

ANNEX (2)

PRINCIPLES AND PROCEDURES OF IMPLEMENTING THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

I *THE DIRECTORATE GENERAL FOR SPECIFICATIONS AND MEASUREMENTS AND LEGITIMATE OBJECTIVES :-*

The Directorate General for Specifications and Measurements (DGSM) is concerned with preparation, adoption and application of Technical Regulations and Standards, Testing and Conformity Assessment Procedures.

1.2 The Directorate General for Specifications and Measurements implements the articles of the Agreement on Technical Barriers to Trade (TBT Agreement) issued from World Trade Organization (WTO) in order to facilitate the international trade and assures the implementation of fair trade practices and improving the efficiency of production and to ensure the quality of its exports and imports.

1.3 The DGSM applies the articles of the Agreement on Technical Barriers to Trade with a view, not be more trade restrictive than necessary to fulfill the legitimate objectives which comprise, national security requirements; the prevention of deceptive practices; protection of human health or safety, animal or plant life, or the environment.

II *PREPARATION, ADOPTION AND APPLICATION OF TECHNICAL REGULATIONS:*

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- 2.3 Where new technical regulations are required and relevant international standards exist or their completion is imminent, the DGSM shall use them, as a basis for technical regulations except when such international standards or relevant parts would be inappropriate for the fulfillment of the legitimate objectives pursued, for instance because of fundamental climatic or geographical factors or fundamental technological problems or religious aspects.
- 2.4 When preparing, adopting or applying a technical regulation which may have a significant effect on trade to other Members, the DGSM shall, upon request of another Member, explain the justification for that technical regulations.
- 2.5 With a view to harmonizing technical regulations on as wide a basis as possible, the Directorate will play a full part within the limits of its resources, in international standards development work done by the **International Standardizing Bodies** for product standards for which the Directorate either has adopted or expects to adopt a corresponding technical regulations.
- 2.6 The Directorate will give positive consideration to accepting as equivalent technical regulations of other Members, even if these regulations differ from its regulations, provided that these regulations adequately fulfil the legitimate objectives.
- 2.7 Wherever appropriate, the Directorate shall specify technical regulations based on product requirements in terms of performance and safety requirements rather than design or descriptive characteristics.
- 2.8 Whenever a proposed technical regulation has a significant effect on trade of other Members, or if the technical content of a proposed technical regulation is not in accordance with the technical content of relevant internati

writing, and take these written comments into account if they are received within a period of (60) days from the date of notification through the internet.

- 2.8.2 Upon request, the Directorate provides the other Members a copy of the proposed technical regulation in English, at the same price excluding the cost of mailing.
- 2.8.3 The Directorate ensures to publish all the approved technical regulations which have a significant effect on trade of other Members, at an early appropriate stage, and make it available in

assessment procedures and the necessary corrective action will be taken, when those complaints are justified.

- 4.6 In cases where a positive assurance is required that products conform with technical regulations or standards, and relevant guides or recommendations issued by the International Standardizing Bodies exist or their completion is imminent, the Directorate ensures to use them, or the relevant parts of them, as a basis for conformity assessment procedures except where such guides or recommendations or relevant parts are inappropriate for inter alia, such reasons as: national security requirements; the prevention of deceptive practices; protection of human health or safety, animal or plant life or health, or the environment; fundamental climatic or other geographical factors; fundamental technological or infrastructural problems or religious aspects.
- 4.7 With a view to harmonizing conformity assessment procedures on as wide a basis as possible, The Directorate accepts and approves

Members through the Secretariat of WTO, of the products to be covered by the proposed conformity assessment procedure, together with a brief indication of its objective and rationale. The Directorate will provide the interested parties in other Members, upon request, with the relevant documents at an early appropriate stage and allow other Members to present their comments in writing, and ensures to take these written comments and the results of discussions into account if they are received within (60) days from the date of notification.

- 4.11 Where urgent problems of safety, health, environmental protection or national security arise or threaten to arise for the country, the Sultanate may omit such of the previous steps, as it finds necessary.

V *RECOGNITION OF CONFORMITY ASSESSMENT BY CENTRAL GOVERNMENT BODIES IN OTHER MEMBERS:*

- 5.1 The Directorate ensures that the results of conformity assessment procedures in other Members are accepted provided that those procedures offer an assurance of conformity with applicable technical regulations or standards. It is recognized that prior consultations may be necessary in order to arrive at a mutually satisfactory understanding regarding, in particular :

- 5.1.1 Adequate and enduring technical competence of the relevant conformity assessment bodies in the exporting Member so that confidence and continued reliability of their conformity assessment results can exist. In this regard, ity 6I 0 Tc0 Tw()Tj

5.3 The conformity assessment bodies located in the territories of other Members have the right to participate in Oman's conformity assessment procedures under conditions no less favourable than those accorded to similar bodies located in the Sultanate or the territory of any other country.

VI ***CONFORMITY ASSESSMENT BY LOCAL GOVERNMENT AND NON-GOVERNMENTAL BODIES:***

The authorized Government and Non-Governmental Bodies are permitted to carry out the conformity assessment procedures to products under the same provisions stated in the previous articles concerning the corresponding bodies of the other Members.

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