

AGREEMENT

BETWEEN

**GENERAL DIRECTORATE OF CUSTOMS OF
THE REPUBLIC OF ALBANIA**

AND

**THE GENERAL ADMINISTRATION OF CUSTOMS OF
THE PEOPLE'S REPUBLIC OF CHINA**

**ON COOPERATION AND MUTUAL ADMINISTRATIVE
ASSISTANCE IN CUSTOMS MATTERS**

Preamble

The General Directorate of Customs of The Republic of Albania on the one hand;

And

The General Administration of Customs of The People's Republic of China, on the other;

Hereinafter referred to as the "Contracting Parties";

CONSIDERING the importance of accurate assessment of Customs duties and other taxes and of ensuring proper enforcement by their Customs administrations of prohibitions, restrictions and measures of control;

CONSIDERING that offenses against Customs law are prejudicial to the security of the Contracting Parties and their economic, commercial, fiscal social, public health and culture interests;

RECOGNIZING the need for international cooperation in matters related to the application and enforcement of their Customs law;

CONVINCED that actions against Customs offenses, can be made more effective by close cooperation between their Customs administrations;

HAVING REGARD TO obligations imposed under international conventions already accepted by, or applied to the Contracting Parties;

DESIRING TO promote and facilitate the flow of goods and passengers between the two countries through mutual cooperation between their Customs administrations and hence promote the "Belt and Road" cooperation;

Have agreed as follows:

ARTICLE 1 DEFINITIONS

For the purposes of this Agreement:

(a) "Customs administration" shall mean, in the Republic of Albania: the General Directorate of Customs, Ministry of Finance and Economy.

and in The People's Republic of China: the General Administration of Customs.

(b) "Customs law" shall mean the statutory and regulatory provisions relating to the importation, exportation, transshipment, transit, storage and movement of goods, the importation and the exportation of goods and means of transport, the administration and enforcement of which are specifically charged to either Customs administration, and any regulations made by either Customs administration under its statutory power.

(c) "Customs offense" shall mean any violation of the Customs law.

(d) "Person" shall mean natural or legal person.

(e) "Personal data" shall mean any data concerning an identified or identifiable natural person.

(f) "Official" shall mean any Customs officer or other Government agent designated to apply Customs law by either Customs administration.

(g) "Requesting administration" shall mean the Customs administration which requests assistance.

(h) "Requested administration" shall mean the Customs administration from which assistance is requested.

(i) "Information" shall mean any data, whether or not processed or analyzed, and documents, reports and other communications in any format, including authenticated electronic, or certified or authenticated copies thereof.

(j) "Customs Territory" means the territory in which the Customs law of a Contracting Parties applies.

ARTICLE 2 SCOPE OF THE AGREEMENT

1. The Contracting Parties shall through their Customs administrations

provide each other with administrative assistance under the terms set out in this Agreement, for proper application of Customs law, for the prevention, investigation and combating of Customs offences.

2. All assistance under this Agreement by either Contracting Party shall be provided in accordance with its legal and administrative provisions and within the limits of its Customs administration's competence and available resources.

3. Assistance, as provided for in this Agreement shall not extend to requests for the arrest or detention of persons or the seizure or detention of property or for the recovery of duties, taxes, fines or any other moneys on behalf of the other Party.

4. This Agreement is intended to enhance and supplement mutual assistance practices presently in effect between the Parties. This Agreement shall not hinder the cooperation carried out by the Contracting Parties according to other international agreements or arrangements, and no provisions in this Agreement may be interpreted in a manner that would restrict agreements and practices relating to mutual assistance and cooperation that are already in effect between the Parties.

5. This Agreement is intended solely for mutual administrative assistance between the Customs administrations in Customs matters. The provisions of this Agreement shall not give rise to a right on the part of any private person to obtain, suppress or exclude any evidence or to impede the execution of a request for assistance.

6. This Agreement covers mutual administrative assistance between the Contracting Parties and is not intended to have an impact on mutual legal assistance agreements between them. If the Customs administration of the requested Party is not the appropriate agency, the requested administration shall indicate those appropriate authorities.

ARTICLE 3 COMMUNICATION OF INFORMATION

1. The Customs administrations may provide each other, subject to their domestic laws and regulations, either on request or on their own initiative, with information which helps to ensure the proper application of

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