

Brussels, 18 November 2008

## EU-CHINA REGULATORY DIALOGUE

### COMMON REPORT OF MEETING OF THE WORKING GROUP "STANDARDISATION"

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The meeting of the Working Group "Standardisation", co-chaired by Mr. ZHANG Jianwei, SAC and Mr. Norbert ANSELMANN, DG ENTR, was held on 13 November 2008. This meeting was attended by representatives from SAC and CNIS from Chinese side, from the European standardisation organisations CEN, CENELEC and ETSI, from the European Commission.

Both sides provided an update of the recent evolution of standardisation policy in the EU and China.

The EU delegation presented the recent Communication on standardisation and innovation and the related policy conclusions from the Council of Ministers. It provided an overview on the currently ongoing reform process with European standardisation organisations (FLES: Future Landscape of European Standardisation).

The Chinese delegation presented the changes within SAC leadership and informed on the role of the new ministry, Ministry of Industry and Information Technology of China (MITT) in view of standardisation matters. SAC provided an update on the amendment to the Standardisation Law in China.

A further exchange of information focussed on ongoing standardisation activities in the EU, China and at international level in the areas of services, ultra high voltage transmission and current developments relating to consortia standardisation.

Both sides exchanged views on the use of standards in support of regulation:

- \* The *EU side* shared their experience with the use of voluntary standards in support of EU regulations in a large number of sectors. Referring to feedback from industry, the European Delegation proposed to reconsider the reliance on mandatory standards, bearing in mind that the compulsory nature may hamper market access and the marketing of innovative products and processes.
- \* The *Chinese side* thanked the advices from EU and stressed that there were different practical approaches between the two sides. The Chinese mandatory standards have the nature of technical regulation, namely the main form of the technical regulation in China. And it had been recognized as a model by WTO. Chinese mandatory standards are strictly limited to five aspects involving national security, fraud prevention, human health protection, environmental protection as well as animal and plants health, etc, which meets the requirement of WTO/TBT. The implementation of Chinese mandatory standards shall not hamper market access and technical innovation.

Both sides exchanged information and views on the conditions of access and participation in standardisation activities :

- \* *The European side* presented the current practice in Europe following which companies are admitted as fully participating members in standardisation activities in Europe, if they have a registered place of business within the EU/EFTA. The ownership of the company is not a criterion of participation rights. The EU Delegation, referring to point 2.2.1 of the list of deliverables agreed in October 2007, asked the Chinese side to take the necessary steps in order to allow for full participation of companies having a registered place of business in China, independently from the ownership of the company.
- \* *The Chinese Delegation* stressed that SAC had exchanged views with European side on this issue for many times and also fully expressed SAC's views to Mr. Pedro Ortun, director in DG ENTR/I who visited SAC this September. SAC reiterated the Chinese policies of foreign-funded enterprises participating in the standardization activities. The participation of foreign-funded enterprises has been welcomed in China, which shall benefit the technical improvement and the level of Chinese standardization. The development of Chinese Standardization is open and transparent and the management measures are practical and effective to create the opportunities for participation of foreign-funded enterprises in Chinese standardization activities. Hence the impact of ownership of business on the participation rights does not exist. Chinese-funded enterprises in Europe would be expected to have the same treatment and status.
- \* The European side took note of the explanation given by the Chinese delegation; it proposed that SAC should also explain its position to the European Chamber of Commerce in China.

Both sides exchanged information on their involvement in international standardisation and implementation of international standards.

The setting up and forthcoming operation of a common EU-China Standards Information Platform was considered by the Working Group as a key project of cooperation. The Working Group endorsed the conclusions of the Steering Group for the Platform taken during the meeting of 12 November. The EU and SAC reiterated their commitment to contribute to the successful completion of the current project run by SDA (Sustainable Development Association) and to prepare the necessary further steps for the operational phase by common agreement.

The Working Group noted the ongoing activities of cooperation in relation to standardisation in several sectoral working groups of the Regulatory Dialogue relating in particular to the areas of toys and medical devices.

The next meeting of the Working Group has been scheduled for the second half of 2009 in Beijing.

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