

# GENERAL AGREEMENT ON

RESTRICTED

TBT/W/167

4 December 1992

# TARIFFS AND TRADE

Special Distribution

---

## Committee on Technical Barriers to Trade

### SIXTH MEETING ON PROCEDURES FOR INFORMATION EXCHANGE

#### Note by the Secretariat

1. The Committee on Technical Barriers to Trade held its sixth meeting on Procedures for Information Exchange on 2 November 1992. The agenda contained in GATT/AIR/3343/Add.1 was adopted. The meeting was chaired by Mr. C. Cozendey, (Brazil), Vice-Chairman of the Committee. Representatives from thirty-nine Parties attended the meeting, among them fourteen participants from GATT Enquiry Points.

#### Item 1: Description of activities and facilities of enquiry points

2. Several participants reported on the progress made since the previous meeting on activities and facilities of their enquiry points in support of the procedures applied in their countries for information exchange under the Agreement. Some of them circulated written reports of which copies are available in the Secretariat.

3. Following reports from a number of participants on the establishment of electronic databases at their enquiry points, it was suggested that the Committee might explore the possibility of transmitting notifications under the Agreement through electronic communication systems. It was also suggested that the Secretariat might study the possibility of sending out notifications in a double system, using telefax in addition to the regular way of circulation, since that could provide Parties more time to work on the notifications. Communication between enquiry points through electronic systems, where available, was also encouraged.

4. One participant said that it was unclear to what extent the submission of reports by Parties in the context of the Annual Review of the Agreement on the number of enquiries received and answered by their respective enquiry points was voluntary. She thought that it would be more productive if clearer guidelines could be given on how and what information should be submitted.

#### Item 2: Notification procedures

5. Participants felt that the implementation of relevant recommendations by the Committee on the subject of exchange of information in TBT/16/Rev.4 should be reinforced.

6. Concerning procedures at the national level, some participants welcome a better understanding of the procedures used in other Parties, especially in cases when agencies other than enquiry points were responsible for preparing and sending notifications to the GATT Secretariat. One participant thought that enquiry points should be able to provide this kind of information if requested.

7. Participants expressed concern about shortfalls in the length of time allowed for comments on notifications, which should normally be sixty days. In order to have a more precise view of the situation, it was suggested that a new category of "45-60 days" should be added to the table concerning observation of the recommended comment period by Parties in the Secretariat report prepared for the Annual Review of the Agreement. Some participants indicated that, when necessary, requests for extensions of comment periods could be granted in most cases by their enquiry points.

8. Concerning information contained in the notification form, it was suggested that:

- (1) information should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated;
- (2) under point 4 of the notification form (products covered), where applicable, ICS numbers (International Classification for Standards of the ISO) could also be supplied;
- (3) under point 5 (title), in order to facilitate identifying the document, the number of pages of the notified document should be given (it was pointed out that the Committee had already adopted a recommendation to that effect, but that it was rarely implemented);
- (4) under point 6 (description of content), information given should be as concise and clear as possible;
- (5) under point 10 (final date for comments), a specific date should be indicated;
- (6) under point 11, if the text was available from a body other than the national enquiry point, it would be useful to supplement the address of that agency, where available, with a telefax number.

Item 3: Access to information

9. A number of participants reported on the difficulties they had experienced in receiving responses from enquiry points of other countries. The problems included receiving no response, communication difficulties or delay of replies which might be due to postage delay as a result of the use of surface mailing or because of processing delays. It was felt that more effort should be made by enquiry points to respond promptly to enquiries received.

10. It was recommended in TBT/16/Rev.4 that "any request for documentation should be processed if possible within five working days and if a delay in supplying the documentation requested is foreseen, this should be acknowledged to the requestor". It was noted that, considering the heavy workload of enquiry points, a reply after more than five working days might occur; however, it was unacceptable for enquiry points to give no response.

11. In order to increase efficiency, it was suggested that the type of information or documents requested should be stated clearly, and that more attention should be given to making sure that all requested documents were provided. It was suggested that the problem of postage delay might be helped by the use of first class mail or telefax. In general, participants thought that acknowledgement of requests by enquiry points was very important.

12. It was suggested that enquiry points might provide the GATT Secretariat with information in respect of their experience of the responsiveness of other enquiry points. That might allow the Secretariat to prepare a background paper in which it would be possible to establish a clearer picture of the extensiveness of the problem.

13. Concerning comments on notifications, it was suggested that it might be helpful if enquiry points could furnish to all other Parties the comments that they had received on a particular notification, so that interested parties could have a clearer picture of the comments being made.

14. Concerning the translation of documents relating to notifications, it was suggested that parties might take advantage of using the available translated documents of other enquiry points.

#### Item 4: Technical assistance and advice

15. In order to avoid duplication of effort, it was suggested that the established procedure reproduced in TBT/16/Rev.4 P.15, "specific needs for technical assistance as well as information that may be provided by potential donor countries on their technical assistance programmes may be communicated to Parties through the Secretariat" should be more actively used by both donors and Parties which needed assistance.

16. In view of the implications of the completion of the Uruguay Round for increasing the number of signatories and enquiry points, it was thought that it would be helpful for those new members setting up enquiry points if the Secretariat could consolidate and circulate information on the possibilities of acquiring technical assistance. It was suggested that central organized training programmes at enquiry points might be provided if requested. It was also thought that in the future a manual prepared by the Secretariat on the operation of enquiry points in different Parties might be useful.

Item 5: Potential changes in procedures resulting from Uruguay Round revisions

17. It was generally thought that there should not be any change in procedures, although an increased workload at enquiry points could be anticipated due to the additional number of Parties.