

# **WORLD TRADE ORGANIZATION**

RESTRICTED

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**Working Party on the  
Accession of Moldova**

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## **ACCESSION OF THE REPUBLIC OF MOLDOVA**

### Checklist of TBT Requirements and Compliance by the Republic of Moldova

#### Revision

The Ministry of the Economy of the Republic of Moldova has submitted the following revised Checklist of TBT Requirements and Compliance by the Republic of Moldova, with the request that it be circulated to Working Party members.

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Checklist of TBT Requirements and Compliance by the Republic of Moldova

Moldovan Compliance	Requirements under the WTO
1. The Law on TBT no.866-XIV of 10 March 2000 (Art.2 and 6) provides for the introduction of new standards, technical regulations and conformity assessment procedures should be fully compatible with the TBT Agreement.	Generally agreed principle in WTO accession negotiations
2. The Law on TBT and the amendments to the Law on Standardization provide for implementation and administration of the agreement.	Article 15.2 and TBT Committee Decision (G/TBT/1)
3. The Law on TBT (Art. 13-14) provides provision for establishment and operation of a single Contact Point for Information ("inquiry point"). The inquiry point was created within the Department of Standards, Metrology and Technical Supervision. Currently the database is preparing and will be fully operational by the day of accession.	Article 10
4. The Law on TBT (Art. 13, 16 and 18) provides for Identification of authority responsible for notifications, publications and other internal procedures to ensure transparency obligations are met on an ongoing basis.	Articles 2,3,5, 7, 10, 15.2, Annex 3 and G/TBT/1
(a) The Law in TBT (Art. 6 (3) and (10)) provides identification of publication where notices of proposed technical regulations and conformity assessment procedures will appear: These are "Monitorul Oficial al Republicii Moldova" and "Buletinul standardizării".	Articles 2.9.1,3.1, 5.6.1, 7.1, 10.1.5
(b) The Law on TBT (Art. 13, 16 ) and the Decision of the Department of Standards, Metrology and Technical Surveillance on establishing the Information Center for Standardization and Certification which is the authority responsible for making notifications to the WTO;	Article 2.9.2,2.10.1,3.2,3.3, 5.6.2, 5.7.1,7.2, 7.3, 10.7, 10.10
(c) The Law on TBT (Art. 6 (6) and (7)) will ensure that the regulatory authorities afford non-discriminatory consideration of comments in the preparation of a final regulation; Regarding the elaboration of the technical regulation, the concerned bodies will allow for a reasonable period of time for countries-members and interested parties to present their considerations, but no longer than 6 months with exception for certain cases (depending on urgency consideration).	Articles 2.9.4,2.10.3,3.1,3.3, 5.6.4, 5.7.3,7.1,7.3
(d) The Law on TBT (Art.6 (8)) ensures that regulatory authorities allow a reasonable period of time between the final publication of a technical regulation and conformity assessment procedure and its entry into force so that suppliers can adapt;	Articles 2.11,2.12,3.1,5.8, 5.9, 7.1
(e) The Law on standardization no. 590-XIII dated on 22.09.95, amended by Law 919-XIV dated on 12.04.2000 ( Art.10 (2)) provides for publication of the program for developing standards should be published every 6 months and the Law on TBT (Art 6 (3)) provides for publication of notices about the intent to draft technical regulations.	Article 4, Annex 3 (J, K, L, N, O); Article 8.1
5. The Law "On TBT" and the Law "On Certification" no.652-XIV dated on 28.10.1999 provide for 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:	Articles 2,3,5,6, 7
(a) The Law on TBT (Art.12) and the Law on Certification (Art.13.3) provides for non-discrimination with respect to the treatment of products.	Articles 2.1,3.1,5.1,5.2, 7.1
(b) The "Law on TBT" (Art 2 and 5.2 ) provides for the prohibition of unnecessary Obstacles to international trade and the Consideration of less trade-restrictive alternatives to fulfilling legitimate objectives;	Articles 2.2,3.1,5.1,5.2, 7.1

Moldavan Compliance	Requirements under the WTO
(c) The "Law on TBT" (Art 6.9) the ongoing review of technical regulations to ensure they are appropriate to achieve the desired legitimate objective;	Article 2.3,3.1, 7.1
(d) The "Law on TBT" (Art.5 and 6) the amendments of "Law on Standardization"(Art. 4.2) provides for the consideration of appropriate international standards, guidelines and recommendations as a basis for technical regulations and conformity assessment procedures;	Article 2.4,3.1, 5.4, 7.1
(e) The "Law on TBT" (Art.8) provides for the consideration of equivalent technical regulations of other Members;	Article 2.7,3.1, 7.1
(f) The "Law on Certification" (Art. 13.1) provides for the acceptance of the results of conformity assessment procedures conducted by bodies in an exporting Member country in case that Moldova signed bilateral agreement on mutual recognition or in case of accession to specialized regional or international organizations.	Article 6,7.1
(g) The relevant ministries and institutions will implement a non-discriminatory and cost-based fee structure. (*) as provide for in the Law on Certification (Art.15.3)	Article 5.2, 7.1, 10.4
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:	Art.4 and Annex 3, Art.8
(a) The Law on TBT (Art.12) provides for non-discrimination treatment with respect to the treatment of products.	Annex 3 (D), Art.8.1
(b) The Law on Standardization (Art.4.2) provide that the standards will not be used for the arbitrary and unjustified discrimination among countries having analogous conditions and will not create any unnecessary obstacles to international trade;	Annex 3 (E), Art.8.1
(c) The Law on TBT (Art. 5, 6 and 8) provides for consideration of appropriate international standards, guidelines and recommendations as a basis for standards;	Annex 3 (F), Art.8.1
(d) The Law on TBT (Art.14 (4), ) establish a non-discriminatory and cost-based fee structure.	Annex 3 (M), Annex 3 (P), Art.8.1, Art.10.4