

**ACUERDO GENERAL SOBRE
ARANCELES ADUANEROS Y COMERCIO**

RESTRICTED

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Comité de Obstáculos Técnicos al Comercio

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**DEFINICIONES EN EL ACUERDO SOBRE OBSTACULOS
TECNICOS AL COMERCIO**

Nota de las delegaciones de los Paises Nórdicos

1. Las disposiciones relativas a las definiciones figuran en los párrafos 1 y 2 del artículo 1 así como en el Anexo 1 del Acuerdo sobre Obstáculos Técnicos al Comercio.
2. Parcialmente en respuesta a las solicitudes presentadas por el Comité de Obstáculos Técnicos al Comercio, la ISO ha redactado una hoja de modificación (ISO/STACO 151)¹ de la Guía 2 de la ISO/CEI, titulada "General Terms and Their Definitions Concerning Standardization and Related Activities" (véase el apéndice).
3. Adjunta a la presente nota figura una sugerencia de un anexo revisado 1 del Acuerdo teniendo en cuenta esta nueva propuesta de la ISO. Al parecer no es necesario modificar las disposiciones del artículo 1 del Acuerdo.

¹En inglés y francés solamente

ANEXO 1

TERMINOS Y SU DEFINICION PARA LAS FINALIDADES
CONCRETAS DEL PRESENTE ACUERDO

1. Cuando se utilicen en el presente Acuerdo, los términos presentados en la quinta edición de la Guía 2 de la ISO/CEI, titulada "General Terms and Their Definitions Concerning Standardization and Related Activities", y en la hoja de modificación de dicha Guía adoptada ... 1990, tendrán el mismo significado dado en las definiciones recogidas en la mencionada Guía y en la hoja de modificación de la misma con las siguientes excepciones.

1.1 Los servicios (y los procesos) quedarán excluidos del alcance de las definiciones.

1.2 Norma

Para el término "norma" se aplicará la siguiente definición.

Documento aprobado por una institución reconocida, que prevé, para un uso común y repetido, reglas, directrices o características para los productos, (procesos y métodos de producción) cuya observancia no es obligatoria. También puede incluir o tratar exclusivamente de prescripciones en materia de terminología, símbolos, envasado, marcado o etiquetado aplicables a un producto.

2. Además de lo que se recoge en la Guía 2 de la ISO/CEI y en su hoja de modificación se aplicarán las siguientes definiciones.

2.1 Institución o sistema internacional

Institución o sistema abierto a las instituciones competentes de por lo menos todas las Partes en el presente Acuerdo.

2.2 Institución o sistema regional

Institución o sistema abierto sólo a las instituciones competentes de algunas de las Partes.

2.3 Institución del gobierno central

El gobierno central, sus ministerios o departamentos y cualquier otra institución sometida al control del gobierno central en lo que atañe a la actividad de que se trata.

Nota explicativa:

En el caso de la Comunidad Económica Europea son aplicables las disposiciones que regulan las instituciones de los gobiernos centrales. Sin embargo, podrán establecerse en la Comunidad Económica Europea instituciones o sistemas regionales de certificación, en cuyo caso quedarían sujetos a las disposiciones del presente Acuerdo en materia de instituciones o sistemas regionales de certificación.

2.4 Institución pública local

Poderes públicos distintos del gobierno central (por ejemplo, de los Estados, provincias, Länder, cantones, municipios, etc.), sus ministros o departamentos, o cualquier otra institución sometida al control de tales poderes en lo que atañe a la actividad de que se trata.

2.5 Institución no gubernamental

Institución que no sea del gobierno central ni institución pública local, con inclusión de cualquier institución no gubernamental legalmente habilitada para hacer respetar un reglamento técnico.

2.6 Procedimiento de evaluación de la conformidad

Todo procedimiento para determinar, directa o indirectamente, que se cumplen las prescripciones pertinentes.

Nota: Los procedimientos de evaluación de la conformidad incluyen, entre otras cosas, procedimientos para el muestreo, las pruebas y la inspección; la evaluación, la verificación y la garantía de la conformidad; el registro, la acreditación y la aprobación.

APPENDIX

ISO/GATT

Draft Amendment Sheet to ISO/IEC Guide 2:1986 "General Terms and their Definitions concerning Standardization and Related Activities"

The purpose of this document is to inform interested parties of the progress made in preparing amendments or additions to ISO/IEC Guide 2. A draft is at present being circulated within ISO and IEC under reference ISO/STACO 151 with a view to its publication, if approved, as Amendment Sheet to ISO/IEC Guide 2. The approval procedure is expected to be concluded towards the end of 1990.

The extracts reproduced here include those proposed amendments which are considered relevant to GATT/TBT and MTN. A number of editorial improvements affecting other language versions are not shown here.

The proposed Amendment Sheet to ISO/IEC Guide 2 would be introduced by a Foreword in which it would be stated that the preparation of these amendments was in response to specific questions from ISO and IEC members, requests from the United Nations Economic Commission for Europe (ECE) and General Agreement on Tariffs and Trade (GATT) and proposals from the ISO Committee on Conformity Assessment (ISO/CASCO) for rearranging and extending the terminology given in clause 13.

Concerning this latter aspect, the terms related to conformity assessment enter a structure that can be tentatively outlined as follows, and which would be used in due course, when reviewing the general set of concepts related to conformity assessment:

Conformity assessment procedures

1. Conformity of products, processes and services

1.1 Evaluation of conformity

- by testing
- by inspection

1.2 Assurance of conformity

- by declaration
- by certification

2. Competence of bodies and persons

2.1 Accreditation of testing laboratories

2.2 Accreditation of inspection bodies

2.3 Accreditation of certification bodies

2.4 Accreditation of persons

- 3. Registration
- 4. Mutual acceptance
 - 4.1 Bilateral
 - 4.2 Multilateral

NOTE - Terms related to "approval" would belong to the above structure but are not included here as they are outside the direct responsibility of ISO/CASCO.

Draft Amendment Sheet to ISO/IEC Guide 2:1986 "General Terms and their Definitions Concerning Standardization and Related Activities"

Clause 0

Under the heading "Readership", insert the following after the existing text as a new second paragraph:

Whilst ISO and IEC jointly provide the international framework for standardization, covering a wide range of mainly technical matters, the general concept of standardization extends beyond their terms of reference. For ISO and IEC purposes, the definition of standardization (1.1) should accordingly be read in conjunction with the definitions of standard (3.2) and consensus (1.7).

Clause 1

Under 1.6.3, delete the note and insert the following:

1.6.4 provincial standardization: Standardization that takes place at the level of a single province or state of a country.

NOTE TO DEFINITIONS 1.6.3 and 1.6.4 - Within a country, a province or a state, standardization may also take place at branch or sectoral levels (e.g. ministries), at local levels, at association and company levels in industry and in individual factories, workshops and offices.

Clause 3

Under 3.2.3, delete the note and the entry "Other standards". Insert the following:

3.2.4 provincial standard: Standard that is adopted at the level of a single province or state of a country and made available to the public.

NOTE TO DEFINITIONS 3.2.1, 3.2.2, 3.2.3 and 3.2.4 - By virtue of their status as standards, their public availability and their amendment or revision as necessary to keep pace with the state of the art, international, regional, national and provincial standards are presumed to constitute acknowledged rules of technology.

Other standards: Standards may also be adopted at other levels, e.g. branch standards and company standards. Such standards may have a geographical impact covering several countries.

3.2 (bis) preliminary standard; pre-standard: Document that is adopted provisionally by a standardizing body and made available to the public in order that the necessary experience may be gained from its experimental application on which to base a standard.

Clause 9

Between 9.1 and 9.2, insert the following new entry:

9.1 (bis) standards project: Specific work item within a standards programme.

Clause 12

In the clause heading, insert "and inspection".

Before 12.1, insert the following new entry:

12.0 testing: Determination of one or more characteristics of a given product, process or service according to a specified procedure by means of measurement or analysis.

At the end of the clause, insert the following new entry:

12.7 inspection: Determination of one or more characteristics of a given product, process or service according to a specified procedure by means other than measurement and analysis, e.g. by visual checks.

Clause 13

Amend the clause heading to read "Conformity and related general concepts".

Under 13.1, at the end of the definition, delete "of all requirements specified" and substitute "of specified requirements".

Delete the entries at 13.3, 13.4 and 13.5 and insert the following:

13.3 evaluation for conformity: Systematic examination of the extent to which a product, process or service fulfils specified requirements.

13.3.1 conformity testing: Evaluation for conformity by means of testing.

13.3.2 conformity inspection: Evaluation for conformity by means of inspection.

13.3.3 type evaluation: Evaluation for conformity of one specimen of a product representative of the planned production.

13.3.4 conformity surveillance: Evaluation for conformity to verify the continuing conformity with specified requirements.

13.4 verification of conformity: Confirmation, by evaluation of evidence, that a product, process or service fulfils specified requirements.

13.5 assurance of conformity: Statement giving confidence that a product, process or service fulfils specified requirements.

NOTE - For a product, this statement may be in the form of a document, a label or other equivalent means. It may also be printed in or applied on a communication, a catalogue, an invoice, a user instructions manual, etc. relating to the product.

13.5.1 declaration of conformity: Procedure by which a supplier gives written assurance that a product, process or service conforms to specified requirements.

NOTE - In order to avoid any confusion, the expression "self-certification" should not be used.

13.5.2 certification: Procedure by which a third party gives written assurance that a product, process or service conforms to specified requirements.

13.6 registration: Procedure by which a body indicates the characteristics of a product, process or service, or the particulars of a body or person, in an appropriate, publicly available list.

13.7 accreditation: Procedure by which an authoritative body gives formal recognition that a body or person is competent to carry out specific tasks.

Clause 15

In the clause heading, insert "and approval" after "Recognition".

At the end of the clause, insert the following new entries:

15.5 reciprocity: Bilateral relationship where both parties have the same rights and obligations towards each other.

NOTES

1. Reciprocity can exist within a multilateral arrangement comprising a network of bilateral reciprocal relationships.
2. Though rights and obligations are the same, opportunities emanating from them may differ; this may lead to unequal relations between parties.
- 15.6 equal treatment: Treatment accorded to products, processes or services from one party that is no less favourable than that accorded to like products, processes or services from any other party, in a comparable situation.
- 15.7 national treatment: Treatment accorded to products, processes or services originating in other countries that is no less favourable than that accorded to like products, processes or services of national origin, in a comparable situation.
- 15.8 national and equal treatment: Treatment accorded to products, processes or services originating in other countries that is no less favourable than that accorded to like products, processes or services of national origin or originating in any other country, in a comparable situation.
- 15.9 approval: Permission for a product, process or service to be marketed or used for stated purposes or under stated conditions.
 - 15.9.1 type approval: Approval based on type evaluation.