

GOOD REGULATORY PRACTICE – NATIONAL EXPERIENCES

Communication from Brazil

The following communication has been received from the Delegation of Brazil.

I. INTRODUCTION

1. With regard to the issue of good regulatory practice, there has been considerable discussion in the Committee on the relationship between domestic regulatory policies and the effective implementation of the TBT Agreement. Members have emphasized that regulations should be adopted only where necessary, be limited in scope and be aligned with international standards. There seems to be consensus, derived from a common understanding of the Article 2 of the TBT Agreement, that good regulatory practice for the preparation, adoption and application of technical regulations shall be a priority for Members in order to facilitate trade.

2. In this communication we would like to address:

- (a) The establishment of the Brazilian Committee on Good Regulatory Practice;
- (b) Regulatory co-operation.

II. BRAZILIAN COMMITTEE ON GOOD REGULATORY PRACTICE

3. By means of Resolution No. 2/2005, dated 6 December 2005, the Brazilian National Council of Metrology, Standardisation and Industrial Quality (CONMETRO), which convenes at Ministerial level, established the Brazilian Committee on Good Regulatory Practice (CBR).

4. The main goal of the CBR is to develop the Brazilian Guide on Good Regulatory Practice. It is worth mentioning that due consideration has been given to the need to undertake regulatory impact assessments, aiming at improving national technical regulations and avoiding unnecessary obstacles to trade.

III. REGULATORY CO-OPERATION

5. In addition to performing the role of the Brazilian TBT Enquiry Point, Inmetro is also responsible for the National Coordination of Mercosur Subgroup no. 3 (SGT-3). Within SGT-3, Mercosur Parties work to harmonize conformity assessment procedures (CAP) and technical regulations (TR)¹. The activities developed under this subgroup aim at negotiating a common regulatory framework.

¹ Resolutions GMC 56/02 and the CMC Decision 20/02.

6. Brazil is looking forward to explore further possibilities to establish regulatory cooperation with other WTO Members.

IV. CONCLUSION

7. Brazil considers that more clarity on good regulatory practice will definitely improve the correct implementation of the TBT Agreement. Therefore, we encourage Members to advance on the discussion of this issue by agreeing in the Fourth Triennial Review to hold more than one workshop on the subject of good regulatory practice.
