
**Working Party on the
Accession of China**

Original: English/
anglais/
inglés

COMMUNICATION FROM CHINA

In preparation for the Working Party meeting to be held on 19-27 July 2000, the Chinese delegation has submitted the following revised¹ Checklist of Illustrative TBT Issues for Consideration in Accessions, dated 13 July 2000.²

**Groupe de travail de
l'accession de la Chine**

COMMUNICATION DE LA CHINE

En vue de la réunion du Groupe de travail qui aura lieu du 19 au 27 juillet 2000, la délégation chinoise a communiqué la version révisée¹ ci-après de la liste exemplative de questions relatives aux obstacles techniques au commerce à examiner dans le cadre des accessions, datée du 13 juillet 2000.²

**Grupo de Trabajo sobre la
Adhesión de China**

COMUNICACIÓN DE CHINA

Para preparar la reunión del Grupo de Trabajo que se celebrará del 19 al 27 de julio de 2000, la delegación china ha presentado la siguiente Lista ilustrativa revisada¹ de cuestiones en materia de obstáculos técnicos al comercio, para su consideración en el proceso de adhesión, de fecha 13 de julio de 2000.²

¹ Former version issued in document WT/ACC/CHN/20./L'ancienne version a été distribuée sous la cote WT/ACC/CHN/20./La versión anterior se publicó en el documento WT/ACC/CHN/20.

² In English only./En anglais seulement./En inglés solamente.

CHECKLIST OF ILLUSTRATIVE TBT ISSUES FOR CONSIDERATION IN ACCESSIONS

The People's Republic of China

13 July 2000

Commitments (by the time of accession)	Compliance by China
1. Standstill: the introduction of new standards, technical regulations and conformity assessment procedures should be fully compatible with the TBT Agreement.	China confirms that the introduction of new standards, technical regulations and conformity assessment procedures are fully compatible with the TBT Agreement.
2. Submission of Statement on Implementation	China will submit to the TBT Committee a statement for implementing this Agreement, including legislative, regulatory and administrative actions, in accordance with Article 15.2 of the TBT Agreement.
3. Establishment and operation of a single Contact Point for Information("inquiry point")	China has set up two TBT Inquiry Points, the details of which have been submitted to the TBT Committee.
4. Identification of authority responsible for notifications, publications and other internal procedures to ensure transparency obligations are met on an ongoing basis:	
(a) identification of publication where notices of proposed technical regulations and conformity assessment procedures will appear;	China Standardization, a monthly magazine published by the China Standardization Association under the State Bureau of Quality and Technical Supervision, China Quality Newspaper and MOFTEC Gazette.
(b) identification of authority responsible for making notifications to the WTO.	MOFTEC.
(c) guidance/law to ensure regulatory authorities afford non-discriminatory consideration of comments in the preparation of a final regulation;	The Law of the People's Republic of China on Legislation, the Law on Standardization of the People's Republic of China, the Regulations of the People's Republic of China for the Administration of Product Quality Certification contains relevant provisions in this regard.

Commitments (by the time of accession)	Compliance by China
5. Development and Application of Technical Regulations and Conformity Assessment Procedures: Existence of legal and/or administrative underpinnings(or reasonable measures” as appropriate) to ensure ongoing compliance with provisions of the agreement concerning, in particular:	
(a)non-discrimination with respect to the treatment of products;	The Law of the People's Republic of China on Legislation, the Law on Standardization of the People's Republic of China, the Regulations of the People's Republic of China for the Administration of Product Quality Certification contains relevant provisions in this regard.
(b)the prohibition of unnecessary obstacles to international trade and the consideration of less trade-restrictive alternatives to fulfilling legitimate objectives;	China has taken into consideration of this objective in the development of technical regulations, standards and conformity assessment procedures.
(c)the ongoing review of technical regulations to ensure they are appropriate to achieve the desired legitimate objective;	The Law of the People's Republic of China on Legislation, the Law on Standardization of the People's Republic of China, the Regulations of the People's Republic of China for the Administration of Product Quality Certification contains relevant provisions in this regard.
(d)the consideration of appropriate international standards, guides and recommendations as a basis for technical regulations and conformity assessment procedures;	The same regulation as mentioned above will contain such a provision. The Chinese government encourages and supports the adoption of international standards, at the same time China retains its right to revoke Article 12 in the light of the conditions of China.
(e)the consideration of equivalent technical regulations of other Members;	China shall give a positive consideration of the technical regulation of other WTO Members, and will take in the practical part in to consideration as the reference of China's technical regulation.
(f)the acceptance of the results of conformity assessment procedures conducted by bodies in an exporting Member country;	In accordance with TBT Agreement, China will recognize the results of conformity assessment procedures of those countries which have concluded agreement of mutual recognition.
(g)non-discriminatory and cost-based fee structure.	China conformity assessment procedures are based on non-discriminatory and cost-based fee structure.

Commitments (by the time of accession)	Compliance by China
6. Development and Application of Standards and Conformity Assessment Procedures: Existence of legal and/or administrative underpinnings(or “reasonable measures” as appropriate) to ensure ongoing compliance with provisions of the agreement concerning, in particular;	
(a)non-discrimination with respect to the treatment of products;	The Law of the People's Republic of China on Legislation, the Law on Standardization of the People's Republic of China, the Regulations of the People's Republic of China for the Administration of Product Quality Certification contains relevant provisions in this regard.
(b)the prohibition of unnecessary obstacles to international trade;	The Law of the People's Republic of China on Legislation, the Law on Standardization of the People's Republic of China, the Regulations of the People's Republic of China for the Administration of Product Quality Certification contains relevant provisions in this regard.
(c)the consideration of appropriate international standards, guides and recommendations as a basis for standards;	The Chinese government encourages and supports the proactive adoption of international standards, at the same time China reserves its right to revoke Article 12 in line with its national conditions.
(d)non-discriminatory and cost-based fee structure.	China conformity assessment procedures are based on non-discriminatory and cost-based fee structure.