

Regulations Governing the Commendations for Excellent Exporters/Importers

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Article 1

These Regulations are enacted pursuant to Article 9-1 of the Foreign Trade Act.

Article 2

The competent authority referred to in these Regulations is the Ministry of Economic Affairs (hereinafter referred to as “MOEA”), and the relevant affairs shall be executed by the International Trade Administration (hereinafter referred to as “TITA”).

Execution of the affairs of the preceding paragraph may be entrusted to concerned government agencies or private organizations.

Article 3

Businesses subject to these Regulations are limited to corporations or business firms registered with TITA in accordance with the Regulations Governing Registration of Exporters and Importers.

Article 4

An exporter/importer whose export/import performance in the preceding year has reached a certain prescribed amount, whose registration has not been cancelled, nullified, nor abolished, nor penalized by suspension of its permit to import and export, may be awarded by the competent authority as an excellent exporting/importing business (hereinafter referred to as an “excellent trading business”) and be included in a directory of excellent trading businesses available at TITA website, for public enquiries.

The “prescribed amount” referred to in the preceding paragraph shall be publicly announced by the competent authority.

Article 5

When an “excellent trading business” is involved in violation of the law, causes significant harm to public interests, or is likely to cause significant harm, the competent authority may revoke the export/import qualifications of the “excellent trading business” that were granted the previous year.

Article 6

The calculation of the export/import performance of an exporter/importer shall be based on the following:

1. ROC statistical data on customs clearance;
2. Income through L/C assigned or transferred to other exporters/importers, export/import commissions, triangular trade, and sales of fish abroad as calculated by the Taiwan Importers and Exporters Chamber of Commerce, Importers and Exporters Association of Taipei, and/or the Kaohsiung Importers and Exporters Association entrusted by TITA, and for which verifying documentation is obtained through relevant agencies;
3. The sum of the export/import performance for the whole year of a business's affiliated factories and branch companies as submitted to TITA.

Assigned L/C, as referred to in subparagraph 2 of the preceding paragraph, can only be calculated once when calculating export/import performance. However, triangular trade performance, re-export/re-import trade performance, and export/import performance in the logistics industry are not included in the calculation for excellent trading businesses.

Article 7

Each of the top 500 excellent trading businesses in terms of export/import performance during the previous year may receive a "certification mark for exporters/importers for excellent trade performance" (hereinafter referred to as the "certification mark") from TITA and may enjoy the following benefits:

1. Clearance of imports/exports according to the "Regulations Governing the Certification and Management of the Authorized Economic Operators," as stipulated by the Ministry of Finance;
2. Eligibility to apply for an APEC Business Travel Card in accordance with the "Operational Procedures for Issuance of the APEC Business Travel Card," as stipulated by the Ministry of Foreign Affairs.

The graphic form of the certification mark in the previous paragraph shall be publicly announced by TITA.

Article 8

An excellent trading business that receives a certification mark may print the certification mark on its products, packaging, promotional items, or other trade promotion documents. The certification mark in the previous paragraph may not be used as a trademark or service mark.

Article 9

Except where provisions of the Trademark Law and other relevant laws apply, TITA may revoke the right of an excellent trading business that has received a certification mark to use that certification mark if any one of the following situations occurs:

1. The mark's graphic form is altered or words other than the mark's year of issue are added;
2. An incorrect year of issue for the certification mark is shown;
3. The certification mark is improperly used;
4. The export/import registration of the aforesaid business is cancelled, nullified or abolished.

Article 10

These Regulations shall come into force from the date of promulgation.