

Directions of Industrial Cooperation Requirements examine meeting

工業合作需求審議會會議作業要點

I. Basis

一、依據

The " Regulations on operating Industrial Cooperation " of the Ministry of National Defense reviewed and approved by the Executive Yuan through the YUAN-TAI-FANG-TZU Letter No. 1100013559 dated 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. Objective:

二、目的

This Regulation is formulated herein to decide on the items, content, types, and implementation methods of industrial cooperation requirements submitted by the procurement project responsible unit, as well as to confirm the domestic units to be undertaken as the reference of the Industrial Cooperation Requirements examine Meeting (hereinafter referred to as this meeting).

為議決國軍建案單位提出工業合作需求之項目、內容、種類、執行方式，以及確認國內擬承接單位，特訂定本要點，以為工業合作需求審議會會議（以下簡稱本會議）審查之依據。

III. Focuses of Examination

三、審議重點

(1) The industrial cooperation requirements should comply with the defense technology research and development, production & manufacturing, maintenance technology and other logistical planning of the procurement subject and the

suggested undertaking unit. The industrial cooperation requirements should not be the same the procurement subject, scientific research, commissioning or academic cooperation and other cases to avoid repeated investment.

工業合作需求應符合購案主標的之國防科技研發、生產製造、維修技術等後勤能籌規劃及建議承接單位。工業合作需求不得與購案主標的、科研、委製或學合等案重複，避免重複投資。

- (2) In this meeting, resolutions should be made for the industrial cooperation case plan, industrial cooperation agreement, cases where potential foreign suppliers cannot complete the negotiation within the time limit, or cases where there is no suitable domestic contractor who has been invited (selected) for the non-governmental projects.

工業合作個案計畫書、工業合作協議書與國外潛在商源無法於時限內完成談判，或民間承接項目經招（選）商無適宜國內承接商等案件，由本會議決議之。

- (3) Whether to agree with the suggestions offered by the planning undertaking unit, and the priority order among the various industrial cooperation "implementation methods" to be adopted.

是否同意規劃承接單位之建議，及各種擬採行之工業合作「執行方式」間之優先順序。

IV. Examination Operation

四、審議作業

- (1) The meeting should be co-convened by the Operating Management Director of the Armaments Bureau, MND and the Operating Management Supervisor of the Industrial Development Bureau, MOEA, and both parties may authorize representatives to preside over the meeting.

本會議由國防部軍備局業管處長及經濟部工業局業管組長擔任共同召集人，

雙方得授權代理人主持會議。

- (2) Operating Management Supervisors of the procurement project responsible unit, the related joint units of Ministry of National Defense (Deputy Chief of the General Staff for Logistics, the Deputy Chief of the General Staff for Communications Electronics and Information), the Ministry of Science and Technology, the Ministry of Economic Affairs (including the Industrial Cooperation Program) and the National Chung-Shan Institute of Science & Technology are the committee members of this meeting, and the committee should at least consists of five members. In case of the absence of any committee member, a representative must be appointed to attend the meeting. A newly appointed supervisor should replace the position in the event of the discharge or separation of the industry management supervisor who originally served as one of the committee members.

國軍建案單位、國防部相關聯參（後次室、通次室）、科技部、經濟部（含工業合作推動小組）及國家中山科學研究院等單位業管主管為本會議審議委員，審議委員以至少五人為原則；審議委員如不克參加，得指派代表出席。原擔任審議委員之業管主管如因退伍或離職等，由新接任之主管替補之。

- (3) The meeting must be held only when the number of the committee members attending consists of more than one-half of its total members. The conclusion of the meeting shall be decided by consensus, and the present members shall fill in the opinion form (refer to Annex).

本會議審議委員出席人數達二分之一以上始得開會，會議結論採共識決，並由出席委員填寫意見表（如附件）。

- (4) The agenda of this meeting should include the report of the case handling unit, the report of the procurement project responsible unit, the questioning of committee members, discussions and resolutions; the procurement project responsible unit may invite the requesting unit or the potential undertaking unit to attend the meeting as needed.

本會議議程包括承辦單位報告、國軍建案單位報告、審議委員提問、研討與決議；國軍建案單位得視需要邀請需求單位或潛在承接單位列席。

V. Schedule of Examination

五、審議時程

(1) The Armaments Bureau, MND should complete holding this meeting within 2 months (before the end of November of the current year of Y-4) after the procurement project responsible unit delivers the letter of industrial cooperation requirements, and the meeting minutes should be delivered to the procurement project responsible unit and the Industrial Development Bureau, MOEA within 1 month after the meeting is held (before the end of December of the current year of Y-4), and the units participating in this meeting should be informed as well for the future reference of the subsequent joint negotiation meeting.

國防部軍備局應於國軍建案單位函送工業合作需求 2 個月內（Y-4 年當年度 11 月底前）完成本會議召開事宜，並於會後 1 個月內（Y-4 年當年度 12 月底前）函送會議紀錄予國軍建案單位及經濟部工業局，副知與會單位，以為後續聯合談判會議召開之依據。

(2) In cases where potential foreign suppliers are unwilling to perform after the submission by the joint negotiate meeting, the there is no suitable domestic contractor who has been invited (selected) for the non-governmental project, or the industrial cooperation agreement cannot be made within the time limit, this meeting should be hold for examination.

屬聯合談判會議提送國外潛在商源無意願執行、民間承接項目經招（選）商無適宜國內承接商或工業合作協議書無法於時限內完成簽署等案件，得召開會議審議。

(3) The procurement project responsible unit should conduct the industrial cooperation cases that will not be performed decided by the meeting in accordance with the "

Regulations on operating Industrial Cooperation " of the Ministry of National Defense". The Unit should set forth that the industrial cooperation will not be implemented in the overall plan obtained, and submit it to the Executive Yuan for approval. In addition, it is required to clearly state in the letter of offer and acceptance that "The industrial cooperation will not be implemented for this case, and there is no need to include the cost of industrial cooperation in the letter of offer and acceptance."

本會議決議不執行工業合作之案件，國軍建案單位應依「國防部工業合作作業規定」辦理，於整體獲得規劃書載明不執行工業合作，並報請行政院核定，並於發價書需求信函中之明顯處載明「本案不執行工業合作，無需將工業合作費用納入發價書內」。

VI. The Committee members shall be detached, independent, objective, and impartial, in scrupulously performing their duties. Recusal of members with conflicts of interest shall be conducted according to Articles 32 and 33 of the Administrative Procedure Act. Upon the knowledge of the case accepted, the committee members shall not disclose the content or the reviewed opinions of other members except as required by laws or for legitimate reasons.

本審議會委員執行審議任務應秉持公正客觀之立場及超然獨立之精神，委員如有利害關係之迴避之規定準用行政程序法 32 條及 33 條之規定辦理。委員除法律規定或有正當事由外不得對外洩漏因受理審議案件所知悉之內容及其他委員之審議意見。

VII. This directions should be announced and implemented after being approved by the Industrial Cooperation Policy Advisory Committee of the Ministry of Economic Affairs and National Defense, the same applies when revised.

本要點經經濟部國防部工業合作政策指導委員會核定後公布施行，修訂時亦同。

工業合作需求審議會審查意見表
Comment of Industrial Cooperation Requirements examine meeting
【Annex】

工業合作需求項目(Required items)：

國外潛在商源(Potential foreign suppliers)：

國內潛在承接單位(Potential domestic recipients)：

日期(DATE)：

(YY/MM/DD)

項次 No.	評審要項 Examine item	請勾選 Please tick.		備註 Memo
1	工業合作需求符合購案標的相關之國防科技研發、生產製造或維修技術等後勤能籌規劃。 The industrial cooperation requirements do accord with the defense technology research and development, production & manufacturing, maintenance technology and other logistical planning of the procurement subject.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
2	工業合作需求與購案主標的、科研、委製或學合等計畫案無重複投資情事。 The industrial cooperation requirements should not be the same the procurement subject, scientific research, commissioning or academic cooperation and other cases to avoid repeated investment.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
3	同意承接單位（軍方/民間）之建議。 Agree comments of recipients.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
綜合建議 Comprehensive comment				

審議委員簽名(Sign of committee members)：_____