

APEC STANDARDS AND CONFORMANCE SUB-COMMITTEE

TERMS OF REFERENCE

1. Mandate

Pursuant to the 1994 Declaration on Standards and Conformance Framework, the APEC Standards and Conformance Sub-Committee (SCSC) is established under the authority of the APEC Committee on Trade and Investment (CTI). The SCSC shall undertake work to further the objectives set out in these Terms of Reference and provide policy recommendations to the CTI on aspects of APEC's work on standards and conformance in the region.

The SCSC shall have no set term, subject to a review of its mandate and Terms of Reference by the CTI, every three years.

2. Objectives

The objectives of the SCSC are:

- to reduce the negative effects on trade and investment flows in the region due to differing standards and conformance arrangements in the region; and
- to facilitate the further development of open regionalism and market-driven economic interdependence in the Asia Pacific region by:
 - encouraging greater alignment of member economies' standards with international standards;
 - liaising more closely, and developing greater consistency of approach to standards and conformance issues in relevant regional and international bodies;
 - making progress on the issue of mutual recognition of conformity assessment arrangements in the region;
 - encouraging cooperation on technical infrastructure development;
 - increasing the transparency of standards and conformance arrangements in the region; and
 - encouraging business involvement in standards and conformance activities.

In pursuing these objectives, the SCSC should be guided by the following principles:

i) *Efficiency of the work program*

The work program on standards and conformance will make efficient use of the results and activities of existing regional and international organisations and take into account the work of other APEC fora so that redundancy and duplication can be avoided.

ii) *Focus of the work program*

Work which can contribute to facilitating trade will be given priority. Accordingly, the SCSC's work program will focus on priority areas in the fields of closer alignment of standards with international standards, mutual recognition arrangements on conformity assessment, as agreed by member economies.

3. Scope of Activity

3.1 Alignment with International Standards

The broader adoption of, and alignment with, international standards by APEC members is an important element of APEC's program for expanding regional trade and investment flows and the development of production networks.

To this end member economies will endeavour to:

- pursue regional cooperation in accordance with international agreements and such as the WTO Agreements on Technical Barriers to Trade and Sanitary and Phytosanitary Measures;
- identify areas where alignment with international standards is feasible and to review on a regular basis member economies' existing standards, with a view, where appropriate, to aligning them with international standards;
- participate actively in the development and review of international standards, including in cooperation with other APEC members, in appropriate international bodies;
- adopt, as far as possible, new international standards developed in appropriate international bodies;
- explore practical options that will increase the alignment of members' standards with international standards;
- adopt and apply the *Guide for Alignment of APEC Member Economies' Standards with International Standards*;
- give positive consideration to accepting as equivalent the standards and technical regulations of other members, even if they differ from their own, provided they are satisfied that these regulations adequately fulfil the objectives of their own regulations;
- ensure that standards and technical regulations are not prepared, adopted or applied with a view to, or with the effect of, creating unnecessary obstacles to international trade;
- ensure that technical regulations are reviewed, on a regular basis, so that they are achieving objectives in the least restrictive manner;

- adopt and apply the *APEC Guidelines for the Preparation, Adoption and Review of Technical Regulations*; and
- exchange information on standards and technical regulations.

3.2 Cooperation with Regional and International Bodies

The SCSC's work will be designed to complement, rather than substitute, that already taking place in Specialist Regional Bodies such as Asia Pacific Laboratory Accreditation Cooperation (APLAC), Asia Pacific Legal Metrology Forum (APLMF), Asia Pacific Metrology Program (APMP), Pacific Accreditation Cooperation (PAC) and the Pacific Area Standards Congress (PASC). In addition, the SCSC's work will be aimed at developing a more coherent regional perspective for articulation in broader international bodies. To enhance closer regional cooperation, member economies will endeavour to:

- collaborate closely with Specialist Regional Bodies;
- consider, where appropriate, joint action within appropriate international forums towards shared objectives;
- coordinate the SCSC's work program with, and where appropriate, draw upon the expertise and the experience of regional and international bodies;
- foster an effective interface between regional and international forums; and
- ensure that the SCSC's work builds upon, rather than duplicates, the work undertaken in regional and international bodies.

3.3 Mutual Recognition

APEC member economies recognise the gains which can be made by mutual recognition of conformity assessment systems not only within the region but also with non-APEC economies. Mutual recognition arrangements on certification, inspection, testing and accreditation can reduce unnecessary costs and time-consuming delays associated with duplicate evaluation of products. The development of broader networks of mutual recognition arrangements throughout the region will be a key objective of the SCSC's work program.

Accordingly member economies will endeavour to:

- progress mutual recognition arrangements within the region;
- examine scope for mutual recognition on an area-by-area basis (laboratory testing, product certification, quality systems certification, etc.) and/or a sector-by-sector basis with the latter being defined by regulatory area; and
- use internationally recognised processes and procedures when evaluating members' testing, certification and accreditation arrangements.

3.4 Technical Infrastructure Development

APEC member economies recognise that differing levels of technical infrastructure in the region may represent a constraint on early progress on the expansion of mutual recognition arrangements throughout the region. A focus of APEC's work program will therefore be to identify areas where closer technical cooperation on aspects of infrastructure development would assist the broadest possible participation in mutual recognition arrangements in the region.

Accordingly member economies will endeavour to:

- consider the provision of appropriate assistance to develop member economies' technical infrastructures;
- take steps to build confidence between certification bodies based on demonstrated competence; and
- participate, where practicable, in regional and international forums concerned with conformity assessment.

3.5 Transparency

To increase the transparency of standards and conformance arrangements in the region member economies will:

- prepare, and keep updated, an APEC contact list for standards and conformance information;
- establish contact points which are able to respond to enquires from other economies;
- investigate the availability and means of access to information on member economies' standards, technical regulations and conformity assessment requirements; and
- endeavor to implement the 1997 Transparency Survey recommendations and to take such other measures as may be agreed.

4. Mode of Operation

The SCSC will normally meet in conjunction with CTI meetings.

The SCSC shall operate on the basis of consensus, and in line with agreed APEC rules and guidelines.

4.1 Participation

The SCSC shall be open to all APEC member economies.

The SCSC will be composed of representatives nominated by member economies and drawn from agencies responsible for standards and conformance issues as well as trade policy matters.

The officers of the SCSC shall comprise the Chair and two Vice-Chairs.

The Chair of the SCSC shall be a representative of the SOM Chair, unless otherwise determined by the SCSC. The Chair shall be responsible for appointing two Vice-Chairs, normally the immediate past and incoming Chairs, who shall be endorsed by member economies.

The SCSC may invite representatives from APLAC, APLMF, APMP, PAC, PASC, and other international bodies, as appropriate, to attend meetings.

The SCSC may, as appropriate and with the consensus of all member economies, establish ad hoc task forces or expert groups it considers necessary to assist the conduct of its work program.

4.2 Coordination

The SCSC will take account of the activities of other APEC fora with which its work would be coordinated.

4.3 Business Involvement

The SCSC will encourage business involvement and private sector participation in standards and conformance activities. To this end, the SCSC will seek the assistance of the APEC Business Advisory Council (ABAC) and others, as appropriate.