

Memorandum of understanding
on mutual assistance in the field of consumer protection and market surveillance
between
the Hungarian Authority for Consumer Protection (HACP),
and
the Consumer Protection Agency of Republic of Moldova
(hereinafter referred to as "Sides")

Considering that consumer protection and market surveillance in the area of non-food consumer products are matters of public interest and issues of high priority,

Recognizing that mutual exchange of experiences and information in consumer protection and market surveillance matters has significant benefits for both Sides and may contribute to a safer area for European consumers,

Believing that mutual technical cooperation in the area of non-food consumer product safety, in the field of consumer protection and market surveillance – despite the differences in organizational structures and functions of the Sides -- could strengthen the relationship between the Sides and result in significant outcomes,

Bearing in mind that the accession of the Republic of Moldova to the European Union is a common interest of the Sides, and the intention of the Hungarian Side is to provide assistance to the duties of legal harmonization in consumer protection and market surveillance matters in the course of the accession process of the Moldavian Side,

Desiring to foster the exploration of new solutions and possibilities in cross-border enforcement,

Recognizing that mutual communication is essential to reach the proposed objectives, to strengthen good relationship, and to render cooperation more effectively,

SIDES HAVE AGREED AS FOLLOWS:

Article I
General goals of cooperation

- (1) The purpose of this Memorandum is the mutual cooperation of the Sides in the field of consumer protection and market surveillance, especially in the area of non-food consumer products, in order to contribute to the effective operation of consumer protection and market surveillance system, and uphold a safe and consumer-oriented market of products and services in both countries.
- (2) To achieve and fulfill the goals defined in paragraph (1), Sides shall strengthen and develop their mutual professional relationship in the field of consumer protection and

market surveillance through the exchange of experience and information. Additionally, this Memorandum also aims at establishing a proper cooperation framework and contact channels between the Sides.

Article II

Exchange of information

Sides shall mutually inform each other about:

- passing and amendment of relevant national legislation;
- applied methods of consumer information and awareness raising;
- general information on inspection and enforcement activities (realization of inspection plans and programs, coordination among regional inspectorates and customs authorities, product traceability);
- risk assessment and product testing methods and practices, including decision-making processes and enforcement measures (corrective/repressive) in the case of unsafe products (based on administrative and visual checks, laboratory tests and risk assessment);
- relevant experience of applied laboratory testing methods, especially in connection with dangerous products and emerging health and safety issues;
- plans and programs of inspection and enforcement activities;
- international conferences and other professional events (workshops) organized by the Sides;
- projects and tenders aiming to provide financial contribution to joint work in the field of consumer protection and market surveillance.

Article III

European Union aspects

In order to promote and help its accession to the European Union –upon request of the Moldavian Side–the Hungarian Side may offer its assistance in the framework of exchange of information mentioned in Article II in the following fields:

- relevant EU legislation and harmonization requirements in the field of consumer protection and market surveillance;
- practical assistance during the implementation of harmonization measures;
- assistance and support in case the Moldavian Side wishes to join international organizations of market surveillance and consumer protection;
- EU projects, tenders, professional events and conferences in the field of consumer protection and market surveillance, which are open for and may interest the Moldavian Side.

Article IV

Exchange of documents

(1) For a more effective exchange of information, Sides shall make available and inform each other on their publications and other information materials, may jointly elaborate other sources of information (e.g. reports, manuals, check-lists) in consumer protection and market surveillance matters, preferably in English, if it is available.

(2) Sides may additionally make available: documentation of measures taken, description of risks (with test-reports and certificates, if available), and detailed documentation of unsafe products.

Article V

Meetings and consultations

- (1) If required, Sides may carry out ad hoc consultation about their activities in the frame of international relations and market surveillance, and in cases requiring urgent actions.
- (2) Sides may decide to organize regular bilateral consultations on an annual or semi-annual basis, as well as study visits, trainings and informal expert meetings in order to enhance knowledge, coordination, and decision-making in market surveillance and consumer protection issues.
- (3) Sides shall mutually offer the possibility of study visits, in order to gain knowledge about procedures, coordination, planning of activities, decision-making processes, and development of manuals, check-lists and other inspection documentations.

Article VI

Communication and contact points

- (1) Communication and exchange of information between the Sides shall be carried out via electronic means of communication (e-mail, webseminars and conference calls), and in the course of personal meetings.
- (2) In order to ensure efficient communication and the rapid flow of information, contact points are designated by the Sides as indicated in Annex 1 of this Memorandum.

Article VII

Review

Sides shall monitor the state of cooperation continuously, shall review it annually, and perform mutually agreed amendments, if required.

Article VIII

Financial questions

Financial expenses arising from mutual cooperation in the course of the practical enforcement of this Memorandum shall be covered by the Sides from their own resources, unless otherwise agreed.

Article IX
Confidentiality

The exchange of information and cooperation shall be performed with respect to international and national privacy and data protection legal provisions.

Article X
Closing Provisions

This Memorandum is to be concluded for an indefinite period and enters into force on the day of signing. It can be amended only by mutual consent of the Sides. Each Side may terminate this Memorandum by sending a written notice of termination to the other Side two months prior to the intended date of termination.

This Memorandum is drawn up and signed in two original copies, in English language.

The Memorandum is not subject to international public law.

Signed in Budapest 23rd June 2016

For
the Hungarian Authority
for Consumer Protection



István SZENTE dr.
Director General

For
the Consumer Protection Agency
of Republic of Moldova



Iurie EREMIA
Director