

CHAPTER EIGHT

TECHNICAL BARRIERS TO TRADE

Article 8.1: Objectives

The objectives of this Chapter are to:

- (a) improve the implementation of the *Agreement on Technical Barriers to Trade* (TBT Agreement), which is part of the WTO Agreement;
- (b) ensure that standards, technical regulations, and conformity assessment procedures, including those related to metrology, do not create unnecessary obstacles to trade; and
- (c) enhance joint cooperation between the Parties in order to resolve specific issues related to the development and application of standards, technical regulations, and conformity assessment procedures, thereby facilitating the conduct of international trade in goods.

Article 8.2: Affirmation of the TBT Agreement

1. Further to Article 1.3(1) (Objectives and Initial Provisions – Relation to Other Agreements), the Parties affirm their existing rights and obligations with respect to each other under the TBT Agreement.
2. The WTO Agreement exclusively governs the settlement of any formal disputes about the matters referred to in paragraph 1.

Article 8.3: 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.

Article 8.4: Cooperation

1. The Parties shall engage in technical cooperation activities directed at reaching effective and full compliance with the obligations set forth in the TBT Agreement, while taking into account the different levels of development of each Party's standardizing, accreditation, conformity assessment, and metrology institutions. To this end, each Party shall encourage its national government bodies responsible for coordinating its standardization, notification, and conformity assessment systems to undertake:

- (a) the design, implementation, and review of technical and institutional cooperation activities;
- (b) the promotion of institutional and regulatory information exchange and technical cooperation; and
- (c) the promotion of co-ordination in international fora.

2. At the request of a Party, the Parties shall discuss an issue related to standards, technical regulations, or conformity assessment procedures at the next Commission meeting.