

CHAPTER 7 TECHNICAL BARRIERS TO TRADE

Article 63 Scope and Application

1. All terms concerning technical regulations, standards and conformity assessment procedures used in this Agreement shall have the meaning given in Annex 1 of the TBT Agreement.

2. The rights and obligations of the Parties in respect of technical regulations, standards and conformity assessment procedures shall be governed by the TBT Agreement.

Article 64 Technical Cooperation

1. The Parties shall encourage appropriate institutions in their jurisdiction to strengthen their technical cooperation aimed at achieving full and effective implementation of the TBT Agreement and with a view to increasing the mutual understanding of their respective systems and facilitating access to their respective markets. To this end, they shall encourage their competent authorities in the area of technical regulations, standards and conformity assessment procedures to cooperate in:

- (a) reinforcing the role of international standards or national standards harmonised to international standards, as a basis for technical regulations;
- (b) exchanging information on technical regulations and conformity assessments procedures;
- (c) participating in multilateral and international fora on technical regulations, standards and conformity assessment procedures; and
- (d) considering requests for implementation of any specific cooperation programme.

Article 65 International Standards

1. The Parties shall utilise either national standards harmonised to international standards or international standards as a basis for cooperation in technical regulations, standards and conformity assessment procedures.

2. In determining whether an international standard or recommendation within the meaning of Articles 2 and 5 and Annex 3 of the TBT Agreement exists, each Party shall apply the principles set out in Decisions and Recommendations adopted by the Committee since 1 January 1995, G/TBT/1/Rev.8, 23 May 2002, Section IX ("Decision of the

Committee on Principles for the Development of International Standards, Guides and Recommendations with relation to Articles 2, 5 and Annex 3 of the TBT Agreement”) issued by the World Trade Organisation Committee on Technical Barriers to Trade or any successor document.

Article 66

Conformity Assessment Procedures

Each Party shall utilise existing regional and international mutual recognition arrangements in relation to the acceptance of conformity assessment processes and procedures.

Article 67

Focal Point

For the purposes of this Chapter, each Party shall establish a focal point, with the objectives of:

- (a) facilitating technical consultations on any issue relating to technical regulations, standards and conformity assessment procedures that a Party may raise;
- (b) enhancing cooperation in the development and improvement of conformity assessment procedures;
- (c) facilitating, where appropriate, cooperation between governmental regulatory authorities, accreditation agencies and conformity assessment bodies in the respective territories; and
- (d) exchanging information on developments in national, regional and multilateral fora engaged in activities relating to standardisation, technical regulations, standards and conformity assessment procedures.

CHAPTER 8

TRADE IN SERVICES

Article 68

Scope and Coverage

1. This Chapter shall apply to measures adopted or maintained by a Party affecting trade in services by service suppliers of the other Party.

2. This Chapter shall not apply to:

- (a) services supplied in the exercise of governmental authority at the central, regional or local government levels;

Note: The term “regional” refers to a state of Malaysia and a province of Pakistan.