

Policy on National Framework on Technical Regulation and Conformity Assessment procedures

1. Scope

This framework is being established by the Government of Seychelles as per its commitment to comply with the requirements of the WTO Agreement on Technical Barriers to Trade (TBT).

The purpose is to identify and set up the mechanism and related principles of Good Regulatory Practice (GRP) to guide regulators in the preparation, adoption and application of technical regulations and conformity assessment procedures related to products or process and production methods in the efficient and effective implementation of the provisions of the TBT Agreement across the regulatory lifecycle.

Government acknowledges and agrees that the use of Good Regulatory Practice (GRP) can play a part in avoiding unnecessary obstacles to international trade; in the preparation, adoption and application of technical regulations and conformity assessment procedures, thereby contributing to the effective implementation of the TBT Agreement.

This framework policy is therefore being guided by the principles set out in the TBT Agreement and the Good Regulatory Practice produced by the WTO TBT Committee . These include, but are not limited to:

- a. non-discrimination;
- b. avoidance of unnecessary barriers to trade;
- c. the use of relevant international standards;
- d. transparency;
- e. technical assistance to other Members; and,
- f. special and differential treatment of developing country Members.

2. Definition

Conformity Assessment Procedures means any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled

Enquiry Point means the national authority designated by the Government of Seychelles to answer all reasonable enquiries from other countries and interested parties in other countries as well as to provide the relevant documents.

National Notification Authority means the single national authority designated by the Government of Seychelles to discharge the notification responsibilities in accordance to the provision of the TBT Agreement.

Standard means document approved by a recognised body that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

TBT means Technical Barriers to Trade.

Technical Regulation means document which lays down product characteristics or their related processes and production methods, including applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

WTO means World Trade Organisation

3. General Objective

The Government of Seychelles shall ensure that all technical regulations and conformity assessment procedures that are drafted are fully compatible with the WTO Agreement on Technical Barriers to Trade.

4. Application of principles

4.1 Technical Regulations

- 4.1.1 Seychelles shall ensure that in respect of technical regulations, products imported from WTO members shall be accorded treatment no less favourable than that accorded to like products of national origin and to like products originating in any other country.

purpose, technical regulations shall not be more trade restrictive than to fulfill a legitimate

- II. To co-ordinate implementation issues relating to TBTs at national, regional and international level;
 - III. To oversee the actions of the Enquiry point and National Notification Authority as established in section 5.2.
 - IV. To examine the effective implementation of Seychelles rights and obligations under the WTO Agreement on Technical Barriers to Trade,
 - V. To be used as a forum for developing the Seychelles positions for meetings of the various regional and multilateral TBT Committees.
 - VI. To review the merits and provide guidance to regulatory bodies regarding technical regulation and conformity assessment procedures being proposed for adoption.
- 5.1.2 The TBT National Committee shall comprise of representatives of all regulatory bodies that are involved in the preparation, adoption and application of technical regulations and conformity assessment procedures and the Secretariat to that Committee as established in section 5.1.3 below.
- 5.1.3 The Enquiry Point and National Notification Authority as established under section 5.2 shall serve as the Secretariat to the TNC.
- 5.2 Establishment of the Enquiry Point and National Notification Authority (NNA)
- 5.2.1 The Ministry responsible for Trade will serve both as the single enquiry point and the single national notification authority.
- 5.2.2 Its obligation as the enquiry point shall be to answer all reasonable enquiries from other countries and interested parties in other countries as well as to provide the relevant documents regarding;
- I. Any technical regulations adopted or proposed within Seychelles, by a body which have legal power to enforce a technical regulation;
 - II. Any standards adopted or proposed within Seychelles
 - III. Any conformity assessment procedures or proposed conformity assessment procedures which are operated within Seychelles.
 - IV.

technical regulations or conformity assessment procedures being proposed for adoption are

- II. Upon request provide WTO members with copies of the technical regulation or conformity assessment procedure;
- III. Without discrimination, allow other WTO Members to present their comments in writing, discuss these comments upon request and take these written comments and the results of these discussions into account.