

**IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT
ON TECHNICAL BARRIERS TO TRADE**

Communication from Venezuela

Addendum

The following statement under Article 15.2 of the Agreement on Technical Barriers to Trade has been received from the Bolivarian Republic of Venezuela.

I. RELEVANT LAWS AND REGULATIONS

1. The basic law under which the Bolivarian Republic of Venezuela formally undertook its obligations under the Agreement on Technical Barriers to Trade is the Law Approving the Marrakesh Agreement Establishing the World Trade Organization, which was adopted and published in the Gaceta Oficial Extraordinaria (Special Official Journal) of the Republic of Venezuela No. 4.826 of 29 December 1994 and entered into force on 1 January 1995.

2. The process of implementation and administration of the TBT Agreement is based on the following legislation:

A. DECREE NO. 3.145, ADOPTED AND PUBLISHED IN OFFICIAL JOURNAL NO. 36.618 OF 11 JANUARY 1999

3. This Decree establishes the Autonomous National Service for Standardization, Quality, Metrology and Technical Regulations (SENCAMER), which is the body that governs and regulates the system and plans, coordinates and supervises activities relating to standardization, quality, metrology and technical regulations. SENCAMER's rules of procedure were published in Official Journal No. 37.125 of 23 January 2001 and specify the Service's core functions and operating structure.

4. As regards conformity assessment procedures, SENCAMER is the national body responsible for the accreditation of testing and calibration laboratories, product and systems certification bodies, inspection bodies and training institutions. Accreditation is based on the relevant ISO schemes, such as ISO 1725, and conducted in conformity with Article 4(b) and (e) of the Service's rules of procedure.

B. LAW ON TECHNICAL STANDARDS AND QUALITY CONTROL

5. This law sets forth the basic guidelines in this respect. It was adopted on 31 December 1979 and published on the same date in Special Official Journal No. 2.529.

6. Two months ago, the National Assembly approved the Draft Organic Law on the Venezuelan Quality System, which will strengthen SENCAMER's mandate for the coordination of activities relating to the administration and implementation of the Agreement on Technical Barriers to Trade. The law is currently in the process of being enacted by the Executive.

II. TRANSPARENCY

A. PUBLICATIONS

7. Adopted technical regulations and titles and numbers of standards and conformity assessment procedures are published in the Official Journal of the Bolivarian Republic of Venezuela.

8. Resolution No. 044 of 24 March 1998, published in Official Journal No. 304.258 of 11 May 1998, establishes a register for domestic and imported products covered by mandatory standards laid down by the Venezuelan Commission for Industrial Standards (COVENIN).

B. TIME-FRAME FOR THE SUBMISSION OF COMMENTS

9. Except in emergency situations, a period of 45 days is provided for the submission of comments on draft standards, technical regulations and conformity assessment procedures. The period may be extended at the request of an interested Member.

C. ENQUIRY POINT

10. The details of the enquiry point on technical barriers to trade, established in conformity with Articles 10.1 and 3 of the TBT Agreement, are as follows:

Autonomous Service for Standardization, Quality, Metrology and Technical Regulations
(SENCAMER)

Avenida Libertador, Centro Comercial Los Cedros, PH

Apartado Postal 1050

Tel.: +(58 212) 761-8671 / 761-4520

Fax: +(58 212) 761-6474

E-mail: npunto@cantv.net

The enquiry point is fully operational.

D. NATIONAL AUTHORITIES AND BODIES

11. The Autonomous Service for Standardization, Quality, Metrology and Technical Regulations (SENCAMER) is attached to the Ministry of Production and Trade (MPC) and operates under the Vice-Ministry of Industry, pursuant to the decree providing for its creation (see paragraph 2 above). SENCAMER is the body that governs technical standardization, quality control, certification, metrology and technical regulations. It is also in charge of supervising the application of mandatory technical standards and non-mandatory standardization plans implemented by FONDONORMA. SENCAMER accredits certifying and inspection bodies, testing laboratories and institutions that provide training on quality-related issues. FONDONORMA, BUREAU VERITAS, AQSR and

FUNSEIN are the bodies accredited by SENCAMER in Venezuela to certify product and quality systems up to July 2002. SENCAMER also acts as a contact point for matters pertaining to the WTO Agreement on Technical Barriers to Trade.

12. FONDONORMA (Fund for Standardization) is the national body responsible for standardization. It was established under private law and received its mandate from the former Ministry of Development – now the Ministry of Production and Trade – under Resolution No. 1450 of 21 June 1993 (published on the same date in Official Journal No. 35237). FONDONORMA has accepted Annex 3 (Code of Good Practice) of the Agreement on Technical Barriers to Trade. All draft standards are prepared by FONDONORMA under the supervision of SENCAMER.

E. MEASURES PERTAINING TO NEW TECHNICAL REGULATIONS OR CONFORMITY ASSESSMENT PROCEDURES

13. A legal framework is being developed to ensure that the preparation of new regulations is more consistent with the provisions of the Agreement on Technical Barriers to Trade. It includes the Organic Law on the Venezuelan Quality System (see paragraph 6 above) and the corresponding special laws and regulations.

14. A dissemination programme for officials preparing or dealing with technical regulations is under way. It involves seminars and workshops to explain the obligations laid down in the TBT Agreement and the advantages of implementing them; the type of information to be included in a technical regulation, the procedure for preparing such a regulation, and how to standardize its presentation; and the role of the contact point in the process.
