

Provisions governing types of strategic high-tech commodities, specific strategic high-tech commodities and exportation to restricted regions

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I. Types of strategic high-tech commodities

A. Export Control List of strategic high-tech commodities

1. Community Regime for the Control of Exports of Dual Use Items & Technology
2. Common Military List of the European Union
3. Sensitive Commodities List

B. Commodities for export that are not contained on the aforementioned lists, but their end-use or end-users are suspected of developing or manufacturing nuclear, chemical or biochemical weapons, missiles or any other WMDs.

Aforementioned items suspected of use in developing or manufacturing nuclear, chemical or biochemical weapons, missiles or any other WMDs that fall under any one of the following circumstances:

1. Overseas traders who are named on the international export control list or those named specifically by the competent authorities.
2. Overseas traders or agents who are not willing to provide the end-use or end-users of the commodities, or traders with virtually no business background.
3. Product functions and specifications are not consistent with business demands of overseas traders or technological standards of the importing countries.
4. Selling prices, trade terms or payments that are not consistent with international trade norms.
5. Overseas traders who are not familiar with product functions, but insist on buying the said commodities, or overseas traders who refuse routine installation, training or follow-up maintenance services.

6. Without justification the dates of transportation and destination are uncertain, the end-consignee for the forwarder or the consignee and place have been suddenly changed.
7. Without justification the packing methods, shipping routes or labels of commodities are suspicious.
8. There are other suspicious circumstances in the trade transaction.

C. The commodity for which an International Import Certificate or a Written Assurance Certificate issued by Taiwan is required by the export country for its export to Taiwan.

II. Specific strategic high-tech commodities mentioned in Article 13 of the Foreign Trade Act cover SHTC on the export control list and commodities for export that are not contained on the aforementioned lists, but their end-use or end-users are suspected of developing and manufacturing nuclear, chemical or biochemical weapons, missiles or any other WMDs. SHTC that are transported to restricted regions may not transit, transship or be stored in bonded warehouses, logistics centers or free ports of Taiwan without authorization in accordance with Article 20 of the regulations Governing Export and Import of Strategic High-Tech Commodities.

III. Restricted regions include Iran, Iraq, North Korea, China, Cuba, Sudan and Syria.

Export restrictions to China shall be limited to 12 categories of semi-conductor wafer fabricating equipment for strategic high-tech commodities: chemical mechanical polishers, photo-resist strippers, photo-resist developers, rapid thermal processors, deposition apparatuses, cleaning equipment, dryers, electron microscopes, etchers, ion implanters, photo-resist coaters, and lithography equipment. For other strategic high-tech commodities to be exported to China, provisions of relevant laws and regulations for non-restricted areas shall apply.