

<b>1 ARTICLE 7 OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE .....</b>	<b>1</b>
1.1 Text of Article 7.....	1
1.2 Related decisions and recommendations of the Committee on Technical Barriers to Trade .....	1
1.2.1 Notification of proposed conformity assessment procedures of local governments.....	1
1.2.2 Handling of comments.....	2
1.2.3 Local and Non-governmental conformity assessment bodies and procedures .....	2

## **1 ARTICLE 7 OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE**

### **1.1 Text of Article 7**

#### ***Article 7***

##### ***Procedures for Assessment of Conformity by Local Government Bodies***

With respect to their local government bodies within their territories:

7.1 Members shall take such reasonable measures as may be available to them to ensure compliance by such bodies with the provisions of Articles 5 and 6, with the exception of the obligation to notify as referred to in paragraphs 6.2 and 7.1 of Article 5.

7.2 Members shall ensure that the conformity assessment procedures of local governments on the level directly below that of the central government in Members are notified in accordance with the provisions of paragraphs 6.2 and 7.1 of Article 5, noting that notifications shall not be required for conformity assessment procedures the technical content of which is substantially the same as that of previously notified conformity assessment procedures of central government bodies of the Members concerned.

7.3 Members may require contact with other Members, including the notifications, provision of information, comments and discussions referred to in paragraphs 6 and 7 of Article 5, to take place through the central government.

7.4 Members shall not take measures which require or encourage local government bodies within their territories to act in a manner inconsistent with the provisions of Articles 5 and 6.

7.5 Members are fully responsible under this Agreement for the observance of all provisions of Articles 5 and 6. Members shall formulate and implement positive measures and mechanisms in support of the observance of the provisions of Articles 5 and 6 by other than central government bodies.

### **1.2 Related decisions and recommendations of the Committee on Technical Barriers to Trade**

#### **1.2.1 Notification of proposed conformity assessment procedures of local governments**

1. At its meeting in November 2006, with regard to the notification of proposed technical regulations and conformity assessment procedures of local governments at the level directly below that of the central government, the Committee on Technical Barriers to Trade (TBT Committee) agreed to invite Members to indicate the local government bodies in their jurisdictions that are subject to the notification obligations contained in Articles 3.2 and 7.2 of the Agreement on Technical Barriers to Trade (TBT Agreement). The TBT Committee made follow-up recommendations in 2009 and 2012.<sup>1</sup>

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<sup>1</sup> [G/TBT/1/Rev.15](#), pp. 32-33.

### **1.2.2 Handling of comments**

2. In 1995, the TBT Committee agreed to a number of procedures to improve the handling of comments on proposed technical regulations and procedures for assessment submitted under various provisions of the TBT Agreement, including Article 7.1. The Committee made follow-up recommendations in 2003, 2006, 2009, and 2018.<sup>2</sup> See the section on Article 2.9, handling of comments on notifications, in the document on Article 2 of the TBT Agreement (Practice).

### **1.2.3 Local and non-governmental conformity assessment bodies and procedures**

3. See the Decision of the TBT Committee on principles for the development of international standards, guides and recommendations with relation to Articles 2 and 5 of and Annex 3 to the TBT Agreement.<sup>3</sup>

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Current as of: July 2024

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<sup>2</sup> [G/TBT/1/Rev.15](#), pp. 34-35.

<sup>3</sup> The text of the decision is contained in [G/TBT/1/Rev.15](#), pp. 68-70.