1 ARTICLE 3 OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

1.1 Text of Article 3

**Article 3**

*Preparation, Adoption and Application of Technical Regulations by Local Government Bodies and Non-Governmental Bodies*

With respect to their local government and non-governmental bodies within their territories:

3.1 Members shall take such reasonable measures as may be available to them to ensure compliance by such bodies with the provisions of Article 2, with the exception of the obligation to notify as referred to in paragraphs 9.2 and 10.1 of Article 2.

3.2 Members shall ensure that the technical regulations of local governments on the level directly below that of the central government in Members are notified in accordance with the provisions of paragraphs 9.2 and 10.1 of Article 2, noting that notification shall not be required for technical regulations the technical content of which is substantially the same as that of previously notified technical regulations of central government bodies of the Member concerned.

3.3 Members may require contact with other Members, including the notifications, provision of information, comments and discussions referred to in paragraphs 9 and 10 of Article 2, to take place through the central government.

3.4 Members shall not take measures which require or encourage local government bodies or non-governmental bodies within their territories to act in a manner inconsistent with the provisions of Article 2.

3.5 Members are fully responsible under this Agreement for the observance of all provisions of Article 2. Members shall formulate and implement positive measures and mechanisms in support of the observance of the provisions of Article 2 by other than central government bodies.

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

1.2.1 General

1. To the extent that, in accordance with Article 3 of the Agreement on Technical Barriers to Trade (TBT Agreement), the provisions of Article 2 apply to technical regulations prepared, adopted and applied by local government bodies and non-governmental bodies, see the decisions and recommendations of the Committee on Technical Barriers to Trade (TBT Committee) listed under Article 2. For more information concerning these decisions and recommendations, see the document on Article 2 of the TBT Agreement (Practice).

1.2.2 Notifications of proposed technical regulations and conformity assessment procedures of local governments at the level directly below that of the central government

2. In 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 TBT Committee agreed to invite Members to indicate the local government bodies in their jurisdiction that are subject to the notification obligations contained in Articles 3.2 and 7.2 of the TBT Agreement.¹

3. In 2009, the TBT Committee noted, despite an increase in the number of measures notified under Articles 3.2 and 7.2, that the number of such measures remained generally low. In light of this, the TBT Committee agreed to recommend that Members continue to discuss possible ways to improve coordination between relevant authorities at the central level and the local level directly below the central level with respect to notifications under Articles 3.2 and 7.2, including through dissemination of good practices. The TBT Committee also agreed to request the Secretariat to remain engaged in providing statistical information with respect to Articles 3.2 and 7.2.²

4. In 2012, the TBT Committee agreed to reaffirm the importance of establishing mechanisms to facilitate internal coordination for the effective implementation of the TBT Agreement’s notification obligations, including with respect to the notification of measures in line with Articles 3.2 and 7.2.³

Current as of: July 2022

¹ G/TBT/1/Rev.14, p. 29.
² G/TBT/1/Rev.14, p. 29.
³ G/TBT/1/Rev.14, p. 30.