		2. Name and address of the importer :		
Telephone:		Telephone:		
Fax:		Fax:		
E-mail:		E-mail:		
3. Quantity of goods (with measure unit)	4. Description of goods	5. ROC (Taiwan) Tariff Classification	6. Criterion for preferential tariff treatment	7. Other Criteria
8. Observations:				
9. I declare that:		10. Certification from Certifying Authority:		
<ul style="list-style-type: none"> the information on this document is true and accurate and I assume the responsibility for proving such representations. the goods covered under this Certificate of Origin are originating in the territory of _____, and comply with the origin requirements specified for those goods in the Agreement Entered into by and between the Government of the Republic of China (Taiwan) and the Government of the 		<p>It is certified that the goods covered under this Certificate of Origin comply with the Rules of Origin established in the Agreement Entered into by and between the Government of the Republic of China (Taiwan) and the Government of the Kingdom of Eswatini on Economic Cooperation.</p>		

Kingdom of Eswatini on Economic Cooperation.	
Signature of authorized person from the enterprise	Authorized Signature and Seal from the Certifying Authority
Date of Certification of Declaration of Origin	Date of Certification
This Certificate consists of _____ pages, including all its annexes.	

This certificate shall be completed on a legible form by the exporter and shall not be valid if it is presented with scratches, blotches, corrections or writing between lines.

INSTRUCTIONS FOR FILLING THE CERTIFICATE OF ORIGIN

For purposes to obtain preferential tariff treatment, this document shall be filled in legible form and completed by the exporter of the good or goods, without scratches, blotches, amendments or writing between the lines and the importer shall keep it with him at the time of presenting the import declaration. Please type or print the information. In case of requiring additional space, the form must be numbered in a correlative manner.

The Certificate of Origin shall be completed by the exporter in English. Certificates of origin issued by the authorized entities must respect a correlative order number.

Field 01: Indicate the complete name, the denomination or trade name, the residency (including the address, the city and the country), the telephone number, the fax number, and the electronic mail of the exporter.

Field 02: Indicate the complete name, the denomination or trade name, the residency (including address, the city and the country), the telephone number, the fax number, and the electronic mail of the importer.

Field 03: Specify the quantity and commercial unit for each item of goods as shown on the Customs declaration thereof.

Field 04: Provide a complete description of each good. The description shall be sufficiently detailed to relate it to the description of the good contained in the invoice, as well as with the description that corresponds to it in the Harmonized System (HS). In case the certificate covers a single import of goods, the invoice number shall be indicated, as it appears in the commercial invoice. In case it is not known, another unique reference number shall be indicated, as the shipping order number, the order of purchase number or any other number that is able to identify the goods.

Field 05: For each good described in Field 04, corresponding to the List of Products of the Republic of China (Taiwan) prescribed in Annex I of the Agreement. (Eight-digits)

Field 06: For each good described in Field 04, indicate the applicable criterion (from A to C). For goods obtained by

fishing in the waters of Mozambique by a vessel flying the flag of the Kingdom of Eswatini, A shall be indicated and the listed name and number of the vessel shall be provided. The rules of origin are in Annex II (Rules of Origin), of the Agreement. With the purpose of taking advantage of the preferential tariff treatment, each good must fulfill one or more of the following criteria:

Criteria for Preferential Tariff Treatment

- A the good is wholly obtained or produced entirely in the territory of a Party according to Article 5 of Annex II;
- B the good is produced entirely in the territory of one or both Parties exclusively from originating materials according to Article 4 of Annex II; or
- C the good is produced in the territory of one or both Parties from non-originating materials that complying with the change in tariff classification, regional value content or other requirements, according to the specifications stated in Article 6 of Annex II;

Field 07: For determining the origin of the good, some of the options to acquire origin established in Annex II of the Agreement were used, indicate:

ACU: Accumulation.

DMI: *De Minimis*.

FG: Fungible goods.

Where inapplicable indicate "NO".

Field 08: This field shall only be used when some observations exist in relation to this certificate, among others, in case the good is invoiced by an operator of a third Party or non-Party country, the producer or exporter of the country of origin shall indicate the name, the denomination or trade name and residency (including the address, the city and the country) of this operator; in case of the loss of this certificate, the certifying authority shall indicate "duplicate" in this column.

Field 09: In this field there shall be the signature of the authorized person from the enterprise in its representation, and the date of certification of the Declaration of Origin by the Certifying Authority.

Field 10: In this field there shall be the signature of the authorized official and the seal from the Certifying Authority, as well as the date of issue of the Certificate of Origin.

ANNEX II-B

INVOICE DECLARATION OF ORIGIN

AGREEMENT ENTERED INTO BY AND BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF CHINA (TAIWAN) AND
THE GOVERNMENT OF THE KINGDOM OF ESWATINI ON
ECONOMIC COOPERATION

(Applicable to the consignments whose Customs Value does
not exceed the amount prescribed in Article 11, Paragraph 5 of
ANNEX II of the Agreement)

1. Description of Goods	2. ROC (Taiwan) Tariff Classification (eight-digits)
<p>3. I hereby declare that the goods enumerated on this invoice are originating from the territory of <i>Eswatini</i> and they comply with the origin requirements specified for those goods in the Agreement Entered into by and between the Government of the Republic of China (Taiwan) and the Government of the Kingdom of Eswatini on Economic Cooperation.</p> <p>The information on this document is true and accurate and I assume the responsibility for providing such representations. I understand that I am liable for any false statements or material omissions made on or in connection with this document.</p> <p>I agree to maintain and present upon request, documentation necessary to support this declaration of origin, and to inform, in writing, all persons to whom the declaration of origin was given of any changes that could affect the accuracy or validity of this certification.</p>	
<p>4. Date and Signature of Exporter:</p> <p>Clarification of signature</p>	

INSTRUCTIONS FOR FILLING THE INVOICE DECLARATION OF ORIGIN

The Declaration of Origin shall be completed by the exporter of the goods legibly in English. Annexes may be attached if the spaces provided are insufficient.

Field 1	Provide a full description of each good. The description shall be sufficiently detailed to relate it to the description of the good contained in the invoice, as well as with the description that corresponds to it in the Harmonized System (HS).
Field 2	For each good described in Field 1 corresponding to the List of Products of the Republic of China (Taiwan) prescribed in Annex I of the Agreement.
Field 3	For exports: declaration of origin from Eswatini.
Field 4	This field must be completed, signed and dated by the exporter. The date must be the date the Declaration of Origin was completed and signed.