

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Committee on Technical Barriers to Trade

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INFORMATION ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

Addendum

The following communication has been received from the delegation of Finland.

The Permanent Mission of Finland presents its compliments to the secretariat of the General Agreement on Tariffs and Trade and has the honour to transmit herewith the text of the Decision of the Council of State of Finland (the Finnish Government) on notification of the Preparation of Technical Regulations, Standards and Recommendations, issued on 27 June 1980. The text of the afore-mentioned Decision relates to the implementation in Finland of the Agreement on Technical Barriers to Trade.

Decision of the Council of State

On Notification of the Preparation of Technical Regulations, Standards and Recommendations.

Issued in Helsinki on 27 June 1980.

Upon the report of the Ministry of Trade and Industry the Council of State has decided, under the provisions of the Decree of 29 April 1980, concerning the Implementation of the Agreement on Technical Barriers to Trade (326/1980):

Section 1

Central government bodies as well as corporations under public or private law which are responsible for preparing new technical regulations or amending existing ones shall make notifications relating to their preparation work in accordance with the provisions of this Decision.

The provisions of this Decision concerning technical regulations shall also apply to standards and recommendations.

This Decision does not apply to technical regulations, standards or recommendations made to meet internal production or consumption requirements of a central government body or a corporation referred to in the first paragraph of this section.

Section 2

A technical regulation, a standard or a recommendation means in this Decision a mandatory provision or a recommendation which lays down characteristics of a product such as the level of quality, performance, safety or dimensions, or methods for certifying its conformity with technical regulations or standards. It may include or exclusively deal with terminology, symbols, testing and test methods, packaging, marking or labelling requirements.

Section 3

Before a technical regulation is issued, the person in charge of its preparation shall make a written notification to the Finnish Standards Association, which maintains the register of technical regulations prepared in Finland. The notification shall be given simultaneously with the requesting of comments on the proposed regulation or, if comments are not requested, as soon as the proposal has been completed. The notification shall be accompanied by a copy of the proposed regulation.

A comparison between the contents of the technical regulation and the corresponding international standard or recommendation, if any, and an estimate of the possible effects of the regulation on foreign trade shall be attached to the notification.

The person who prepared the technical regulation shall, moreover send a copy of the regulation to the Finnish Standards Association as soon as the regulation has been brought into force. If a technical regulation has been prepared by a corporation under private law it is sufficient that the corporation notifies that it has brought the regulation into force.

Section 4

What is prescribed in Section 3 about notifications relating to the preparation and the bringing into force of technical regulations does not apply to particulars the disclosure of which can be considered to be opposed to the essential national security interests.

If a technical regulation because of a sudden need relating to safety, health, environmental protection or national security must be prepared and brought into force without delay, it is sufficient to notify the Finnish Standards Association of the regulation after its entry into force.

Section 5

A notice of the preparation of a technical regulation shall be published in the official gazette in the manner required by international agreements binding on Finland. The Finnish Standards Association shall attend to this after having received the notification relating to the preparation of the regulation.

Section 6

The Ministry of Trade and Industry shall see to it that, when this is required by international agreements binding on Finland, the technical regulations affecting foreign trade that are prepared in Finland are notified to the international organizations concerned.

The Ministry shall also inform the person who prepared a technical regulation of any comments sent to Finland in respect of notifications referred to in the first paragraph of this section.

Section 7

When a notification relating to a technical regulation affecting foreign trade which was prepared outside Finland has been received in Finland, the Ministry of Trade and Industry shall see to it that the appropriate authorities and the industrial and commercial organizations concerned are informed of the notification.

A technical regulation affecting foreign trade which has been prepared outside Finland and of which no notification according to the first paragraph of this section has been received in Finland may be notified to the Ministry of Trade and Industry by the government body concerned or anyone whose activities the regulation affects.

Section 8

The Ministry of Trade and Industry shall, when necessary, issue more detailed provisions and instructions as to the execution and application of this Decision.

Section 9

This Decision enters into force on 1 September 1980.

This Decision repeals the Decision of the Council of State of 16 March 1966, concerning the Preparation of Standards (169/1966).

Helsinki, 27 June 1980.

Minister

Senior Ministerial Secretary