

Decision N°1/99
of the Joint Committee established under
the Agreement on Mutual Recognition
in relation to Conformity Assessment
between Canada and Switzerland
of 3 December 1998
on its rules of procedure

The Joint Committee (hereinafter "the Committee"),

Has adopted the following Rules of Procedure in accordance with Article XI:2 of the Agreement on Mutual Recognition in relation to Conformity Assessment between Canada and Switzerland (hereinafter "the Agreement") :

Article 1

Each Party shall establish a delegation for meetings of the Committee.

Article 2

The meetings of the Committee shall be chaired jointly by the Heads of Delegation who shall act as co-chairs. The Parties shall take turns in hosting the meeting unless otherwise agreed.

The meetings shall be convened by the co-chairs at least once a year unless otherwise decided by the Parties. One co-chair shall accede to a request from the other co-chair for a meeting to be called.

The co-chairs shall establish a provisional agenda, a date for the meeting and such papers as necessary in good time (preferably 4 weeks in advance) to ensure adequate preparation. The host Party shall arrange logistical matters unless otherwise agreed. Meetings may be replaced by video conferences, if appropriate.

Article 3

Either Party may add items to the provisional agenda prior to the meeting, if both Parties agree. Requests to add to the provisional agenda should be sent in writing.

The Committee shall, at the beginning of its session, determine the agenda by mutual agreement.

Article 4

The Parties shall if possible notify each other at least one week before the meeting, of the composition of their delegations.

Article 5

The Committee may delegate specific tasks to the Joint Sectoral Groups established by the Committee under the respective Sectoral Annex. The Committee shall receive reports from the Joint Sectoral Groups on their work and deliberations regularly and in good time.

Article 6

The Committee shall take its decisions by consensus.

Decisions taken by the Parties shall take full account of the respective roles of the Committee and the Joint Sectoral Groups as set out in the Agreement, in particular the provisions of Articles XI and XII.

The Committee may upon request of a Party consult experts on particular issues.

Article 7

The Committee's decisions may also be taken by written procedure if both Parties agree.

Such cases may in particular be the inclusion of a Conformity Assessment Body (CAB) in a Sectoral Annex, any other modification to a Sectoral Annex or the verification of a CAB.

In such cases the following procedure will apply:

A Party proposing the inclusion in or withdrawal from a Sectoral Annex of a CAB shall forward its proposal to the other Party in writing, adding supporting documentation to the request.

In the event that the other Party consents to the proposal in writing, or upon expiry of 60 days without an objection been lodged, the proposed amendment or verification is considered accepted by the Committee taking into account recommendations from the relevant Sectoral Group.

A proposal may be amended by agreement of the Parties.

The Committee shall issue a decision, in accordance with Article 8 below, to modify the Sectoral Annex or the launching of a verification, as soon as possible and not later than 15 days after the reception of the agreement by the other Party or the expiry of 60 days without an objection been lodged. Copies of the decision shall be sent to the recipients named in Article 12.

Article 8

Decisions of the Committee shall be entitled « decisions » followed by a serial number, by the date of their adoption and by a description of their subject. They shall be signed by the co-chairs.

Article 9

Switzerland shall arrange for the Committee's decisions to be made available in the official languages of Switzerland. Canada shall arrange for the decisions to be available in the official languages of Canada.

The Committee's meetings shall not be public. Both Parties note that the decisions and other records of the Committee may be public documents or might otherwise be available under relevant access to information procedures, subject to confidentiality requirements.

Article 10

A summary record of each meeting, which shall include an indication of the decisions taken, shall be prepared under the responsibility of the host delegation. The summary record shall be approved by the Committee and signed by the heads of both delegations. Copies of the summary record and any decisions shall be sent to the recipients named in Article 12.

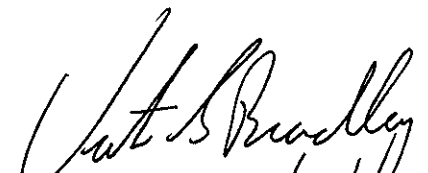
Article 11


Each Party shall be responsible for, through its own procedures, the staff, travel and mission expenses, postal or telecommunications costs it incurs through taking part in meetings of the Committee or the Joint Sectoral Groups.

Other expenses rising from the organisation of the meetings shall generally be covered by the Party hosting the meeting.

Article 12

All correspondence provided for in the rules of procedure shall be conducted by the heads of delegation, as co-chairs, and copies sent to the relevant authorities.


Canada
Co-Chair 4/5/99


Switzerland
Co-Chair 10.5.99