

3. At the request of a Contact Point, the Parties shall meet as soon as possible to resolve any specific sanitary or phytosanitary trade-related matters. Unless the Parties decide otherwise, they shall meet within 45 days of the request, through the use of technology (such as teleconference or videoconference) or in person.

Text of the Canada–Ukraine Free trade agreement – Chapter 7: Technical barriers to trade

Article 7.1: Definitions

For the purposes of this Chapter:

TBT Agreement means the WTO Agreement on Technical Barriers to Trade; and

TBT Committee means the WTO Committee on Technical Barriers and Trade.

Article 7.2: WTO Agreement on Technical Barriers to Trade

The TBT Agreement, excluding Articles 10, 11, 12, 13, 14.1, 14.4 and 15, is hereby incorporated into and made part of this Agreement, *mutatis mutandis*.

3. 应联络点请求，缔约方应尽快会晤以解决任何具体的卫生或植物卫生贸易相关事项。除非缔约方另有决定，否则应自请求之日起45天内通过技术手段（如电话会议或视频会议）或面对面方式会晤。

加拿大-乌克兰自由贸易协定文本——第七章：技术性贸易壁垒

第7.1条：定义

就本章而言：

TBT Agreement 指世界贸易组织技术性贸易壁垒协定；且

TBT Committee 指世界贸易组织技术性贸易壁垒委员会。

第7.2条：世界贸易组织技术性贸易壁垒协定

《技术性贸易壁垒协定》（不包括第10条、第11条、第12条、第13条、第14.1条、第14.4条及第15条）经必要修改后纳入本协定，成为其组成部分。

Article 7.3: Scope

1. This Chapter applies to the preparation, adoption, and application of standards, technical regulations, and conformity assessment procedures of national governmental bodies that may affect the trade in goods between the Parties.
2. This Chapter does not apply to:
 - (a) a purchasing specification prepared by a governmental body for production or consumption requirements of a governmental body; or
 - (b) a sanitary or phytosanitary measure as defined in Annex A of the SPS Agreement.

Article 7.4: Joint Cooperation

1. The Parties shall endeavour to strengthen their cooperation in the areas of standards, technical regulations, accreditation, conformity assessment procedures, and metrology in order to facilitate trade between the Parties.
2. Further to paragraph 1, the Parties shall endeavour to identify, develop and promote bilateral initiatives regarding standards, technical regulations, accreditation, conformity assessment

第7.3条：范围

1. 本章适用于国家政府机构制定、采用和实施可能影响缔约方之间货物贸易的标准、技术法规及合格评定程序。
2. 本章节不适用于：
 - (a) 政府机构为其生产或消费需求制定的采购规范；或
 - (b) SPS协定附件A所定义的卫生或植物检疫措施。

第7.4条：联合合作

1. 缔约方应努力加强在标准、技术法规、认证、合格评定程序及计量学领域的合作，以促进双方贸易。
2. 作为第1款的补充，缔约方应努力确定、制定并推广关于标准、技术法规、认证、合格评定

procedures and metrology that are appropriate for particular issues or sectors. These initiatives may include:

- (a) regulatory or technical cooperation programs directed at reaching effective and full compliance with the obligations of this Chapter and the TBT Agreement;
- (b) initiatives to develop common views on good regulatory practices, such as transparency and the use of equivalency and regulatory impact assessment; and
- (c) the use of mechanisms to facilitate the acceptance of the results of conformity assessment procedures conducted in the other Party's territory.

3. A Party shall give consideration to a reasonable sector-specific proposal made by the other Party for further cooperation under this Chapter.

Article 7.5: International Standards

1. Each Party shall use relevant international standards, guides and recommendations as a basis for their technical regulations and conformity assessment procedures in accordance with Articles 2.4 and 5.4 of the TBT Agreement.

程序及计量学的双边倡议，这些倡议应适用于特定问题或领域。此类倡议可包

- (a) 旨在实现有效和全面遵守本章节及《技术性贸易壁垒协定》义务的监管或技术合作计划；
- (b) 制定关于良好监管实践（如透明度和等效性使用及监管影响评估）共同观点的倡议；以及
- (c) 使用促进接受另一方领土内实施的合格评定程序结果的机制。

3. 一方应考虑另一方就本章节下进一步合作提出的合理行业特定提案。

第7.5条：国际标准

1. 每一方应根据《技术性贸易壁垒协定》第2.4条和第5.4条，使用相关国际标准、指南和建议作为其技术法规和合格评定程序的基础。

2. Each Party shall determine whether an international standard, guide or recommendation exists within the meaning of Articles 2 or 5 or Annex 3 of the TBT Agreement, based on whether the standard, guide or recommendation in question was developed by a standardizing body that observes the principles set out in the Decisions and Recommendations adopted by the WTO Committee on Technical Barriers to Trade since 1 January 1995, G/TBT/1/Rev.9, as may be revised, issued by the TBT Committee.

Article 7.6: Conformity Assessment

1. The Parties shall cooperate by encouraging their respective conformity assessment bodies, including accreditation bodies, to participate in cooperation arrangements that promote the mutual acceptance of conformity assessment results.

2. Each Party shall recognize conformity assessment bodies located in the territory of the other Party on conditions no less favorable than those that it applies for the recognition of conformity assessment bodies in its own territory. A Party shall not require conformity assessment bodies located in the territory of the other Party to establish a legal or physical presence in its own territory or that a separate agreement be concluded between the Parties as a

2. 每一方应根据相关标准、指南或建议是否由遵守世界贸易组织技术性贸易壁垒委员会自1995年1月1日以来通过的《决定和建议》中所述原则的标准化机构制定，确定是否存在《技术性贸易壁垒协定》第2条、第5条或附件3所指的国际标准、指南或建议。上述《决定和建议》以技术性贸易壁垒委员会发布的G/TBT/1/Rev.9及其可能修订版本为准。

第7.6条：合格评定

1. 缔约方应通过鼓励各自合格评定机构（包括认可机构）参与促进合格评定结果相互接受的合作安排来进行合作。

2. 每一方应在不低于其本国领土内合格评定机构认可的条件下，认可位于另一方领土内的合格评定机构。缔约方不得要求位于另一方领土内的合格评定机构在其本国领土内建立法律或实际存在，或要求缔约方之间达成单独协议作为

pre-condition for the recognition of the other Party's conformity assessment bodies.

3. Notwithstanding paragraph 2, each Party shall consider a request to develop and implement the mutual recognition of conformity assessment bodies with respect to radio and terminal telecommunications equipment.

4. If a Party recognizes an accreditation body established in the territory of the other Party as competent to accredit conformity assessment bodies as having the competence to assess conformity with the Party's technical regulations, the Party shall apply for the recognition of those conformity assessment bodies, on conditions that are no less favourable than those applied for the recognition of its accredited conformity assessment body located in the territory of the Party.

5. Each Party is encouraged to recognize as competent to accredit conformity assessment bodies an accreditation body established in the territory of the other Party that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement; a signatory to the International Accreditation Forum Multilateral Recognition Agreement; or a signatory to, and for

认可另一方合格评定机构的前提条件。

3. 尽管有第2款的规定，每一方均应考虑关于就无线电及终端电信设备开展和实施合格评定机构相互认可的请求。

4. 如一缔约方认可另一方领土内设立的认证机构具备评定符合该缔约方技术法规的能力，从而有权认证合格评定机构，则该缔约方应在不劣于适用于认可其领土内所设经认可的合格评定机构的条件下，申请认可这些合格评定机构。

5. 鼓励每一方将另一方领土内建立的认证机构视为具备认证合格评定机构的能力，前提是该认证机构是国际实验室认可合作组织相互认可协议的签署方；国际认证论坛多边认可协议的签署方；或欧洲认证多边/双边协议相关认可范围的签署方，且

relevant accreditation scopes covered under, the European Accreditation Multilateral/Bilateral Agreement.

6. With respect to paragraph 4, each Party recognizes that it may apply additional procedures to verify the competence of an accredited conformity assessment body if:

- (a) the Party applies conditions for the recognition of conformity assessment bodies that supplement international standards , including conditions with respect to the accreditation of those bodies; and*
- (b) the Party requires assurance that a conformity assessment body is technically capable to assess whether products fulfill the requirements of a particular standard or technical regulation.*

7. Each Party shall take reasonable measures to ensure that accreditation bodies established in its territory accredit conformity assessment bodies established in the territory of the other Party under conditions no less favourable than the conditions applied to conformity assessment bodies located in its territory. A Party may not take measures that limit or discourage the ability of accreditation bodies established in its territory from accrediting conformity assessment bodies established in the territory of the other Party,

其认证范围涵盖该协议。

6. 关于第4款，每一方认识到，在以下情况下可适用额外程序以验证经认可的合格评定机构的能力：

- (a) 该缔约方对合格评定机构的认可适用补充国际标准的条件，包括关于这些机构认证的条件；且
- (b) 该缔约方要求确保合格评定机构具备技术能力，能够评估产品是否符合特定标准或技术法规的要求。

7. 每一方应采取合理措施，确保其领土内设立的认可机构在条件不低于适用于其领土内设立的合格评定机构的条件下，对另一方领土内设立的合格评定机构进行认证。缔约方不得采取限制或阻碍其领土内设立的认可机构对另一方领土内设立的合格评定机构进行认证的措施，

under conditions no less favourable than those applied to the accreditation of conformity assessment bodies in its own territory.

8. Each Party shall accept the results of conformity assessment procedures conducted by conformity assessment bodies located in the other Party's territory, which have been recognized by the other Party, under conditions no less favourable than those conditions applied to the acceptance of the results of conformity assessment procedures conducted by recognized conformity assessment bodies in its territory.

9. The Parties shall exchange, no later than upon the entry into force of this Agreement, information on their respective conditions for the recognition of conformity assessment bodies, including applicable accreditation requirements and procedures that a conformity assessment body must fulfill to apply for recognition.

10. If a Party recognizes a conformity assessment body in the territory of the other Party, it shall promptly inform the other Party that it recognizes that conformity assessment body and of the scope of the body's accreditation.

11. Nothing in this agreement prevents each Party from retaining the powers established under their respective domestic laws to take all permissible measures with respect to products that may compromise

且条件不得低于适用于其本国领土内合格评定机构认证的条件。8. 每一方应接受另一方领土内设立的合格评定机构（且已获另一方认可）实施的合格评定程序结果，接受条件不得低于适用于接受其领土内认可的合格评定机构实施的合格评定程序结果的条件。

9. 缔约方应在本协定生效后尽快交换关于各自认可合格评定机构条件的相关信息，包括合格评定机构申请认可时必须满足的适用认证要求和程序。

10. 如一缔约方认可另一方领土内的合格评定机构，应立即通知另一方其已认可该合格评定机构以及该机构的认证范围。

11. 本协议中的任何规定均不妨碍每一方保留其各自国内法所确立的权力，以针对可能危害

the health or safety of persons in its respective territory, or which otherwise fail to conform to their respective technical regulations.

12. If a Party does not accept the results of a conformity assessment procedure conducted by a recognized conformity assessment body in the territory of the other Party, it shall, on the request of the other Party, provide the reasons for its decision.

13. Nothing in this Chapter prevents a Party from undertaking conformity assessment in relation to specific products solely by government bodies that are located in its territory, subject to the Parties' obligations under the TBT Agreement.

Article 7.7: Transparency

1. The obligations in this Article supplement those set out in Chapter 14 (Transparency). In the event of an inconsistency between this Article and the obligations in Chapter 14 this Article prevails.

2. Each Party shall ensure that transparency procedures regarding the development of technical regulations and conformity assessment procedures allow interested persons to participate at an early appropriate stage, when amendments may be introduced and comments may be taken into account, unless urgent problems of safety, health, environmental protection or national security arise or

其各自领土内人员健康或安全的产品，或不符合其各自技术法规的产品采取一切允许的措施。12. 如一缔约方不接受另一方领土内认可的合格评定机构进行的合格评定程序的结果，则应另一方的请求，提供其决定的理由。

13. 本章节不妨碍缔约方仅通过位于其领土内的政府机构对特定产品进行合格评定，但须遵守缔约方在《技术性贸易壁垒协定》下的义务。

第7.7条：透明度

1. 本条规定的义务是对第14章（透明度）所规定义务的补充。如本条与第14章规定的义务存在不一致，以本条为准。

2. 每一方应确保关于技术法规和合格评定程序制定的透明度程序，允许利害关系人在早期适当阶段参与，此时可提出修正案并考虑意见，除非出现或即将出现安全、健康、环境保护或国家安全的紧急问题。

threaten to arise. If a consultation process for the development of technical regulations and conformity assessment procedures is open to the public, a Party shall permit persons of the other Party to participate on terms no less favourable than those accorded to its own persons.

3. Each Party shall recommend that standardization bodies in its territory observe paragraph 2 in the consultation processes for the development of standards or voluntary conformity assessment procedures.

4. Each Party shall allow a period of at least 60 days following its notification to the WTO's Central Registry of Notifications of proposed technical regulations and conformity assessment procedures for the public and the other Party to provide written comments, unless urgent problems of safety, health, environmental protection or national security arise or threaten to arise.

5. At the time a Party submits its notification of technical regulations and conformity assessment procedures to the WTO Central Registry of Notifications in accordance with the TBT Agreement, it shall include an electronic link to, or a copy of, the full text of the document.

如果技术法规和合格评定程序制定的磋商程序向公众开放，一方应允许另一方的人员以不低于给予本国人员的条件参与。

3. 每一方应建议其领土内的标准化机构在制定标准或自愿性合格评定程序的协商过程中遵守第2款。

4. 每一方应允许在向WTO中央通知登记处通报拟议技术法规和合格评定程序后，给予公众和另一方至少60天的期限以提交书面意见，除非出现或可能出现的紧急安全问题、健康问题、环境保护问题或国家安全问题。

5. 当一缔约方根据《技术性贸易壁垒协定》向WTO中央通知登记处提交其技术法规和合格评定程序的通知时，应包括该文件全文的电子链接或副本。

6. Each Party shall, at the request of the other Party, provide its responses or a summary of its responses, to significant comments it receives.

7. Each Party, at the request of the other Party, shall provide information regarding the objectives of, and rationale for, a technical regulation or conformity assessment procedure that the Party has adopted or is proposing to adopt.

8. If a Party does not accept a technical regulation of the other Party as equivalent to its own, it shall explain its decision at the request of the other Party. The Parties recognize that it may be necessary to develop common views, methods, and procedures to facilitate the use of equivalency.

9. The Parties shall ensure that all adopted technical regulations and conformity assessment procedures are published on official websites that are publicly available without charge.

10. If a Party, at a port of entry, detains a good imported from the territory of the other Party on the basis that the good may not comply with a technical regulation, it shall immediately notify the importer of the reasons for the detention of the good.

11. Any information that is provided at the request of a Party under this Chapter shall be provided in print or electronically within a

6. 每一方应另一方的请求，提供其收到的对重要意见的回应或回应摘要。

7. 每一方应另一方的要求，应提供关于其已采用或拟采用的技术法规或合格评定程序的目标及理由的信息。

8. 如一方不接受另一方的技术法规与其自身法规等效，应应另一方的要求解释其决定。缔约方认识到，可能需要形成共同观点、方法及程序以促进等效性的使用。

9. 缔约方应确保所有已采用的技术法规和合格评定程序均发布在可免费公开访问的官方网站上。

10. 如一方在入境口岸以货物可能不符合技术法规为由扣留来自另一方领土的进口货物，应立即将扣留货物的理由通知进口商。

11. 缔约方根据本章节要求提供的任何信息，应以印刷或电子方式在

reasonable period of time. The Party receiving the request shall endeavour to respond to the request within 60 days.

Article 7.8: Contact Points

1. The Contact Points are:

- (a) in the case of Canada, the Department of Foreign Affairs, Trade and Development, or its successor; and
- (b) in the case of Ukraine, Ministry of Economic Development and Trade of Ukraine, or its successor.

2. The Contact Points are responsible for communications related to matters that arise under this Chapter. Those communications include:

- (a) the implementation and administration of this Chapter;
- (b) issues related to the development, adoption or application of standards, technical regulations, or conformity assessment procedures, under this Chapter or the TBT Agreement;
- (c) the exchange of information on standards, technical regulations, or conformity assessment procedures;
- (d) the exchange of information pursuant to Article 7.6.9 (Conformity Assessment) and to Articles 7.7.6 through 7.7.8 and Article 7.7.11 (Transparency); and
- (e) joint cooperation by the Parties, pursuant to Article 7.4.

合理期限内提供。接收请求的一方应努力在60天内对请求作出回应。

第7.8条：联络点

1. 联络点为：

- (a) 就加拿大而言，外交、贸易和发展部或其继任者；以及
- (b) 就乌克兰而言，乌克兰经济发展和贸易部或其继任者。

2. 联络点负责与本章节相关事项的沟通。此类沟通包括：

- (a) 本章节的实施和管理；
- (b) 本章节或《技术性贸易壁垒协定》下关于标准、技术法规或合格评定程序的制定、采用或适用问题；
- (c) 关于标准、技术法规或合格评定程序的信息交换；
- (d) 根据第7.6.9条（合格评定）以及第7.7.6至7.7.8条和第7.7.11条（透明度）进行的信息交换；以及
- (e) 缔约方根据第7.4条开展的联合合作。

3. A Contact Point is responsible for communication with the relevant institutions and persons in its territory as necessary to carry out its functions. The Contact Points may communicate in writing, electronically, by video-conferencing, or other means decided by the Parties.

Annex 7-A: Icewine

A Party shall permit wine to be labeled as “Icewine”, “ice wine”, “ice-wine” or a similar variation of these terms, only if the wine is made exclusively from grapes naturally frozen on the vine.

Text of the Canada–Ukraine Free trade agreement – Chapter 8: Electronic commerce

Article 8.1: Definitions

For the purposes of this Chapter:

delivered electronically means delivered through telecommunications, alone or in conjunction with other information and communication technologies; and

telecommunications means the transmission and reception of signals by any electromagnetic means.

3. 联络点负责与其领土内的相关机构和个人进行必要沟通以履行其职能。联络点可通过书面、电子方式、视频会议或缔约方决定的其他方式进行沟通。

附件7-A：冰酒

缔约方应仅允许完全由自然冷冻葡萄酿造的葡萄酒标注为“冰酒”、“ice wine”、“ice-wine”或类似变体术语。

加拿大-乌克兰自由贸易协定文本 – 第8章：电子商务

第8.1条：定义

就本章而言：

deliveredelectronically 指通过电信方式单独或结合其他信息和通信技术进行交付；且

电信指通过任何电磁手段进行信号的传输与接收。