GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Special Distribution

Committee on Technical Barriers to Trade

FOURTH ANNUAL REVIEW OF THE IMPLEMENTATION AND OPERATION OF THE AGREEMENT

Basic Document by the Secretariat

Supplement

The present document contains additional information supplied by signatories in connection with the Fourth Annual Review. It supplements or replaces the relevant parts of document TBT/17 in the following sections:

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2. IMPLEMENTATION AND ADMINISTRATION

2.1 GENERAL

Belgium

Royal Decree of 7 March 1983 relating to the implementation of the Agreement (Moniteur belge of 28 April 1983) stipulates as follows:

For the application of the Agreement on Technical Barriers to Trade, the International Economic Commission is responsible for preparing:

1. directives designed to facilitate such application;

2. the content of notifications to be made by Belgium;

3. the observations of Belgium with regard to notifications by other parties to the Agreement.

The Commission is assisted by the Belgian Standardization Institute, which is responsible for:

1. catalogueing Belgian and foreign draft and approved technical regulations, standards and certification systems;

2. preparing files relating to the notifications mentioned in Article 2.2 and forwarding the notifications to the secretariat;

3. furnishing the following information at the request of parties to the Agreement:

   (a) the name and address of competent bodies,

   (b) material indicating existing technical regulations, standards and certification systems;

4. communicating to Belgian administrations, entreprises and groups of enterprises:

   (a) the notifications transmitted by the secretariat and, at their request and against payment, the documents relating thereto;

   (b) all other information provided for by the Agreement;

5. submitting to the Commission the observations made by administrations, enterprises or groups of enterprises regarding notifications by other parties to the Agreement.

Public authorities and private bodies which prepare draft technical regulations, standards and certification systems that fall within the sphere of application of the Agreement will communicate such drafts and all useful information to the Belgian Standardization Institute. A reasonable time-period must be left between the date of communication and the intended date of publication.

Korea, Republic of

Although no legislation is required for Korea to implement the Agreement in view of Article 5 of its Constitution, the Government amended the Industrial Standardization Law on the end of 1982 with a view to guarantee more effective and concrete implementation of the Agreement.

The amendment of the Industrial Standardization Law enabled the Administrator of Industrial Advancement Administration (IAA) to grant Korean Industrial Standards (KS) Marking License to the foreign manufacturers. A summary of the main points of the amendments in connection with the openness of KS marking system to foreigners is as follows:

(1) The use of KS mark is permitted or approved by the Administrator of IAA to the designated industrial products which conform to the requirements of the relevant KS.

(2) The KS mark can be used only by the manufacturer who has obtained the KS marking License from the Administrator of IAA and it is prohibited to use KS mark without permission of the Administrator.

(3) Most of Korean Industrial Standards are voluntary. When he considers it neccessary, however, the Administrator may announce some particular products as mandatory products. The products which are announced as mandatory can't be manufactured and/or sold without KS marking. As of July 1983, 29 items including Piston for Automobile Engine are mandatory items.

(4) Foreign factories which apply for KS marking approval should submit documents specified in the ministerial decree of Industrial Standardization Law to the Administrator of IAA.

(5) The foriegn applicant for KS marking approval shall bear the additional foreign travelling expenses incurred by the official trip of Korean officers for foreign factory inspection in addition to the specified fee of 30,000 (equivalent to US $ 39). In this case, the calculation of traveling expenses shall be based on the Rule of Foreign Travelling Expenses of Government Employees and the travelling period shall be three days for factory inspection plus the days needed for a round trip to the factory. The official travelling group shall consist of two persons at the level of assistant-director and/or director.

(6) When addition or correction is required to the documents submitted by foreign manufacturer, the Administrator may order the manufacturer to make the addition or correction within the period of 20 days. The maximum period for reviewing of the application for KS marking approval is 50 days.

(7) To obtain KS marking approval, the applying manufacturer is required to have manufacturing and inspection facilities, inspection and quality control method and other production condition which are needed for quality assurance. The approved manufacturer is required to make periodic reports and provide documents as specified in the relevant IAA's decree.

(8) If the approved product is no longer considered to conform to the relevant standard, the Administrator of IAA may take such measures as order of marking alteration, suspension of marking approval, suspension of sale, withdrawl of marking approval or any other neccessary measures. In this case, the Administrator must allow the manufacturer the opportunity to present his view in advance. Besides the amendment of the Industrial Standardization Law and the related regulations, IAA administered some meetings to the government employees of various levels and Korean Standards Association employees so that they may have some conception about the significance of the Agreement and their obligations under the Agreement. There are presently no laws and regulations in Korea which impose inequity to the imported goods or the provisions of which can be considered to be a technical barrier to trade.

2.2 CONSULTATION POINTS

Up-to-date information is contained in docuemnt TBT/W/62 and Corr.1 and Corr. 2.

2.3 PANELISTS

Up-to-date information is contained in document TBT/W/25/Rev.8 and Corr.1 and Corr.2.

3. NOTIFICATION

3.2 COMMENT PERIOD

Japan

The Japanese Government decided to provide the Parties comment period of not less than nine weeks on notification on 26 March 1983 and continuous efforts will be made to allow sufficient time for comments according to this decision.

4. TECHNICAL ASSISTANCE AND SPECIAL AND DIFFERENTIAL TREATMENT

Korea, Republic of

Since the entry into force of the Agreement, Korea has not received and provided any technical assistance.

7. THE USE OF INTERNATIONAL STANDARDS; PARTICIPATION IN IN REGIONAL STANDARDIZATION BODIES OR INTERNATIONAL AND REGIONAL CERTIFICATION SYSTEMS

Japan

The Japanese Government decided the following policy regarding the use of international standards on 26 March 1983;

(1) Where the exist international standards, the work to bring Japanese standards into conformity with such international standards will be promoted with due consideration to the conditions peculiar to Japan. Where efforts to amend international standards are already under way, Japan will promote such efforts actively, in close cooperation with other countries.

(2) Where international standards do not exist, Japan will contribute to the establishment of international standards in such areas by participating actively in the preparatory work therefor.

(3) Furthermore, measures will be taken to relax and review standards, and to establish new standards in the light of comparison of Japanese standards with foreign standards.

Korea, Republic of

Bureau of Standards (KBS) responsible for establishment and revision of Korean Industrial Standards is the member body of ISO and IEC. KBS regularly reviews the international standards published by ISO and IEC and adopts them wholly or partially in its establishment and revision of KS.

TRANSPARENCY

8.1 PUBLICATION

Korea, Republic of

Newly-established or revised Korean Industrial Standards and technical regulations are published in "Kwan-Po" (official gazette). There are no periodic publications giving notice of draft standards under consideration. Besides "Kwan-Po", the newly-established Korean Industrial Standards are published in "Standardization and Quality Control", a bi-monthly publication edited by Korean Standards Association.

8.2 INFORMATION

Up-to-date information is contained in document TBT/W/31/Rev.3 and Corr.1.

9. TESTING PROCEDURES AND ACCEPTANCE OF TEST RESULTS

Japan

The Japanese Government decided the following policy regarding acceptance of foreign test data on 26 March 1983.

Results of test conducted by foreign testing organizations or firms of foreign countries will be accepted except where there exist compelling reasons not to do so if the reliability of such data are confirmed.