

**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 Macedonian State Market Inspectorate

(hereinafter referred to as 'Parties')

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 Parties 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 Parties – could strengthen the relationship between the Parties and result in significant outcomes,

Bearing in mind that the accession of the Republic of Macedonia to the European Union is a common interest of the Parties, and the intention of the Hungarian Party 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 Macedonian Party,

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,

PARTIES HAVE AGREED AS FOLLOWS:

Article I

General goals of cooperation

- (1) The purpose of this Memorandum is the mutual cooperation of the Parties 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), Parties 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 Parties.

Article II

Exchange of information

Parties 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 programmes, 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 programmes of inspection and enforcement activities;
- international conferences and other professional events (workshops) organized by the Parties;
- 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 Macedonian Party – the Hungarian Party 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 Macedonian Party 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 Macedonian Party.

Article IV

Exchange of documents

(1) For a more effective exchange of information, Parties 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) Parties 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

Laboratories

(1) The Food and Chemical Industry Laboratory of the Hungarian Authority for Consumer Protection, accredited according to standards ISO/IEC 17025:2005 – always by prior arrangement and depending on free capacity – offers cooperation concerning laboratory tests of foods, cosmetics, household chemical products, toys, paints, varnishes and tobacco products based on current market rates.

(2) The Mechanical and Electrical Laboratory of the Hungarian Authority for Consumer Protection (Accr. Number: Nat-1-1120/2010) – always by prior arrangement and depending on free capacity – offers cooperation concerning safety tests of household and other electrical appliances; safety tests of electric toys; tests of audio, video and similar electronic appliances; test of luminaries; safety tests of hand-held electric motor operated tools; tests of plugs and socket outlets for domestic purposes; safety tests of toys; tests of information devices, charging devices for cellular phones; universal tests; tests of

children's high chairs; safety tests of children's clothing items; tests of changing units; tests of soothers for babies and young children; tests of skateboards, roller-skates and scooters; tests of baby walking frames; tests of playpens for domestic use; tests of bicycles for young children; tests of domestic furniture and seats; tests of lighters; tests of swing, slides and similar activity toys based on current market rates.

Article VI

Meetings and consultations

- (1) If required, Parties 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) Parties 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) Parties 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 VII

Communication and contact points

(1) Communication and exchange of information between the Parties shall be carried out via electronic means of communication (e-mail, web seminars 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 Parties:

- On behalf of the Hungarian Party: Péter Aranyi dr., Head of the Department for Strategic, International and HR Affairs of the Hungarian Authority for Consumer Protection (email: p.aranyi@nfh.hu),
- On behalf of the Macedonian Party: Viktor Dermendzhev, Director of the Macedonian State Market Inspectorate (email: Viktor.Dermendzhev@dpi.gov.mk).

Article VIII

Review

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

Article IX

Financial questions

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

Article X

Confidentiality

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

Article XI
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 Parties. Each Party may terminate this Memorandum by giving a written notice of termination to the other Party two months prior to the date of termination.

The text of this Memorandum is drawn up in three originals in English, Hungarian and Macedonian languages, where all three versions are of the same credibility. In case of eventual disputes concerning the interpretation, the English version shall be authentic.

The Memorandum is not subject to international public law.

Signed in *Budapest* *17th December* 2015

Aneta Dimovska

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For the Macedonian State
Market Inspectorate

Aneta Dimovska
State Secretary

István Szente dr.

.....
For the Hungarian Authority
for Consumer Protection



István Szente dr.
Director General