

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

TBT/W/56
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Special Distribution.

Committee on Technical Barriers to Trade

DRAFT AGENDA FOR THE SECOND MEETING ON PROCEDURES FOR INFORMATION EXCHANGE

Note by the Secretariat

The following items are proposed for the agenda:

1. Description of activities and facilities.
2. Publicity.
3. Notification procedures:
 - (a) Possible criteria for assessing the trade significance of proposed regulations;
 - (b) Timing of notifications;
 - (c) Length of time allowed for comments;
 - (d) Handling of comments.
4. Access to information:
 - (a) Enquiries which enquiry points should be prepared to answer;
 - (b) Access to draft proposals at national level;
 - (c) Covering of expenses, translation, etc.
5. Technical assistance needs.
6. Other business.

EXPLANATORY NOTES

1. The meeting will be held on 16 May 1983 in Room D, starting at 10 a.m. The Chairman of the Committee on Technical Barriers to Trade has invited Mr. D. Bondad (Philippines) to chair the meeting. It is recalled that representatives of interested observers are invited to participate in the meeting.

Item 1 - Description of Activities and Facilities

2. At its meeting on 9 February 1983, the Committee invited signatories to submit in writing any relevant information concerning the procedures for information exchange applied in their country (TBT/M/12, paragraph 33). Any such information received will be circulated informally to signatories before the meeting on procedures for information exchange. Representatives from signatories which have not submitted information in writing will be invited to make an oral presentation under this item.

Item 2 - Publicity

3. The purpose of this item is to discuss the methods used by signatories to inform interested parties about the provisions of the Agreement and the operations of their enquiry point(s). Copies of any information booklets published by the parties could usefully be circulated at the meeting.

Item 3 - Notification Procedures

(a) Possible criteria for assessing the trade significance of proposed regulations

4. The proposals put forward during the three-year review by the delegations of the Nordic countries (TBT/11, TBT/14) and of the United States (TBT/12) relating to the interpretation of Article 2.5 (preamble part) contained possible criteria that could be developed for assessing the trade significance of proposed technical regulations. In this connection, the United States delegation also expressed its interest in finding out what procedures were currently used by Parties in selecting regulations for notification to the GATT (TBT/15, item VIII). The meeting should provide guidance to the Committee on how best to deal with this whole issue.

(b) Timing of notifications

5. The Committee had a preliminary discussion on the interpretation of Articles 2.5.2 and 7.3.2 during the three-year review, based on a revised proposal by the delegations of the Nordic countries contained in document TBT/14 (TBT/M/12, paragraphs 25 to 27). Participants should share information on their respective internal procedures in order to assist the Committee in its consideration of the proposal.

(c) Length of time period allowed for comments

6. In concluding the three-year review, the Committee recommended that Parties effectively provide forty-five days for comments and look favourably to requests for extension of the time period allowed for comments as proposed in document

TBT/11 (TBT/M/11, paragraph 23). During the review, a new proposal was presented by the delegation of the European Economic Community, to which the Committee agreed to revert after it had been discussed at the meeting on procedures for information exchange (TBT/M/12, paragraphs 30 and 31). It was also suggested during the review that persons responsible for information exchange should provide data on the number of requests received for extensions of the comment period and the nature of responses to such requests (TBT/M/11, paragraph 25). This could include information on any cases where the date of adoption and entry into force had been changed as a result of such requests (TBT/M/11, paragraph 22).

7. The meeting should, in the light of the data provided and of any other relevant factors, formulate appropriate recommendations to the Committee on these various points.

(d) Handling of comments

8. Under this sub-item, participants may wish to provide information on their internal procedures for handling of comments received on notifications; the meeting might make suggestions to the Committee in the light of such information.

Item 4 - Access to information

(a) Enquiries which the Enquiry Points should be prepared to answer

9. A revised proposal by the Nordic countries is expected to be circulated before the meeting. The meeting will be expected to consider its feasibility and to make appropriate recommendations to the Committee.

(b) Access to Draft Proposals at National Level

10. Participants to the first meeting of enquiry points, in October 1980, discussed the problems of access by the enquiry points to information on the activities of their own national regulations and standards-writing bodies, and the incidence of these problems on the supply of relevant documentation to other parties. It was agreed that as a rule, enquiry points should make every effort to submit useful drafts of regulations and standards on request, if possible at a stage where the national consultation process was still underway [TBT/M/8, Annex, paragraph 8]. It is suggested that the participants discuss the follow-up to this recommendation in their respective countries.

(c) Covering of expenses, translation, etc.

11. Participants in the first meeting of persons responsible for enquiry points discussed problems of payments and expressed the hope that all enquiry points would do their utmost to avoid that such problems be a cause for delay in delivering the documents requested (TBT/M/8, Annex, paragraph 5). It was suggested at the eleventh meeting of the Committee that Parties should indicate in the notification format whether documents are available free of charge or at a cost (TBT/M/11, paragraph 14).

12. Following the discussions during the first meeting of persons responsible for enquiry points the Committee agreed on steps to be taken for making available a translation or a translated summary of a relevant document (TBT/M/8,

paragraph 12(3a) and (3b)). The problems of translation and of the financial burden involved in translating documents into the national language were also raised in the Committee during the course of the first three-year review (TBT/M/11, paragraph 15).

13. The meeting should discuss these various issues with a view to suggesting appropriate solutions. Other points may also usefully be discussed under this sub-item, such as the feasibility of establishing computerized systems of information in line with the provisions of Article 10.7 of the Agreement.

Item 5 - Technical assistance needs

14. Information on technical assistance is contained in section 4 of document TBT/10 and Supplement 1. It is suggested that individual participants may wish to identify their specific needs for assistance in the field of information exchange, and that other participants might make suggestions on the means to fill these needs.

Item 6 - Other Business

15. Any other issue raised at the meeting that does not fall under items 1 to 5 of the agenda would be discussed under this item.

16. At the close of the session, the meeting will be asked to approve the text of any recommendations or conclusions to be forwarded by the Chairman to the Committee. In addition, the Chairman will make an oral report on the meeting to the Committee on his own responsibility.