

1 ARTICLE 15	1
1.1 Text of Article 15	1
1.2 Related decisions and recommendations of the Committee on Technical Barriers to Trade	Error! Bookmark not defined.
1.2.1 Article 15.2.....	1
1.2.2 Article 15.3.....	3
1.2.3 Article 15.4.....	3

1 ARTICLE 15

1.1 Text of Article 15

Article 15

Final Provisions

Reservations

15.1 Reservations may not be entered in respect of any of the provisions of this Agreement without the consent of the other Members.

Review

15.2 Each Member shall, promptly after the date on which the WTO Agreement enters into force for it, inform the Committee of measures in existence or taken to ensure the implementation and administration of this Agreement. Any changes of such measures thereafter shall also be notified to the Committee.

15.3 The Committee shall review annually the implementation and operation of this Agreement taking into account the objectives thereof.

15.4 Not later than the end of the third year from the date of entry into force of the WTO Agreement and at the end of each three-year period thereafter, the Committee shall review the operation and implementation of this Agreement, including the provisions relating to transparency, with a view to recommending an adjustment of the rights and obligations of this Agreement where necessary to ensure mutual economic advantage and balance of rights and obligations, without prejudice to the provisions of Article 12. Having regard, *inter alia*, to the experience gained in the implementation of the Agreement, the Committee shall, where appropriate, submit proposals for amendments to the text of this Agreement to the Council for Trade in Goods.

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

1.2.1 Article 15.2

1. In 1995, the Committee on Technical Barriers to Trade (TBT Committee) agreed that, with respect to the contents of written statements to be made by Members in response to Article 15.2 of the Agreement on Technical Barriers to Trade (TBT Agreement):

- (i) the statement should cover the legislative, regulatory and administrative action taken as a result of the negotiation of the Agreement or currently in existence to ensure that the provisions of the Agreement are applied. If the Agreement itself has been incorporated into domestic law, the statement should indicate how this has been done. In other cases, the statement should describe the content of the relevant laws, regulations, administrative orders, etc. All necessary references should also be provided.

- (ii) in addition, the statement should specify:
- the names of the publications used to announce that work is proceeding on draft technical regulations or standards and procedures for assessment of conformity and those in which the texts of technical regulations and standards or procedures for assessment of conformity are published under Articles 2.9.1, 2.11; 3.1 (in relation to 2.9.1 and 2.11); 5.6.1, 5.8; 7.1, 8.1 and 9.2 (in relation to 5.6.1 and 5.8); and paragraphs J, L and O of Annex 3 of the Agreement;
 - the expected length of time allowed for presentation of comments in writing on technical regulations, standards or procedures for assessment of conformity under Articles 2.9.4 and 2.10.3; 3.1 (in relation to 2.9.4 and 2.10.3); 5.6.4 and 5.7.3; 7.1, 8.1 and 9.2 (in relation to 5.6.4 and 5.7.3); and paragraph L of Annex 3 of the Agreement;
 - the name and address of the enquiry point(s) foreseen in Articles 10.1 and 10.3 of the Agreement with an indication as to whether it is/they are fully operational; if for legal or administrative reasons more than one enquiry point is established, complete and unambiguous information on the scope of responsibilities of each of them;
 - the name and address of any other agencies that have specific functions under the Agreement, including those foreseen in Articles 10.10 and 10.11 of the Agreement; and
 - measures and arrangements to ensure that national and sub-national authorities preparing new technical regulations or procedures for assessment of conformity, or substantial amendments to existing ones, provide early information on their proposals in order to enable the Member in question to fulfil its obligations on notifications under Articles 2.9, 2.10, 3.2, 5.6, 5.7 and 7.2 of the Agreement.¹

2. In 1997, to ensure the submission of statements under Article 15.2 and to improve the implementation and administration of the Agreement, the Committee agreed on the following:

(i) with due consideration to the obligations under Article 15.2 to inform the Committee of measures in existence or taken to ensure the implementation and administration of the TBT Agreement, Members who have not submitted such information are expected to do so without further delay. They are invited to indicate any difficulties and needs in this respect, so that technical assistance may be provided as appropriate; and

(ii) for the purpose of the exchange of information, Members are invited, on a voluntary basis, to make oral presentations to further elaborate on the arrangements they have in place to achieve an effective implementation and administration of the provisions of the TBT Agreement, including those under Article 12. This exercise would be a useful means of sharing information with respect to good practices and in meeting the needs of those Members that may be seeking assistance.²

3. In 2000, the Committee agreed to encourage Members to continue sharing their experiences on the arrangements they had in place to achieve an effective implementation and administration of the provisions of the TBT Agreement.³

¹ [G/TBT/1/Rev.14](#), p. 24.

² [G/TBT/1/Rev.14](#), pp. 24-25.

³ [G/TBT/1/Rev.14](#), p. 25.

4. In 2003, in order to assist Members in meeting their obligations under Articles 15.2 and 10.1 of the TBT Agreement, the Committee invited Members to seek assistance from other Members that had met their obligations under Article 15.2 to share their knowledge and experience in this regard.⁴

1.2.2 Article 15.3

5. Pursuant to Article 15.3, the Committee has reviewed annually the implementation and operation of the TBT Agreement. The related Notes by the Secretariat are found in the following documents: [G/TBT/3](#) for 1996; [G/TBT/4](#) for 1997; [G/TBT/6](#) for 1998; [G/TBT/7](#) for 1999; [G/TBT/8](#) for 2000; [G/TBT/10](#) for 2001; [G/TBT/11](#) for 2002; [G/TBT/12](#) for 2003; [G/TBT/14](#) for 2004; [G/TBT/15](#) for 2005; [G/TBT/18](#) for 2006; [G/TBT/21](#) for 2007; [G/TBT/23](#) for 2008; [G/TBT/25](#) for 2009; [G/TBT/28](#) for 2010; [G/TBT/29](#) for 2011; [G/TBT/31](#) for 2012; [G/TBT/33](#) for 2013; [G/TBT/34](#) for 2014; [G/TBT/36](#) for 2015; [G/TBT/38](#) for 2016; [G/TBT/39](#) for 2017; [G/TBT/40](#) for 2018; [G/TBT/42](#) for 2019; [G/TBT/44](#) for 2020; [G/TBT/45](#) for 2021; and [G/TBT/47](#) for 2022.

1.2.3 Article 15.4

6. Pursuant to Article 15.4, the TBT Committee has reviewed triennially the operation and implementation of the TBT Agreement, including the provisions relating to transparency. This review is conducted with a view to recommending an adjustment of the rights and obligations of this Agreement where necessary to ensure mutual economic advantage and balance of rights and obligations, without prejudice to the provisions of Article 12. The TBT Committee concluded the First⁵, Second⁶, Third⁷, Fourth⁸, Fifth⁹, Sixth¹⁰, Seventh¹¹, Eighth¹², and Ninth¹³ Triennial Reviews of the Operation and Implementation of the Agreement on Technical Barriers to Trade on, respectively, 13 November 1997, 10 November 2000, 7 November 2003, 9 November 2006, 6 November 2009, 28 November 2012, 6 November 2015, 15 November 2018, and 12 November 2021.

Current as of: July 2022

⁴ [G/TBT/1/Rev.14](#), p. 25.

⁵ First Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/5](#).

⁶ Second Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/9](#).

⁷ Third Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/13](#).

⁸ Fourth Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/19](#).

⁹ Fifth Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/26](#).

¹⁰ Sixth Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/32](#).

¹¹ Seventh Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/37](#).

¹² Eighth Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/41](#).

¹³ Ninth Triennial Review of the Operation and Implementation of the Agreement on Technical Barriers to Trade, [G/TBT/46](#).