DISCLAIMER

The Handbook on Notification Requirements does not constitute a legal interpretation of the notification obligations under the respective Agreement(s) or relevant legal provision(s). It has been prepared by the Secretariat to assist Members in complying with their notification obligations.
For Members which acceded pursuant to Article XII of the Marrakesh Agreement, their respective Protocols of Accession may contain notification obligations in addition to those set out in the WTO Agreements, and may govern the deadlines for the submission of their initial notifications.
WHAT MUST BE NOTIFIED?

The WTO Agreement on Technical Barriers to Trade seeks to ensure that technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to trade. Transparency through specific notifications obligations is one of the principles under the Agreement to minimize trade barriers. WTO Members are subject to different kinds of notifications requirements:

Technical Regulations (Article 2.9.2) and Urgent Technical Regulations (Article 2.10.1); Conformity Assessment Procedures (Article 5.6.2) and Urgent Conformity Assessment Procedures (Article 5.7.1)

The notification process ordinarily begins by identifying those measures that should be notified to the WTO. Figure 1 illustrates whether to notify technical regulations and conformity assessment procedures in line with Articles 2.9 and 5.6 of the TBT Agreement.

![Figure 1](draft-technical-regulation-or-conformity-assessment-procedure) + A relevant international standard does not exist or The technical content is not in accordance with a relevant international standard = Notify

The notification should include information on products to be covered as well as on objective and rationale of the measure. In addition, it should provide a comment period (normally 60 days), except in urgent circumstances (Articles 2.10.1 and 5.7.1).

Over the years, the TBT Committee has adopted a series of recommendations related to the implementation of notification obligations contained in the TBT Agreement. These can be found under the transparency chapter of G/TBT/1 (see latest Revision) and are also explained in the TBT Enquiry Point Guide.

Statement of Implementation

Article 15.2 of the TBT Agreement commits Members to submit a Statement of Implementation on the measures in existence or taken to ensure the implementation and administration of the Agreement, including the provisions on transparency. This one-time notification requirement should include information covering legislative, regulatory and administrative action taken so as 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. The statement should also indicate the entities designated as the Enquiry Point(s) (Article 10.1-3) and the Notification Authority (Article 10.10) for that Member.

Agreements with other Members

Article 10.7 Members may reach agreement with other countries on issues related to technical regulations, standards or conformity assessment procedures. These can include mutual recognition agreements, equivalence agreements and other types of regulatory co-operation mechanisms. These agreements, if they may have a significant effect on trade, should be notified, through the Secretariat, by one of the Members party to the agreement, indicating the products to be covered and a brief description of the agreement.

Notifications under Paragraph C and Paragraph J of the Code of Good Practice on the Preparation, Adoption and Application of Standards (Annex 3 to the Agreement)

The TBT Agreement’s “Code”, provides, among others (and through Article 4 of the Agreement), that Members shall ensure that their central government standardizing bodies accept and comply with the Code. Also, Members need to take such reasonable measures as may be available to them to ensure that local government and non-governmental standardizing bodies within their territories, as well as regional standardizing bodies, of which they or one or more bodies within their territories are Members, accept and comply with the Code.

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1 The WTO TBT Enquiry Point Guide provides a consolidated and comprehensive list of transparency obligations and recommendations related to the implementation of the TBT Agreement.
Standardizing bodies that have accepted or withdrawn from the Code (Annex 3) must notify this fact to the ISO via email tbtcode@iso.org. Those bodies that have accepted the Code are required to publish a work programme every six months, and its existence must also be notified through the same email address.

** WHICH MEMBERS MUST NOTIFY? **
All WTO Members.

** WHEN TO NOTIFY? **
Technical Regulations and Conformity Assessment Procedures
At an early appropriate stage when amendments can still be introduced, and comments taken into account. Figure 2 below indicates the lifecycle of a measure.

*Figure 2: The lifecycle of a measure*

1. Measure is proposed (Art. 2.9, 5.6)
2. Notice in publication (Art. 2.9, 5.6.1)
3. Notification to other Members (Art. 2.9.2, 5.6.2)
4. Provision of copies (Art.2.9.3, 5.6.3)
5. Discussion of the comments (Art. 2.9.4, 5.6.4)
6. End of comment period
7. Adoption of the measure
8. Publication of the measure (Art. 2.11, 5.8)
9. Entry into force of the measure (Art. 2.12, 5.9)

Exceptions for urgent reasons... (Art. 2.10, 5.7)

** HOW TO NOTIFY? **
2 All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document WT/INF/25/Rev.1. TBT notifications may be submitted through online submission systems or as electronic attachments to emails. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.

** Statement of Implementation **
*Article 15.2* Upon accession to the WTO. Revisions submitted as necessary when there are relevant changes in the regulatory process.

** Agreements with other Members **
*Article 10.7* When a Member has reached agreement with another Member on issues related to technical regulations, standards or conformity assessment procedures.

** Acceptance of the Code of Good Practice **
Upon acceptance of the code.

** Notification of work programmes **
Every six months. Alternatively, the website address where work programmes are regularly made available should be provided.
These notifications should be sent through the WTO TBT Notification Submission System (NSS), a facility that has been developed by the WTO Secretariat for Members. The system enables the authority responsible for notifications (in most instances the enquiry point) to create an online draft notification which can be shared among and edited by all those involved prior to the submission of the notification to the WTO. The system allows those directly involved in drafting the measure to prepare the notification efficiently. While the enquiry point (for example) can edit and submit notifications, the secondary account (on the NSS) can be used by other ministries or agencies to review and edit the notification prior to its submission to the WTO. Once ready, the NSS delivers the notification to the WTO Central Registry of Notifications (CRN) which then, within two days (on average), circulates the notification to all WTO Members. Enquiry points can contact the WTO Secretariat to receive their own account details (tbtnss@wto.org).

Alternatively, notifications can be sent by e-mail to the WTO CRN (crn@wto.org). However, the processing time for notifications submitted by email is significantly longer. The formats for the notifications can be found on the TBT Transparency Toolkit. Existing notifications can be consulted on the TBT IMS under ‘Search / notifications’.

Statements on Implementation

Article 15.2 All Article 15.2 statements (new and updates) should be submitted to the WTO Central Registry of Notifications (crn@wto.org). There is no specific format. Existing statements can be consulted on the TBT Information Management System (TBT IMS) under the heading search / statements of implementation.

Agreements with other Members

Article 10.7 All notifications under Article 10.7 should be submitted to the WTO Central Registry of Notifications (crn@wto.org). The formats for the notifications can be found on the TBT Transparency Toolkit. These notifications can be consulted on the TBT Information Management System (TBT IMS) under the heading ‘Agreements between Members’.

Notifications under Paragraph C and Paragraph J of the Code of Good Practice on the Preparation, Adoption and Application of Standards (Annex 3 to the Agreement)

Standards-related notifications need to be submitted to the ISO via email tbtcode@iso.org. The WTO ISO Standards Information Gateway contains the full list of standardizing bodies that have accepted the Code as well as information on their work programmes. The notification formats for acceptance (Form A), withdrawal (Form B) and work programmes (Form C) can also be downloaded through the Gateway. Acceptance and withdrawal notifications are subsequently circulated by the WTO Secretariat. These notifications can be consulted on the TBT IMS under the heading ‘Standards related notifications’.

Tracking notifications of technical regulations and conformity assessment procedures

ePing - THE SPS and TBT Notification Alert System

Given the high volume of notification circulated, it can be a challenge for Members and other interested parties to track and react to incoming notifications in a timely manner. To address this issue, the WTO Secretariat joined forces with the United Nations Department of Economic and Social Affairs (UNDESA) and the International Trade Centre (ITC) and launched ePing, the publicly available SPS/TBT notification alert system, in November 2016. By registering on ePing, users can receive daily or weekly email alerts containing SPS/TBT notifications covering products/markets of interest to them. To receive alerts and access all functionalities, users can register here.

In addition, interested SPS and TBT enquiry points/notification authorities can request administrator rights to access the enhanced features of the Enquiry Point Management tool by sending an email to spstbtalerts@wto.org.
### Listing of the Notification Obligations

<table>
<thead>
<tr>
<th>Notification requirements</th>
<th>Type of measure</th>
<th>Members notifying</th>
<th>Periodicity</th>
<th>Comments on Periodicity</th>
<th>Format</th>
<th>To whom</th>
<th>Notification Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 2.9.</td>
<td>Technical regulations.</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Yes (Submissions of notifications)</td>
<td>WTO Secretariat</td>
<td>G/TBT/N/*</td>
<td></td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 2.10.</td>
<td>Technical regulations (urgent).</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Yes (Submissions of notifications)</td>
<td>WTO Secretariat</td>
<td>G/TBT/N/*</td>
<td></td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 3.2.</td>
<td>Technical regulations - local government (urgent or non-urgent).</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Yes (Submissions of notifications)</td>
<td>WTO Secretariat</td>
<td>G/TBT/N/*</td>
<td></td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 5.6.</td>
<td>Conformity assessment procedures.</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Yes (Submissions of notifications)</td>
<td>WTO Secretariat</td>
<td>G/TBT/N/*</td>
<td></td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 5.7.</td>
<td>Conformity assessment procedures (urgent).</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Yes (Submissions of notifications)</td>
<td>WTO Secretariat</td>
<td>G/TBT/N/*</td>
<td></td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 7.2.</td>
<td>Conformity assessment Procedures -local Government (urgent or non-urgent).</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
<td>Yes (Submissions of notifications)</td>
<td>WTO Secretariat</td>
<td>G/TBT/N/*</td>
<td></td>
</tr>
</tbody>
</table>

3. All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document WT/INF/25/Rev.1. Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.
<table>
<thead>
<tr>
<th>WHAT MUST BE NOTIFIED?</th>
<th>WHICH MEMBERS MUST NOTIFY?</th>
<th>WHEN TO NOTIFY?</th>
<th>HOW TO NOTIFY?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notification requirements</td>
<td>Type of measure</td>
<td>Members notifying</td>
<td>Periodicity</td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 10.7.</td>
<td>Bilateral agreements; technical regulations; conformity assessment procedures; standards.</td>
<td>All WTO Members</td>
<td>Ad hoc</td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Article 15.2.</td>
<td>Administrative arrangements; laws/regulations measure in existence or taken to ensure the implementation and administration of the TBT Agreement.</td>
<td>All WTO Members</td>
<td>One time</td>
</tr>
<tr>
<td>Agreement on Technical Barriers to Trade, Annex 3 paragraph C.</td>
<td>Acceptance of/ withdrawal from a code (Code of Good Practice for the Preparation, Adoption and Application of Standards).</td>
<td>Standardizing Bodies accepting the Code/ withdrawing from the code.</td>
<td>One time</td>
</tr>
</tbody>
</table>

³ All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document WT/INF/25/Rev.1. Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.
## WHAT MUST BE NOTIFIED?

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<th>Periodicity</th>
<th>Comments on Periodicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement on Technical Barriers to Trade, Annex 3, paragraph J.</td>
<td>Work programmes on standardization activities</td>
<td>Standardizing Bodies accepting the Code.</td>
<td>Regular – Semi-annual</td>
<td>Every 6 months. Alternatively, a direct link to a website address where work programmes are published regularly can be provided.</td>
</tr>
</tbody>
</table>

### HOW TO NOTIFY?

- Yes
  - (Form C WTO ISO Standards Information Gateway)

### To whom?

- WTO ISO Standards Information Gateway

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3 All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document WT/INF/25/Rev.1. Notifications may be submitted through online submission systems, as electronic attachments to emails, by fax or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantially handling the notification.
Recommendation of the TBT Committee on Coherent Use of Notification Formats G/TBT/35.

Decisions and recommendations adopted by the Committee since 1 January 1995 G/TBT/1/Rev.13 (or latest Revision), Chapter 5.3.

TRANSPARENCY RESOURCES

**WTO TBT Enquiry Point Guide: Making transparency work**: Guide designed for training and capacity-building purposes and developed in response to a request by the Committee on Technical Barriers to Trade (the "TBT Committee"), at the end of 2015, that the WTO Secretariat prepare a guide on best practices for enquiry points.

**WTO Members’ transparency toolkit**: The TBT webpage containing information on notification obligations, formats to be used, decisions and recommendations adopted by the TBT Committee since 1 January 1995, handbooks, step-by-step manuals, links to Members’ TBT Enquiry Points websites, and other aids for Members’ transparency work in TBT.

**WTO TBT Booklet**: The TBT booklet includes an overview of the TBT Agreement, work of the TBT Committee, disputes invoking provisions of the Agreement, frequently asked questions, the full legal text of the Agreement, as well as the decisions and recommendations adopted by the TBT Committee since 1 January 1995.

**TBT Information Management System**: The database containing all TBT notifications from Members, standards-related information, all specific trade concerns raised in the TBT Committee, contact details of Members Enquiry Points, and other TBT related documents.

**TBT Notification Submission System**: The TBT NSS is a password-protected on-line notification system allowing Members to complete and submit notifications using a simple to use platform. For further details and to request access send an email to tbt@wto.org.

**ISO WTO Standards Information Gateway**: The WTO-ISO Standards Information Gateway contains the full list of standardizing bodies that have accepted the Code as well as information on their work programmes.

**ePing**: The SPS/TBT export alert system allows stakeholders to keep track of product requirements in foreign markets. This includes a specific feature which enables enquiry points to manage national subscribers, send emails and activate a discussion forum on notifications within their country.
TBT INFORMATION MANAGEMENT SYSTEM

To find a list of notifications on TBT go to the TBT IMS. This is a comprehensive database allowing users to search all TBT notifications and Specific Trade Concerns raised in the TBT Committee (STCs). Users can also browse information on TBT Enquiry Points, Statements on Implementation, Agreements between Members and other TBT-related documents.
Agreement on Technical Barriers to Trade LT/UR/A-1A/10.