

The Regulation of Verification and Reviewing the Specific Project of Industrial Cooperation

工業合作個案計畫核實審查作業要點

I. Basis

一、依據

The MND's "Regulations on Operating Industrial Cooperation" pursuant to letter Yuan-Fang No. 1100013559 issued by the Executive Yuan on May 13, 2021.

行政院 110 年 5 月 13 日院臺防字第 1100013559 號函核備國防部「工業合作作業規定」。

II. Purpose

二、目的

In order to supervise the actual performance of foreign suppliers for industrial cooperation obligations and efficiently manage the execution of ICP, these directions are hereby established.

為督促國外工合承商確實履行工業合作義務，有效管理工業合作個案計畫執行，特訂定本要點。

III. Strategies

三、策略

1. The Industrial Development Bureau shall establish a regular audit system to ensure that the project is conducted pursuant to the established schedule.

確保工業合作個案依既定期程進行，建立常態性之查核機制。

2. To ensure that the ICP Specific Project can actually be executed.

確保工業合作個案計畫能如實執行

IV. Verifying method

四、審查方式

1. The recipients shall refer the comments of foreign ICP contractor to formulate the audit plan of ICP specific project within 30 calendar days since the next day of receiving the notification from the Industrial Development Bureau that the

ICP agreement starts to be valid officially (see ANNEX 1). The plan shall include the key verifying items (the specific outcome is required) and the deadline so that the Industrial Development Bureau, MOEA regularly verifies the execution progress of specific project. After receiving “the verify planning of ICP specific project” from the recipient, the Industry Bureau shall request, on paper, the recipient to do the necessary supplementary or modification if the Industry Development Bureau finds any insufficient place in the planning.

承接單位應於接獲經濟部工業局函告本案工業合作協議書已正式生效之翌日起 30 個日曆天內，參照國外工合承商之意見後，擬訂工業合作個案計畫查核規劃表（詳附件 1），規劃表內容應包含個案之重要查核點（有具體產出）與完成期限，提供經濟部工業局定期檢視個案進度。工業局於收受承接單位提出之「工業合作個案計畫查核規劃表」後，如認為有不完備之處，得函請承接單位作必要之補充或修正。

2. The recipient shall quarterly fill in and submit “the quarter progress report of ICP specific project” to the Industrial Development Bureau, Ministry Economic Affairs with other essential supporting documents (see ANNEX 2) for verifying. The recipient shall specific describe the execution progress, including the cooperation situation with domestic ICP companies and foreign cooperated firms (based on the projects condition) as well as other documents related to the specific projects.

承接單位應於每季填寫「工業合作個案計畫每季進度報告書」連同必要之佐證資料（詳附件 2），具體說明執行進度〔包括國外工合承商／國外合作廠商（視個案需要）配合狀況及其他與個案計畫相關事項等〕並檢送經濟部工業局審查。

3. Industrial Development Bureau of Ministry Economics Affairs shall verify the execution situation regarding the “the quarter progress report of ICP specific project” submitted by the recipients, and process “phone call verifying”, “on-site verifying” or “paper supplementary” if needed. The appropriate timeline and procedures as follow:

經濟部工業局得依承接單位填寫之工業合作個案計畫每季進度報告書檢視執行情況，並視需要辦理「電話查詢」或「實地查核」或「書面補件」，作法如下：

(1) Verifying timing: Under execution, before verifying.

查核時機：執行中、核實前

(2) Auditing items are as follows, which are in separate regarding the execution method of ICP specific projects:

查核要項，依工業合作個案計畫執行方式區分如次：

A. Technology transfer:

技術移轉：

(A) Verify the Name, Number, Amount of technology transfer, technical training courses for foreign technicians coming to Taiwan, the satisfaction and effectiveness of the recipients, the specific output of the technology transfer and the original factory certification letter, and so on.

查證包含（但不限於）技轉文件名稱、編號、件數、國外技術人員來臺辦理技術人員訓練課程表、承接單位滿意程度及成效、技術移轉之具體產出及原廠認證函件等。

(B) Technology Training:

技術訓練：

a. Verify the items including (but no limited) training plan, roster of lecturer and student, textbook & handouts, attendance record, and student satisfaction survey status.

查證包含（但不限於）課程計畫、講師與學員名冊、教材講義、出席紀錄、學員滿意度調查狀況。

b. The training regarding the equipment operation or implementation of specific missions. The ICP recipient or foreign cooperated company shall execute the qualified validation of certain training and issue the qualified certification.

訓練如涉及裝備操作或特定工作任務執行者，工合承商或國外合作廠商，對受訓人員應實施該項訓練之合格鑑定，並核頒合格證書。

c. The training not belonging to the equipment operation or implementation of specific missions. The ICP recipient or foreign cooperated company shall issue the certificate of training completion.

訓練如非屬裝備操作或特定工作任務執行者，施訓之工合承商或國外合作廠商，對受訓人員應授予完訓證明。

B. International certification: Verify the items including (but no limited) the supporting document regarding staff and quality system process for product design, manufacturing, and maintenance, which obtain the international certification.

國際認證：查證包含（但不限於）產品設計、製造、維修所需之人員、品質系統、製程等獲得國際認證之佐證資料。

C. Domestic procurement: Verify the items including (but no limited) procurement item, specification, date, quantity, object, invoice amount, and so on.

國內採購：查證包含（但不限於）採購品項、規格、日期、數量、對象及發票金額。

D. International marketing: Verify the items including (but no limited) operation plans, international orders, specific progress and supporting documents.

國際行銷：查證包含（但不限於）營運計畫、國際訂單、具體進度及佐證文件等。

- (3) Industrial Development Bureau, Ministry Economic Affairs invites the official representative, scholar, or experts as the auditors to conduct the on-site or designated venue auditing. There shall be at least one auditor person in principle. Any verifier who is stakeholder of the ICP specific project shall be excluded.

經濟部工業局邀請相關產業領域之官方代表或學者專家擔任審查委員進行現地或指定地點查核，審查委員以至少一人以上（含）為原則，審查委員與工業合作個案計畫有利害關係者應迴避。

- (4) Auditing meeting: The chairman of auditing meeting shall be related relevant supervisor of business division in the Industrial Development Bureau. The verifiers refer to verifying items mentioned in above execution method to fill in “the verifying report of execution progress for the ICP specific projects” (see ANNEX 3). “The on-site verifying record of ICP specific project” (see ANNEX 4) filled in by the Industrial Development Bureau, Ministry Economic Affairs shall be reserved for verifying.

查核會議：會議主席由工業局業務組相關主管擔任，審查委員依上開執行方式所定查核要項填寫「工業合作個案計畫審查委員查核報告」（詳附件 3），經濟部工業局填寫工業合作個案計畫實地查核紀錄表（詳附件 4）備查。

4. Application for verification: Foreign ICP contractors shall prepare relevant documents and evidence along with the confirmation letter of the recipient unit to officially apply for ICP Specific Project verification within one month after execution. The Industrial Bureau may implement field audit procedures before the verification review, as necessary.

核實申請：國外工合承商應於執行完成工業合作個案計畫後一個月以內，備妥相關文件及佐證資料連同承接單位之核實同意確認文，正式行文申請工業合作個案計畫核實；工業局於進行核實審查前，得視個案狀況再實施實地查訪程序。

5. Determination after verification: The Industrial Development Bureau may have any of the following resolutions for a verified application:

核實後之審定：工業局審查核實之審申請案得為下列之決議：

(1) Pass the verification as a whole. (fully qualified)

全部通過核實（全部符合者）。

(2) Partial verification. (partially qualified)

部分通過核實（部分符合者）。

(3) Pass the verification with ancillary conditions.

附條件通過核實。

(4) Fail the verification.

不予通過核實。

6. After the ICP Specific Project has been fully or partially verified by joint review of ICPO, the foreign ICP contractors, if fully verified, shall prepare the closure report to officially apply for ICP closure.

國外工合承商於工業合作個案計畫經工業合作推動小組會議審議同意全部或部分核實後，如屬全部核實者，應備妥結案報告書，正式行文申請工業合作計畫結案。

7. After the ICP project is completed, the recipient unit shall provide an annual benefit achievement report (for at least two years).

工業合作個案於執行完成後，承接單位應提供每年效益成果報告書（至少二年）。

V. Change in ICP Specific project

五、工業合作個案計畫變更

1. Extension: In the case that a foreign ICP contractor or a recipient unit encounters an event of force majeure (natural disaster, restrictions on export permit without notification, operational difficulties, legal pandemic) during the project execution period and the original schedule is affected accordingly, the contractor or

recipient shall propose extension application to an ICPO meeting for extension along with relevant evidence.

期限展延：國外工合承商或承接單位於執行個案過程遭遇不可抗力（天災、輸出許可無預警受限法定傳染病疫情等），影響原執行期程者，如欲申請展期者，應提出展期申請書連同相關佐證資料向工業合作推動小組會議申請。

2. Change in content: In the case that a foreign ICP contractor or a recipient unit encounters an event of force majeure (natural disaster, restrictions on export permit without notification, operational difficulties, legal pandemic) during the project execution period and needs to change part of the content of the ICP (major ICP items shall not be changed), the contractor or recipient shall apply to an ICPO meeting for “change in program” along with reasons and relevant evidence.

內容變更：國外工合承商或承接單位於執行個案過程遭遇不可抗力（天災、輸出許可無預警受限法定傳染病疫情等），須調整部工合內容者（主要工合項目不可變更），應提出申請書敘明理由並檢送相關佐證資料向工業合作推動小組會議申請「計畫變更」。

3. If the application of a foreign ICP contractor for a change in the ICP program results in extension of the deadline, the contractor shall ensure that the implementation deadline is still valid for the ICP agreement and ICP performance bond before submit to an ICPO meeting for review.

國外工合承商提出申請工業合作個案計畫變更導致執行期限展延時，於提送工業合作推動小組會議審查前，應確認執行期限仍於工業合作協議書及工業合作保證金之有效期限內。

4. Any change of program shall be invalid without an official letter issued by an ICPO meeting permitting the extension of the change.

未經工業合作推動小組會議正式函文許可其展期或變更前，不發生任何計畫變更之效力。

VI. ICP performance bond management:

六、工業合作保證金管理：

A foreign ICP contractor shall ensure that the performance bond provided remains effective until the case is closed, a condition that shall also be applied to the change. The Industrial Development Bureau may audit the validation of an ICP performance bond at any time.

國外工合承商應確保其提出之保證金在結案之前，均持續維持其有效期，或變更者亦同。工業局對工合保證金之效期，亦得隨時查核其效期。

VII. These directions shall be promulgated and implemented once approved by the MND Industrial Cooperation Policy Steering Committee; the same shall also apply to any amendment.

七、本作業要點經經濟部國防部工業合作政策指導會核定後公布施行；修訂時，亦同。

Annex 1 - Industrial Cooperation Project Audit Plan

Date:

Project Title:			
Execution Approach	<input type="checkbox"/> Technology Transfer	<input type="checkbox"/> International Certification	
	<input type="checkbox"/> Domestic Sourcing	<input type="checkbox"/> International Marketing	
Domestic Industrial Cooperation Contractors			
Other Domestic Participating Units			
International Industrial Cooperation Contractors			
International Partners			
Procurement Project Title			
Project Cost		Execution Schedule	
Important Checkpoints (Specific Outputs) Deadline			

附件 1-工業合作個案計畫查核規劃表

日期： 年 月 日

計畫名稱：			
執行方式	<input type="checkbox"/> 技術移轉 <input type="checkbox"/> 國際認證 <input type="checkbox"/> 國內採購 <input type="checkbox"/> 國際行銷		
國內 工合承商			
國內其他 參與單位			
國外 工合承商			
國外 合作廠商			
購案名稱			
個案 金額		執行 期程	
重要查核點 (具體產出) 完成期限			

Annex 2 - Industrial Cooperation Project Quarterly Progress Report

Date:

Project Title:			
Execution Approach	<input type="checkbox"/> Technology Transfer	<input type="checkbox"/> International Certification	
	<input type="checkbox"/> Domestic Sourcing	<input type="checkbox"/> International Marketing	
Domestic Industrial Cooperation Contractors			
Other Domestic Participating Units			
International Industrial Cooperation Contractors			
International Partners			
Procurement Project Title			
Project Cost		Execution Schedule	
Cumulative Verified Amount (number of verifications)		Next Expected Verified Amount	
Progress of the project: (brief description)			
Suggestions and requests for assistance:			
Submitted by:	e-mail :	Tel :	
Address:		Fax :	

附件 2-工業合作個案計畫每季進度報告書

日期： 年 月 日

計畫名稱：			
執行方式	<input type="checkbox"/> 技術移轉 <input type="checkbox"/> 國際認證 <input type="checkbox"/> 國內採購 <input type="checkbox"/> 國際行銷		
國內 工合承商			
國內其他 參與單位			
國外 工合承商			
國外 合作廠商			
購案名稱			
個案 金額		執行 期程	
累計核實金額 (計 次)		下次預計 核實金額	
計畫進度執行情形：（簡要說明）			
建議及希望協助事項：			
提報人：		e-mail：	Tel：
地 址：		Fax：	

Annex 3 - Industrial Cooperation Project Review Committee Audit Report

Time	(month/day/year) (day of the week)		
Location			
Auditor			
Project Title			
Domestic Contractors			
International Contractors			
International Partners			
Audited Items		Verified Amount	
Audit Opinions	(To be filled in by the auditor)		
Audit Conclusion	<input type="checkbox"/> Agree to verify. <input type="checkbox"/> Agree conditionally; please amend according to the written comments. <input type="checkbox"/> Disagree to verify.		

Auditor Signature: _____ Date: _____ (month) _____ (day) _____ (year)

附件 3-工業合作個案計畫審查委員查核報告

查核時間	○○年○○月○○日（星期○）		
查核地點			
審查委員			
計畫名稱			
國內 工合承商			
國外 工合承商			
國外 合作廠商			
查核項目		核實 金額	
查核意見	（委員填寫）		
查核結論	<input type="checkbox"/> 同意核實。 <input type="checkbox"/> 原則同意核實，並請依照書面意見修正。 <input type="checkbox"/> 不同意核實。		

委員簽名：_____

日期：_____年____月____日

Annex 4 - Industrial Cooperation Project Field Audit Record

Time	(month/day/year) (day of the week)		
Location			
Personnel	Auditor: Industrial Development Bureau: Armaments Bureau: Industrial Cooperation Project Team:		
Project Title			
Audited Items			
Audit Status	1. Audit opinions are as attached. 2. ...		
Case Officer	Project Manager	Deputy Director	Director

附件 4-工業合作個案計畫實地查核紀錄表

查核時間	○○年○○月○○日（星期○）		
查核地點			
查核人員	審查委員： 工業局： 軍備局： 工合小組：		
計畫名稱			
查核項目			
查核情況	3. 委員審查意見詳如附。 4. ...		
承辦人	專案經理	副主任	主任