

Regulations Governing Registration and Application for Inspection of Commodities

[Chronicle of Promulgation and Amendments]

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Chapter I General

Article 1

These Regulations are established in accordance with Article 20 of the Commodity Inspection Act (the Act).

Article 2

The inspection authority mentioned in these Regulations shall mean the Bureau of Standards, Metrology and Inspection (the BSMI) of the Ministry of Economic Affairs, its branches, or other commissioned government agencies, legal entities or organizations.

Chapter II Registration for Inspection of Commodities for Domestic Sale

Article 3

Where an application for domestic sale inspection registration of certain commodities shall be made as per the announcement mentioned in Article 19 of the Act, an applicant shall complete the application form and submit the following documents to the local inspection authority for registration:

1. Photocopies of Certificate of Company Registration, Certificate of Business Registration, or other equivalent documents, except for those who have filled out the uniform serial number of the company or business.
2. Other related technical documents as stipulated by the inspection authority.

Article 4

A domestic sale registration certificate shall be issued when an application for domestic sale inspection registration has passed examination.

The BSMI may cancel a certificate if an applicant who has obtained a certificate closes or suspends business, has unknown whereabouts, or has no record of applying for inspection for more than 2 years.

Article 5

An applicant shall place a domestic sale registration number on the body of commodities that require an application for domestic sale inspection registration in advance, in accordance with Article 19 of the Act. However, if the body of the commodity is too small to accommodate such marking, the number may be marked on the smallest package of the commodity. Where it is allowed for an applicant to imprint the inspection marks, such marking is not required.

Article 6

If the original certificate is lost or damaged, an application for a replacement of the domestic sale registration certificate may be submitted to the inspection authority that issued the original certificate. If the registered items change, an application shall be made to the inspection authority that issues the original certificate for such changes within 30 days from the date such changes occur.

The replacement registration certificate shall use the original domestic sale inspection registration number, identified with the date and indicating the nature of replacement.

Chapter III Application for Inspection

Article 7

An applicant shall apply for inspection in accordance with the following rules:

1. An application shall be made to the inspection authority of the entry port upon arrival of the commodities.
2. An application shall be made to the inspection authority located at the manufacturing location before the commodities are exported; and
3. An application shall be made to the inspection authority located at the manufacturing location before domestically manufactured commodities are shipped out of the production premises.

An application for inspection can be made to an inspection authority that does not have jurisdiction over that application.

Article 8

An applicant shall apply to the inspection authority for inspection by completing an application form and providing the following documents and inspection fees:

1. Photocopies of the type approval certificate, in case where the applicant is not the nominal holder of the type approval certificate, additional documents providing evidence of the holder's authorization. However, photocopies of the type approval certificate need not be submitted if the certificate number of the type approval is provided.
2. Relevant testing records, production records, or other documents as required by related announcement; and
3. Other documents required for inspection.

For commodities for which an application for domestic sale inspection registration is not required, an applicant shall attach the documents mentioned in Article 3 of these Regulations when applying for inspection for the first time.

Where the application for inspection is made by an agent, a power of attorney and the agent's documentation must also be attached. Agents for inspection applications may register with the inspection authority by providing a power of attorney and then handle application procedures on behalf of applicants.

Article 9

The name of commodities in an application for inspection must use the same names as used in announcements, the names used in the inspection standards, or the names approved by the inspection authority.

Article 10

An applicant may apply for inspection through visit in person, mail, facsimile or the Internet.

Article 11

Under any of the following circumstances, the inspection authority shall reject an application for inspection:

1. Failure to apply for domestic sale inspection registration in accordance with Article 19 of the Act;
2. Failure to apply for inspection in accordance with Article 8 of these Regulations; or
3. The application form has gross errors or omissions.

Article 12

(Deleted.)

Article 13

(Deleted.)

Chapter IV Issuance of Inspection Certificates

Article 14

An inspection certificate shall be issued after a commodity has passed inspection, except for cases where the applicant declares that no such certificate is required.

If the application for inspection is made in accordance with Paragraph Two of Article 28 of the Act, the certificate shall

be issued in accordance with the Regulations Governing the Application for Inspection of Commodities Exempted from Type Approval.

Article 15

(Deleted.)

Article 16

The term of the validity, if required, must be indicated in the inspection certificate beginning from the date of issuance.

Article 17

If required, an applicant may apply to the inspection authority that issued the certificate for an extension of the term by submitting the inspection certificate and relevant documents if the commodities have not been exported or imported during the terms of the validity of the inspection certificate. The extension shall be limited to another term of the original validity period. The inspection authority that issues the certificate shall note on the original inspection certificate such extension.

Article 18

(Deleted.)

Article 19

If the original certificate is lost or damaged, an application for a replacement of the original inspection certificate may be submitted to the inspection authority that issues the original certificate. The missing event and the certificate number must be stated in the applicant's declaration that the original certificate is null and void.

An applicant may apply for replacements of inspection certificate if the commodities are to be divided into several batches. The application shall be made to the inspection authority located at the same place where the commodities are stored; the original certificate shall be returned.

The replacement certificate shall note the original certificate number, date of issuance and indicate the nature of replacement.

Article 20

If the items specified in the inspection certificate must be changed, an applicant shall apply for changes or a replacement of the certificate during the term of the validity of the certificate.

Article 21

Commodities for which a new application for inspection shall be made in accordance with Article 27 of the Act, the original inspection certificate shall be returned, except for cases where no inspection certificate is issued in accordance with paragraph 1 of Article 14 of these Regulations.

Chapter V Other

Article 22

The format for application form, registration certificate, inspection certificates, or power of attorney required by these Regulations shall be prescribed by the BSMI.

Article 23

These Regulations shall take effect from the date of promulgation