

## **THE TERMS OF REFERENCE FOR THE WCO REGIONAL CUSTOMS LABORATORIES**

### **I. General provisions**

Regional customs laboratories of the World Custom Organization (RCL WCO) are created on the basis of customs laboratories of the countries (unions of the countries) - members of the WCO, by voluntary signing of the Memorandum of Understanding between Customs Service of a country (unions of the countries) and WCO.

The RCL WCO are created for the purposes of regional training, technical assistance and provision of information on the chemical analysis for customs purposes and as well as on other scientific issues to officials of Customs Service of countries (unions of the countries) and WCO.

Only an advanced customs laboratory completed with the modern analytical equipment and highly skilled staff can serve as the RCL WCO.

### **II. The Purposes and goals of the RCL WCO**

The RCL WCO carry out their activities with a view to provide assistance to officials of Customs Services of countries (unions of the countries) and WCO and, within their competence, fulfill the following functions:

- 1) Enhance the competence of customs laboratories staff of countries (unions of the countries) – Members of the WCO;
- 2) Develop and test new research techniques for customs purposes to be used in laboratories practice and reflected in the notes/ explanatory notes of HS;
- 3) Increase effectiveness and efficiency of Customs laboratories of countries (unions of the countries).

III. To achieve the above mentioned objectives the RCL WCO, within their competence, can undertake following actions:

- 1) Training of the laboratories staff of countries (unions of the countries) at the RCL WCO;
- 2) Integration of methodological materials, developing and testing of new research techniques for customs purposes to be used in laboratories practice and reflected in the notes/ explanatory notes of HS.
- 3) On the basis of national governing legislation requirements of in privacy and copyright, the RCL WCO supplies scientifically-methodological materials for customs laboratories staff of countries (unions of the countries) to carry out tests and research.
- 4) Organization of the international proficiency tests (or participation in the tests)

- 5) Organization of seminars, meetings, symposiums or conferences to discuss problems of research activity for customs purposes.
- 6) The provision of qualified opinion on the request of the Harmonized System Committee, the Scientific Subcommittee and other structures of the WCO and also customs laboratories of other countries for development of the scientifically-based decisions in the field of the customs legislation.
- 7) Following requirements of the agreement on World Trade Organization (Article 5.3 of Section I of the WTO Agreement on Trade Facilitation (TFA)) the RCL WCO can serve as arbitration laboratory in case of disputes and contradictions in results of research of customs laboratories and/or foreign laboratories. The results received in the RCL WCO are of priority character for customs administration.
- 8) Other activities to improve and simplify international trade and customs administration.

#### IV Conclusion provisions

With due regard for the present regulation, the activities of the RCL WCO as the customs laboratories are regulated by the national legislation (unions of the countries).

Financing of activity of the RCL WCO is carried out by the host country (unions of the countries). Part of expenses can be compensated by the WCO.