



**SCREENING CHAPTER 01
FREE MOVEMENT OF GOODS**

AGENDA ITEM: NOTIFICATION PROCEDURE (98/34/EC)

**The Republic of TURKEY
20 - 24 February 2006**



REGULATION ON THE NOTIFICATION OF TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU

- Transposed Directive 98/34/EC
- Adaptations laid down in ACD 2/97

published on 3 April 2002 and entered into force one month later.



SIMPLIFIED NOTIFICATION PROCEDURE:

Adaptation in ACD 2/97 foresees;

- Standstill period of 3 months
- No detailed opinion
- No standards part

Even though the adaptation instructions in ACD 2/97 kept these Articles outside the scope of the harmonisation, Turkey voluntarily chose to transpose the standardisation part.



REGULATION ON THE NOTIFICATION OF THE TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU-

Part 1 – Articles 1- 4: Aim, Scope, Legal Base, Definition:

- **Aim:** to provide information exchange between Turkey and the EU on technical legislation and standards
- **Scope:** covers the principles and the procedures for the notification to the EU and the transmission of the notifications received from the EU
- **Legal Base:** Law on the Preparation and Implementation of Technical Legislation on Products (Framework Law No. 4703)



REGULATION ON THE NOTIFICATION OF THE TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU-II

Part 2 – Articles 5- 11: Details of the notification Procedure:

▪ **Article 5: Technical Legislation Subject to Notification**

In parallel with the 98/34/EC Directive (Technical regulation, requirements which affect the life of a product, voluntary agreements etc.)

▪ **Article 6: Technical Legislation which do not require notification**

In parallel with the 98/34/EC Directive (EU harmonization, using safeguard clause in the EU legislation, amendments to the legislation with the Commission request etc.)



REGULATION ON THE NOTIFICATION OF THE TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU-III

Part 2 – Articles 5- 11: Details of the notification Procedure:

▪ **Article 7: Principles and Procedures of Notification**

Draft technical legislation concerned, statement of grounds, text of the national legislation directly concerned, other documents required

▪ **Article 8: Standstill Period for Notification**

3 months from the date of receipt by the Commission of the communication

(However this 3-month standstill period shall not apply in those cases where, for urgent reasons, occasioned by serious and unforeseeable circumstances, public authorities are obliged to prepare technical legislation in a short space of time in order to introduce them in an urgent manner without any consultations being possible)



REGULATION ON THE NOTIFICATION OF THE TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU-IV

Part 2 – Articles 5- 11: Details of the Notification Procedure:

▪ **Article 9: Evaluation of the Comments about the Notification**

Public authorities shall take such comments into account as far as possible in the subsequent preparation of the draft

▪ **Article 10: Publication of the Notified Technical Legislation**

While publishing a technical legislation, which is subject to notification there shall be a reference to this Regulation in the concerned legislation

▪ **Article 11: Notifications Received from the Commission**

Public authorities shall submit their possible comments on the draft concerned to the European Commission through the UFT.

Comments may concern only the provisions which may hinder trade, and not the fiscal and the financial aspects of the draft.



REGULATION ON THE NOTIFICATION OF THE TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU-V

Part 3 – Articles 12- 14: Notification of standards:

- **Article 12: Information exchange concerning the standards programme**
- **Article 13: Notification of Standards**
- **Article 14: Standardization Activities**



REGULATION ON THE NOTIFICATION OF THE TECHNICAL LEGISLATION AND STANDARDS BETWEEN TURKEY AND THE EU-VI

Part 4 – Articles 15- 19: Miscellaneous Provisions:

- **Article 15: Preparation of the Notifications**
- **Article 16: Related EU Legislation**
- **Article 17: Authorization**
- **Article 18: Enforcement**
- **Article 19: Implementation**



ADMINISTRATIVE INFRASTRUCTURE - I

- Identification of Public Authorities:
 - ✓ The Public Authorities which would take part in this notification system as national regulation setting bodies were identified by the Central Unit (UFT)
 - ✓ Communicated to the Commission

- Collection of the data:
 - ✓ contact person in each entity,
 - ✓ formal electronic addresses of the authorities



ADMINISTRATIVE INFRASTRUCTURE - II

- Establishment of the necessary networks
 - ✓ Between Central Unit and the European Commission
 - ✓ Between Central Unit and relevant Authorities
 - ✓ Organisation wide

- Communication of guiding documents
 - ✓ The notification mechanism and simplified procedures
 - ✓ The responsibilities of the institutions,
 - ✓ The notification form



NOTIFICATIONS BY TURKEY - I

- Stainless Steel Milk Cans (Milk Churns) Standard /Mandatory Standard Communiqué (8.3.2004)

Not published yet. Under the consideration of related Ministry.

- Terminal strips with insulation displacement for telecommunication systems - V structured contacts/ Mandatory Standard Communiqué (26.4.2004)

Not published yet. Under the consideration of related Ministry.



NOTIFICATIONS BY TURKEY - II

- Textile Floor Coverings-Machine Made Carpets Standard / Mandatory Standard Communiqué (01.06.2004)

Not published yet. Under the consideration of related Ministry.

- Turkish Food Codex – Beer Communique (03.02.2006)

Notified recently.



ACTIVITIES SUPPORTING THE IMPLEMENTATION - I

- Raising awareness
 - ✓ Workshops and seminars by the Central Unit
 - ✓ Workshop by the Commission

- Inclusion of the private sector
 - ✓ Planned to be realised in the near future



ACTIVITIES SUPPORTING THE IMPLEMENTATION - II

- Notifying through the right channels
 - ✓ Regulation on Edible salt
 - ✓ Regulation on Manufacturing, Modification and Assembly of Vehicles
 - ✓ Regulation on Infant- Follow Up Formula and Some Products for Ages 0-2

(Sometimes, even though the aim is to transpose the EU legislation, additional provisions may occur in these texts. In such cases, the Commission informs Turkey to send the legislation via the 98/34 mechanism.)

- Screening the technical legislation which have not been notified through the 98/34 procedure, though it required so.



COMMITTEE 98/34/EC

Turkey attends the 98/34 Committee by;

- UFT – Central Unit for Notifications of Technical Regulations (Regular Meetings and Enlarged Committee)
- TSE – Turkish Standards Institute (Enlarged Committee)



THANK YOU FOR YOUR ATTENTION