



**Agreement
Between the Government of the Kingdom of Saudi Arabia
and the Government of People's Republic of Bangladesh
on cooperation and mutual assistance in customs matters**

The Government of the Kingdom of Saudi Arabia and The Government of People's Republic of Bangladesh (hereinafter referred to as "the Parties")

RECOGNIZING that offences against customs law are prejudicial to the economic, commercial, financial, social and cultural interests of both Parties;

BEING AWARE OF the importance of the accurate assessment of customs duties and taxes as well as other charges imposed on the exportation or importation of goods and of ensuring the proper enforcement of measures of prohibition, restriction and control;

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

CONVINCED that the efforts aiming at prevention of customs offences and ensuring accurate collection of duty and taxes on imports and exports can be made more effective by mutual cooperation;

HAVING REGARD TO the pertinent instruments issued by the Customs Cooperation Council (World Customs Organization), particularly the Recommendation on Mutual Administrative Assistance of December 5, 1953;

HAVING REGARD TO the international conventions acceded by any of the parties, duly containing provisions on prohibition and restriction as well as specific control procedures on certain goods; and

HAVING REGARD TO the Protocol of Amendment to the Marrakesh Agreement Establishing the World Trade Organization (Agreement on Trade Facilitation) issued on 27/11/2014 under WT/L/940, particularly Article 12 thereof concerning the Customs Cooperation;

have agreed on the following:

Definitions

ARTICLE 1

For the purposes of this Agreement, the following terms shall bear the meanings explained vis-à-vis each item unless the context otherwise requires:





1. "Customs Legislation": means the laws and regulations enforced by either Party concerning the importation, exportation, transshipment and transit of goods and means of payment, whether relating to customs duties, including countervailing and antidumping duties, taxes or any other charges, or measures of prohibition, restriction or control, the administration and enforcement of which are restriction or control, the administration and enforcement of which are specifically charged to the Parties;
2. "Customs offence": means any violation or attempted violation of Customs Legislation;
3. "Person": means any natural or legal person;
4. "Information": means any data, documents, reports, certificated copies thereof or other customs information, including the electronic copies; and
5. "Intelligence": means information already processed or analyzed in order to obtain an evidence relating to a customs violation.

Scope of Agreement

ARTICLE 2

1. The Parties will provide each other with administrative assistance under the provisions set out in this Agreement, for the proper application of their customs law, the prevention, investigation and suppression of customs offences and the promotion of customs information.
2. Any assistance provided by either Party under this Agreement will be in accordance with the legislations applicable in the territory of its state and within its competence and available resources.

Forms of Cooperation and Mutual Assistance

ARTICLE 3

The Parties will perform, either upon request or on their own initiative, the following:

1. Provide each other with all available information about its Customs Legislation and procedures pertaining to the customs offences, as well as with all information required according to provisions of this Agreement.
2. Exchange expertise relating to its activities and information regarding new trends, means or methods of committing offences.
3. Communicate to each other substantial amendments that occur to the Customs legislation, and on the control techniques and application methods, as well as discuss other issues of common interest.
4. Exchange information and expertise on use of technical equipment of control.





5. Experts exchange on customs matters.

Information as to Goods Imported or Exported

ARTICLE 4

The Parties will provide each other, either upon request or on their own initiative, with the following information:

1. whether the goods imported to the customs territory of the other Party has been lawfully exported from its customs territory; and
2. whether the goods exported from the customs territory of the other Party has been lawfully entered into its customs territory.

Information on Other Activities

ARTICLE 5

The Parties will provide each other, either upon request or on their own initiative, with the following information, intelligence and maintain surveillance on the following:

1. movement of persons known to have committed or suspected to commit offence of the Customs law, particularly those moving into and out of the territory of that Party;
2. movement of goods, either in transport stage or in storage, reported by the other Party to be suspected of an illegal movement intended to its customs territory;
3. means of transport suspected by the other party to have been used to commit a Customs offence in the customs territory of either Party; and
4. premises suspected of being used in the commission of Customs offences in the customs territory of either Party.

Violation of Customs Legislation

ARTICLE 6

1. The Parties will, either on their own initiative or upon request, provide each other with all information on activities, discovered or planned to be committed, which constitute or might constitute a violation of Customs legislations applicable in the territory of either Party.
2. The Parties will take action, to the extent possible, to provide information and intelligence in cases that could involve damage to the economy, public health, public security, or any other vital interests of either State.

Transmission of Report

ARTICLE 7

3 of 8





1. Subject to the constraints of the national legislations, each Party will provide the other party with the original reports and documents, including electronic information, which is considered essential by that other Party for trial and investigation, provided that the original documents will be returned at the earliest opportunity.
2. Where original documents may not be transmitted, certified or validated copies of the documents and other materials will be transmitted.

Experts and Witnesses

ARTICLE 8

On request, the Parties may authorize their officials, in connection with violations of the Customs legislation, to appear as experts or witnesses before a judicial or administrative agency of the State of the other Party.

Information on Illicit Traffic of Sensitive Goods

ARTICLE 9

The Customs Administrations shall, on their own initiative or upon request, provide each other with all relevant information on any action, intended or carried out, which constitute or may constitute an offence against the Customs legislation of territory of any of them, concerning illicit traffic of:

1. Weapons, missiles, explosive or nuclear materials;
2. Works of art of significant historical, cultural or archaeological value;
3. Narcotic drugs, psychotropic substances, precursors used in their composition and poisonous substances, as well as of substances dangerous for the environment and public health.
4. Pirated and counterfeiting goods.
5. Any goods prohibited or restricted under the Customs law of both contracting parties, that might damage the economy, health or public security.

Form and Content of Assistance Request

ARTICLE 10

1. Request for assistance under this Agreement will be made in writing. The Request must be accompanied by documents required for implementation. Request may be accepted verbally when needed or in urgent cases, provided that it is confirmed later in writing.





2. Request made under Section 1 of this Article must include the following details:
 - a) the name of the requesting agency;
 - b) action to be taken;
 - c) the subject of and reason for the request;
 - d) other relevant rules, regulations and documents;
 - e) precise and comprehensive descriptions, to extent possible, of the relevant persons, if known.
3. Request will be made to the requested Party in English language.
4. If the Request is not satisfying its basic requirements, it may be required be corrected or to be completed without affecting the request for precautionary measures.
5. Requests for assistance will be responded according to legislations of the requested party.
6. The information and intelligence, under this Agreement, will be communicated to the officials designated for this purpose by both parties, provided that the both Parties exchange lists of names of such officials according to Section 1 of Article 16 of this Agreement.

Execution of Requests

ARTICLE 11

1. The Parties will take all official measures, including any legal action required for executing Requests.
2. The Requests for assistance will be executed in the manner requested by the requesting Party unless they conflict with legislations and administrative procedures of the requested Party.
3. Upon request from a requesting Party, the requested Party may authorize its government officials to provide their opinion as experts, as well as to provide, when required, proving material relating to the customs issues inter alia the views on matters of classification, valuation and origin of goods.
4. In cases where the requested Party is not the appropriate authority to meet the Request, the requested Party will transmit the request to the appropriate authority.

Investigation etc.

ARTICLE 12





1. The officials designated by both Parties may, with the authorization of the other Party and subject to its conditions for investigating a Customs offence, perform the following:
 - (a) Examine documents, records and other relevant data in the territory of the requested Party in order to obtain information in respect of the Customs offence;
 - (b) Obtain copies of documents, records and other relevant data in respect of such Customs offence;
 - (c) Appear in any investigation pertaining to the requesting party and conducted by the requested party in its customs territory.
2. The officials mentioned in Section 1 of this Article must furnish, during their presence in the customs territory of the other Party, proof of their official status.
3. Officials shall, while in the territory of the other Party, enjoy the same protection as accorded to the Customs officers of that Party under its regulations, provided that they bear responsibility for any offence they might commit.

Confidentiality of Information

ARTICLE 13

1. The information, correspondence and documents received by either Party under this Agreement, will be used solely for purposes of this Agreement. It cannot be transmitted or used for any other purpose except after written authorization by the providing Party.
2. The Requests, information, experts' reports or other correspondence received in any form by either Party under this Agreement, will receive the same protection provided by that Party to the similar information subject to its legislations.
3. If the information obtained by either Party under this Agreement, is required for a criminal proceeding, it must be requested in accordance with the regulations applicable to the mutual assistance in criminal matters subject the legislations applicable at each Party.

Exemptions

ARTICLE 14

1. Any Party may refuse assistance, in whole or in part, according to this Agreement, in the following cases:
 - (a) if the execution of the request for assistance would prejudice the national sovereignty, security, public order or other essential national interest;





- (b) if the request for assistance would involve the violation of an industrial, commercial or professional secret or any other secrets protected by its legislations;
 - (c) If the request for assistance is related to non-customs matters; or
 - (d) If the request cannot be met by the requesting Party, if addressed to it.
2. The either Party may, rather than refusing to provide assistance, lay down certain conditions for providing assistance, provided that the other Party must comply with them in case of accepting.
 3. If a requested party is unable to comply with the request for assistance, it shall notify the other party in writing without delay, along with explanation of the reasons thereof.

Costs

ARTICLE 15

Each Party will bear its own expenses incurred in the implementation of this Agreement. If the execution of the requests requires substantial extraordinary expenses, either Party must consult to determine the terms and conditions under which the request will be executed as well as the manner in which the costs will be borne.

Implementation of the Agreement

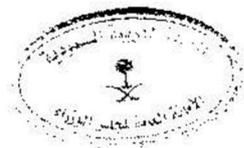
ARTICLE 16

1. The cooperation provided for in this Agreement will take place directly between the Parties provided that they agree on detailed arrangements and practical measures to facilitate implementation of this Agreement.
2. The Parties will work on resolving any problem arising from interpretation or application of this Agreement through mutual agreement and by nominating contact officers. Bilateral meeting between both parties may be convened whenever need arises.

Territorial Application

ARTICLE 17

This Agreement will be applicable in customs territories of the states of both Parties.





Final Provisions

ARTICLE 18

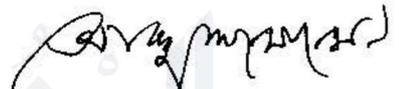
1. This Agreement will come into effect on the date of last written notification through the diplomatic channels duly affirming completion of all legal procedures required for entry into force of this Agreement.
2. This Agreement shall remain effective for an indefinite period and shall expire upon three months from the date of the receipt through diplomatic channels, of written notice from any of the parties, containing desire to terminate. Its termination shall not affect any request or activity of cooperation started at the time of termination
3. This Agreement may be amended by mutual consent of the Contracting Parties according to the legal procedures of either Parties.

Done in duplicate at Dhaka on 13 / 8 /1443 A.H and on 02 chayatra 1428 Bangabda is corresponding to 16 / 3 /2022 AD, in the Arabic, Bengali and English languages, all three texts being equally authentic. In case a dispute arises regarding interpretation of this Agreement, the English text will prevail.

for the Government of
The Kingdom of Saudi Arabia

for the Government of
People's Republic of Bangladesh


Paisal Bin Farhan Al Saud
Minister of Foreign Affairs


A.K. Abdul Momen, MP
Minister of Foreign Affairs

National Center for Archives & Records

