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## **1 ARTICLE 7**

### **1.1 Text of Article 7**

#### **Article 7**

##### *Procedures for Assessment of Conformity by Local Government Bodies*

With respect to their local government bodies within their territories:

7.1 Members shall take such reasonable measures as may be available to them to ensure compliance by such bodies with the provisions of Articles 5 and 6, with the exception of the obligation to notify as referred to in paragraphs 6.2 and 7.1 of Article 5.

7.2 Members shall ensure that the conformity assessment procedures of local governments on the level directly below that of the central government in Members are notified in accordance with the provisions of paragraphs 6.2 and 7.1 of Article 5, noting that notifications shall not be required for conformity assessment procedures the technical content of which is substantially the same as that of previously notified conformity assessment procedures of central government bodies of the Members concerned.

7.3 Members may require contact with other Members, including the notifications, provision of information, comments and discussions referred to in paragraphs 6 and 7 of Article 5, to take place through the central government.

7.4 Members shall not take measures which require or encourage local government bodies within their territories to act in a manner inconsistent with the provisions of Articles 5 and 6.

7.5 Members are fully responsible under this Agreement for the observance of all provisions of Articles 5 and 6. Members shall formulate and implement positive measures and mechanisms in support of the observance of the provisions of Articles 5 and 6 by other than central government bodies.

### **1.2 Related TBT Committee decisions and recommendations**

#### **1.2.1 Notification of proposed conformity assessment procedures of local governments**

1. At its meeting in November 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. The Committee made a follow-up recommendation in 2009.<sup>1</sup>

#### **1.2.2 Handling of comments**

2. In 1995, the TBT Committee agreed to a number of procedures in order to improve the handling of comments on proposed technical regulations and procedures for assessment submitted under various Articles of the TBT Agreement, including Article 7.1. See the section on Article 2.9, handling of comments on notifications, in the document on Article 2 of the TBT Agreement (Practice).

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<sup>1</sup> G/TBT/1/Rev.10, p. 22.

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