



**Economic and Social  
Council**

Distr.  
GENERAL

ECE/TRADE/C/WP.6/2009/8  
14 September 2009

Original: ENGLISH

---

**ECONOMIC COMMISSION FOR EUROPE**

**COMMITTEE ON TRADE**

Working Party on Regulatory Cooperation and  
Standardization Policies

Nineteenth session  
Geneva, 24-26 November 2009  
Item 5(b) of the provisional agenda

**STANDARDIZATION AND REGULATORY PRACTICE**

**DEVELOPMENT AND UPDATE OF RECOMMENDATIONS ON REGULATORY  
COOPERATION AND STANDARDIZATION POLICIES**

**Proposed revision of UNECE Recommendation “D”  
Reference to standards**

Note by the secretariat

1. At its seventeenth session, the Working Party requested the secretariat and the bureau to submit a possible revision of Recommendation “D” on Reference to Standards (ECE/TRADE/C/WP.6/2008/18, para. 48), as contained in the UNECE publication *Recommendations on Regulatory Cooperation and Standardization Policies* (ECE/TRADE/378).
2. Comments were received from one delegation and are reflected in the present document. Proposed additions are underlined and proposed deletions are struck out.
3. The proposed revision of Recommendation “D” is submitted for further discussion and approval by the Working Party.

GE.09-24513

*The Working Party on Technical Harmonization and Standardization Policies,*

Recognizing the important advantages offered by the use of the method of reference to standards, inter alia, that:

(a) The elimination and prevention of barriers to trade is facilitated when reference is made to regional or preferably to international standards or to national standards transposing international or regional standards;

(b) The legislative work is simplified and accelerated;

(c) Technical regulations can be changed more easily and at less cost to take account of technological advance;

(d) The results of the work of international standards organizations can be more easily taken into account;

Noting, however, that to successfully implement the method of reference to standards, due consideration should be given to different national legislative frameworks.

**~~Has agreed to recommend~~ Recommends that:**

**D.1** ~~ECE~~ Governments should in legislation whenever possible use reference to national standards, to regional standards or preferably to international standards when they exist, and should promote the wider application of the method of reference to standards by drawing the attention of ~~their competent~~ the relevant authorities to the advantages of the method and to the alternative techniques of using it.

**D.2** ~~ECE~~ Governments should endorse principles 1-5 of ISO/IEC Guide 15 on Reference to Standards in order to facilitate the preparation of standards for use in regulations, and should actively seek to promote the application of those principles both at the national level and in international and regional organizations concerned with the preparation of standards.

**D.3** ~~ECE~~ Governments should ensure efficient interaction of regulatory authorities and standards bodies. The following guidelines should be observed:

**D.3.1** When regulatory authorities make requests to a relevant body for a standard to be referred to in legislation, an understanding should be obtained at the start on the scope of the standardization work requested, and interested national authorities and intergovernmental organizations should consider whether it is possible to abstain during a certain period from regulatory action which could hamper the work of developing the standard;

**D.3.2** Regulatory authorities should be instructed to play a full part in the development of those standards which are likely to be used as reference in legislation. Authorities should be entitled to participate in standardization work and, where financial constraints and administrative practices render participation impracticable, means should be sought to overcome these difficulties;

**D.3.3** In the event of a standards body's failure to obtain acceptance of points considered vital to government interest, it should be made clear that the standard concerned is not acceptable for government purposes; authorities may judge whether a standard is appropriate for their purposes, independently of any procedure chosen for the preparation of such standard;

**D.3.4** When choosing among the various techniques of reference to standards, it is desirable that authorities adopt a technique which would ~~will~~ take advantage of the revision of standards in the light of experience and technical progress with the least delay and thereby ~~by that~~ make optimal use of the standardization work;

**D.3.5** Bodies preparing standards should bear in mind that the presentation of standards should be such as to facilitate their use as reference in legislation. Where legislative interest is restricted to certain aspects of a standard, it is helpful that these aspects be contained in a section which may be separately identified in the regulation concerned;

**D.3.6** Procedures should be established for ensuring that documents to which reference is made are published at equal price ~~or are made easily available free of charge or at an equitable price~~ for foreign and domestic parties;

**D.3.7** Governments should, in cooperation with national standards bodies, prepare guidelines for regulatory authorities for correct and practicable use of the method of reference of standards and its different options as well as guidelines for national standardizing bodies on drafting standards.

\* \* \*