

CHAPTER VI

TECHNICAL REGULATIONS, STANDARDS AND CONFORMITY ASSESSMENT PROCEDURES

Article 1 - Objectives

The Parties and the Signatory Parties shall cooperate in the fields of standardization, metrology, conformity assessment and product certification, with the aim of eliminating technical barriers to trade and promoting harmonized international standards in technical regulations.

Article 2 - General Provisions

The provisions of this Chapter are intended to prevent the technical regulations, standards and conformity assessment procedures, and metrology, adopted and applied by the Parties and Signatory Parties from becoming unnecessary technical barriers to mutual trade. In this regard the Parties and the Signatory Parties reaffirm their rights and obligations in respect of the WTO Agreement on Technical Barriers to Trade (WTO/TBT Agreement), and agree on the provisions established in this Chapter.

1. The provisions of this Chapter do not apply to sanitary and phytosanitary measures, supply of services and government procurement.
2. The definitions of Annex 1 of the WTO/TBT Agreement, of the International Vocabulary of Basic and General Terms in Metrology – VIM – and the Vocabulary of Legal Metrology shall apply to this Chapter.
3. The Parties and Signatory Parties agree to comply with the International System of Units (SI).



Article 3 - International Standards

The Parties and the Signatory Parties agree to strengthen their national standardization, technical regulation, conformity assessment and metrology systems, based on relevant international standards or international standards in imminent completion.

Article 4 - Mutual Recognition Agreements

1. The Parties and Signatory Parties, in order to facilitate trade, may commence negotiations with a view to the signing of Mutual Recognition Agreements between competent bodies in the areas of technical regulation, conformity assessment and metrology based on the WTO/TBT Agreement principles and the international references in each matter.
2. In order to facilitate this process, preliminary negotiations may begin to assess equivalence between their technical regulations.
3. In the framework of this recognition process, the Parties and Signatory Parties shall facilitate access to their territories to demonstrate the implementation of their conformity assessment system.
4. The terms of the Mutual Recognition Agreements of conformity assessment systems and equivalence of the technical regulations shall be defined in each case by the competent bodies, which, inter alia, shall establish the conditions and terms of compliance.
5. The Parties and the Signatory Parties shall meet whenever necessary, in order to discuss ways of enhancing and improving cooperation, with a view to commencing negotiations on Mutual Recognition Agreements. Each Party shall submit annually a report to the Joint Committee on the progress of the negotiations on Mutual Recognition Agreements.

Article 5 - International Cooperation

The Parties and the Signatory Parties agree to provide mutual cooperation and technical assistance through competent international or regional organizations in order to:

- (a) promote the application of this Chapter;
- (b) promote the application of the WTO/TBT Agreement;
- (c) strengthen their respective metrology, standardization, technical regulation, conformity assessment bodies as well as their information and notification systems within the framework of the WTO/TBT Agreement;
- (d) strengthen technical confidence between such bodies, mainly with a view to establishing Mutual Recognition Agreements of interest to the Parties and the Signatory Parties;
- (e) increase participation and seek coordination of common positions at international organizations on issues related to standardization and conformity assessment;
- (f) support the development and application of international standards;
- (g) increase the training of the human resources needed for the purposes of this Chapter;
- (h) increase the development of joint activities between the technical bodies involved in the activities covered by this Chapter.

Article 6 - Transparency

The Parties and the Signatory Parties shall favour the adoption of a mechanism to identify and seek concrete ways to overcome unnecessary technical barriers to trade arising from the application of technical regulations, standards and conformity assessment procedures.

Article 7 - Dialogue

The Parties and the Signatory Parties agree to promote dialogue between their focal points of information on technical barriers to trade, in order to meet the needs derived from the implementation of this Chapter.