

## CHAPTER SIX

### STANDARDS-RELATED MEASURES

#### Article 6.1: Scope and Coverage

1. Except as provided in paragraph 2, this Chapter applies to all standards-related measures that may affect trade in goods between the Parties.
2. This Chapter does not apply to:
  - (a) purchasing specifications prepared by government bodies for production or consumption requirements of such bodies; and
  - (b) sanitary and phytosanitary measures as defined in Annex A of the SPS Agreement.

#### Article 6.2: Extent of Obligations

1. Article 1.4 (Extent of Obligations) does not apply to this Chapter. This Chapter applies only to national governments unless otherwise specified.
2. Each Party shall provide information to sub-national<sup>1</sup> and local governments and authorities to encourage their adherence to this Chapter, as appropriate.

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<sup>1</sup> For the purposes of this Chapter, sub-national government does not include local government.

**Article 6.3: Affirmation of the WTO Agreement on Technical Barriers to Trade and Other International Agreements**

Further to Article 1.2 (Relation to Other Agreements):

- (a) the Parties affirm with respect to each other their existing rights and obligations related to standards-related measures under the *Agreement on Technical Barriers to Trade*, contained in Annex 1A to the WTO Agreement (hereinafter referred to as the “TBT Agreement”) and all other international agreements to which both Parties are party.
- (b) Articles 2 through 9 and Annexes 1 and 3 of the TBT Agreement are incorporated into and made part of this Agreement, *mutatis mutandis*.

**Article 6.4: Cooperation**

1. The Parties shall strengthen their cooperation in the field of standards-related measures with a view to increasing the mutual understanding of their respective systems and facilitating access to their respective markets.
2. The Parties shall mutually identify trade facilitating bilateral initiatives regarding standards-related measures that are appropriate for particular issues or sectors, taking into consideration the respective Parties’ experience in other regional and multilateral agreements or arrangements of which both Parties are party or member.

3. Further to paragraphs 1 and 2, the Parties shall cooperate, in particular, by:
  - (a) encouraging their standardising bodies to cooperate with the standardising bodies in the territory of the other Party in their participation, as appropriate, in standardising activities, such as through membership in both regional and international standardising bodies;
  - (b) encouraging their conformity assessment bodies other than the governments of the Parties to participate in the cooperation with the conformity assessment bodies in the territory of the other Party to promote the mutual acceptance of conformity assessment results;
  - (c) promoting the accreditation of conformity assessment bodies on the basis of relevant international standards and guides; and
  - (d) promoting the acceptance of results of conformity assessment bodies that have been recognised under a relevant multilateral agreement or arrangement between their respective accreditation systems or bodies.
  
4. If a Party declines a request from the other Party to engage in negotiations on an agreement for facilitating recognition in its territory of the results of conformity assessment procedures conducted by bodies in the other Party's territory, it shall explain, at the request of the other Party, the reasons for its decision.
  
5. In accordance with Articles 2.4 and 5.4 of the TBT Agreement, as incorporated into this Agreement, each Party shall use relevant international standards as a basis for its technical regulations and conformity assessment procedures.

6. The Parties shall, within the context of this Article, expeditiously broaden the exchange of information and give favourable consideration to any written request for discussion.

#### **Article 6.5: Cooperation in Sector-Specific Initiatives**

1. Each Party shall take all appropriate measures as may be available to it to ensure that sub-national and local governments comply with this Article, as appropriate.

2. The Parties shall cooperate in sector-specific initiatives, including by:

- (a) recognising the importance of standards-related measures in the area of medical devices, sharing information on, and promoting the use of, internationally accepted approaches;
- (b) reducing possibly redundant testing and certification requirements for pharmaceutical products and medical devices by promoting the use of internationally accepted standards, including those related to Good Manufacturing Practices (GMP) and Good Laboratory Practices (GLP);
- (c) taking steps to implement Phase II of the *APEC Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (1998)* with respect to the other Party as soon as possible. No later than one year after the date this Agreement enters into force, Korea will publish notice of the changes in its legislation that it proposes to make to implement Phase II;

- (d) promoting the harmonisation and use of international standards such as standards developed in the International Electrotechnical Commission (IEC) in the area of low voltage devices; encouraging their national certification bodies to be members of the IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components-Certification Bodies' Scheme (IECEE-CB Scheme) and to accept each other's IECEE-CB test certificate as the basis for national certification to relevant electric safety requirements in order to reduce duplicative testing and certification requirements;
- (e) pursuant to the framework established by the International Laboratory Accreditation Cooperation (ILAC) and the Asia Pacific Laboratory Accreditation Cooperation (APLAC) Mutual Recognition Arrangement (MRAs), promoting the acceptance of test reports for wood building products and related assemblies issued by organisations accredited by the Standards Council of Canada (SCC) and Korean Laboratory Accreditation Scheme (KOLAS);
- (f) encouraging cooperation between the National Research Council Institute for Research in Construction (NRC-IRC) and the Korea Institute of Construction Technology (KICT), or their respective successors, to build confidence in their respective research results and test data for wood building products and related assemblies. To facilitate confidence building, the Parties shall encourage the NRC-IRC and the KICT to negotiate a cooperation arrangement; and

- (g) establishing, at the request of either Party, a technical *ad hoc* working group on standards-related measures related to building products and related assemblies that would be composed of relevant officials responsible for standards-related measures in the building products sector.

#### **Article 6.6: Transparency**

1. When a Party notifies WTO Members of a proposed technical regulation or conformity assessment procedure under the TBT Agreement, it shall transmit electronically, at the same time, the proposed technical regulation or conformity assessment procedure to the other Party.
2. On request, each Party shall promptly provide the other Party with the regulatory impact analysis statement for the technical regulation that the Party has adopted or is proposing to adopt, provided that it is publicly available.
3. Each Party shall ensure that transparency procedures regarding the development of technical regulations and conformity assessment procedures allow interested parties to participate at an early appropriate stage, when amendments can still be introduced and comments taken into account, except if urgent problems of safety, health, environmental protection, or national security arise or threaten to arise. If consultations respecting the development of technical regulations and conformity assessment procedures are open to the public, each Party shall permit persons of the other Party to participate on terms no less favourable than those accorded to its own persons.
4. Each Party shall recommend that non-governmental bodies in its territory observe paragraph 3 in the consultation process for the development of standards and voluntary conformity assessment procedures.

5. Each Party shall allow a period of at least 60 days for the public and the other Party to provide written comments on proposed standards-related measures, except if urgent problems of safety, health, environmental protection, or national security arise or threaten to arise.

6. For the purposes of paragraphs 1, 2 and 5, a Party may transmit its proposed technical regulations and conformity assessment procedures, their impact analysis statements for the technical regulation, and comments on proposed standards-related measures of the other Party to the enquiry point of the other Party established under Article 10 of the TBT Agreement.

7. When appropriate, each Party shall publish or otherwise make available to the public, in print or electronically, its responses, or a summary of its responses, to significant comments it receives no later than the date it publishes the final technical regulation or conformity assessment procedure.

#### **Article 6.7: Automotive Standards-Related Measures**

1. A Party shall allow on its market automotive goods originating in the other Party pursuant to the provisions of this Article.

##### *Safety Standards Incorporation or Equivalence*

2. Korea shall accept as complying with the corresponding Korea Motor Vehicle Safety Standards (hereinafter referred to as “KMOVSS”<sup>2</sup>), as amended, automotive goods originating in Canada that comply with:

- (a) the United States Federal Motor Vehicle Safety Standards (hereinafter referred to as “FMVSS”) and other standards or regulations listed in Annex 6-A; or

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<sup>2</sup> KMOVSS refers to the corresponding standards of the *Automobile Management Act* of Korea.

- (b) the UN regulations<sup>3</sup> and other standards or regulations listed in Appendix 2-C-3 Table 1 of the *Free Trade Agreement between the Republic of Korea, of the One Part, and the European Union and its Member States, of the Other Part* in accordance with the terms of that Agreement, as amended.<sup>4</sup>

If Korea incorporates any additional FMVSS, UN regulations, or other standards or regulations into its domestic law or otherwise accepts any such additional standards or regulations as equivalent to KMVSS, it shall also accept as complying with the corresponding KMVSS automotive goods of Canada that comply with these standards or regulations, as they are incorporated into, including any adaptations, or deemed equivalent to, its domestic law.

3. Canada shall accept as complying with the corresponding Canadian Motor Vehicle Safety Standards (hereinafter referred to as “CMVSS”<sup>5</sup>), as amended, automotive goods originating in Korea that comply with:

- (a) the FMVSS and other standards or regulations listed in Annex 6-B (Table 1), as incorporated into the corresponding CMVSS, including any adaptations provided for in CMVSS; or

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<sup>3</sup> For the purposes of this Article, UN regulations means regulations covered by the *1958 Agreement of the World Forum for Harmonization of Vehicle Regulations (WP.29)*, within the framework of the United Nations Economic Commission for Europe.

<sup>4</sup> For greater certainty, when Korea accepts compliance with UN regulations in conformity with paragraph 2(b), UN ECE type-approval certificates issued by competent authorities shall be considered as providing a presumption of conformity. If Korea finds that a certain good covered by a type-approval certificate does not conform to the approved type, it shall inform Canada. This footnote is without prejudice to Korea’s right to take appropriate measures, as set out in paragraph 4(b).

<sup>5</sup> CMVSS refers to the correspondingly numbered sections of Schedules IV and V.1 of the *Canadian Motor Vehicle Safety Regulations* and *Motor Vehicle Tire Safety Regulations*.

- (b) the UN regulations listed in Annex 6-B (Table 2), as incorporated into the corresponding CMVSS, including any adaptations provided for in CMVSS.

If Canada incorporates any additional FMVSS, UN regulations, or other standards or regulations into its domestic law or otherwise accepts any such additional standards or regulations as equivalent to CMVSS, it shall also accept as complying with the corresponding CMVSS automotive goods of Korea that comply with these standards or regulations, as they are incorporated into, including any adaptations, or deemed equivalent to, its domestic law.

4. Notwithstanding compliance with the standards or regulations referred to in paragraphs 2 and 3, each Party may:

- (a) require that automotive goods be certified and marked as complying with its relevant domestic law;
- (b) verify by random sampling in accordance with its domestic law that the automotive good, including an automotive good self-certified by a manufacturer, complies as appropriate with:
  - (i) an applicable standard or regulation of the Party; or
  - (ii) an applicable standard or regulation, as set out in paragraphs 2 and 3.

Each Party may require the supplier to withdraw the automotive good from the market in case the good concerned does not comply with the applicable standard or regulation as the case may be;

- (c) in exceptional circumstances, require a supplier to withdraw an automotive good from its market if there are urgent and compelling risks for road safety, public health, or the environment based on substantiated scientific or technical information. Such a temporary emergency measure shall not constitute a means of arbitrary or unjustifiable discrimination against the good of the other Party or a disguised restriction on trade. Before it is implemented, any such measure shall be notified to the other Party and to the supplier with an objective, reasoned, and sufficiently detailed explanation of the motivation for the measure; and
- (d) modify its domestic law, including by amending or revising any standard or the manner in which or the extent to which a standard is incorporated into, or deemed equivalent to, its domestic law. Each Party shall maintain the incorporation of the standards or regulations covered by paragraphs 2 and 3 into its domestic law or continue to otherwise accept those standards or regulations as equivalent to its domestic law, unless doing so would provide for a lower level of safety than the level of safety that would be achieved by a modification to its domestic law or, for Canada, would compromise North American integration.

5. If a Party modifies its domestic law pursuant to paragraph 4(d), the Party shall notify the other Party of the modification. Without prejudice to paragraph 4(d), if such modification renders inappropriate the continued incorporation into, or otherwise acceptance as equivalent to, its domestic law of the standards and regulations covered by paragraphs 2 and 3, the Parties may decide to amend accordingly the relevant provisions of this Agreement upon consideration by the Commission.

### *Compliance Testing*

6. Each Party shall promptly communicate to the concerned manufacturer or importer a decision taken on compliance testing if the manufacturer or importer is deemed by competent national authorities not to be in compliance with relevant laws or regulations, as well as the basis for any such decision and information on available legal remedies.

7. The Parties agree to use relevant Global Technical Regulations, or other guides or recommendations issued by international standardising bodies (hereinafter collectively referred to as “guides or recommendations”), or relevant parts of them, if they exist, as a basis for compliance testing procedures on automotive goods, except if such guides or recommendations are inappropriate for the Party concerned for reasons covered by Article 5.4 of the TBT Agreement and duly explained upon request of the other Party<sup>6</sup>. If a Party proposes to apply a compliance testing procedure that is not based on relevant guides or recommendations, it shall publish in advance the procedure it proposes to adopt, and provide interested persons a reasonable opportunity to comment.

### *New Technologies*

8. A Party shall not prevent or unduly delay the placing on its market of an automotive good on the ground that the good incorporates a new technology or a new feature which has not yet been regulated unless the Party demonstrates at the request of the other Party, based on scientific or technical information, that this new technology or new feature creates a risk for human health, safety, or the environment.

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<sup>6</sup> “Relevant” guides or recommendations in this paragraph are guides or recommendations on compliance testing procedures applicable to a standard or regulation that a Party has incorporated into its domestic law, either by reference or by duplicating the relevant provisions of that standard or regulation.

9. If a Party decides to refuse the placing on its market or require the withdrawal from its market of an automotive good on the ground that the good incorporates a new technology or a new feature creating a risk for human health, safety, or the environment, the Party shall immediately notify the other Party and the importer of the good of its decision. The notification shall include all relevant scientific or technical information.

#### *Cooperation*

10. The Parties shall endeavour to promote cooperation on automotive goods issues under discussion in the World Forum for Harmonization of Vehicle Regulations (WP.29) within the framework of the United Nations Economic Commission for Europe (UNECE), or its successor.

#### **Article 6.8: Committee on Standards-Related Measures**

1. The Parties hereby establish a Committee on Standards-Related Measures, composed of trade and relevant regulatory officials, as set out in Annex 6-C.

2. The functions of the Committee include:

- (a) monitoring and facilitating the implementation of this Chapter;
- (b) promptly addressing any issues that a Party raises related to the development, adoption, application, or enforcement of standards-related measures;
- (c) enhancing cooperation in the development and improvement of standards-related measures and Good Regulatory Practices;

- (d) exchanging information on standards-related measures in response to all reasonable requests for such information from a Party;
- (e) exchanging information on developments in non-governmental, regional, and multilateral fora for standards-related measures;
- (f) reviewing the provisions of this Chapter in light of any developments under the TBT Agreement and, if required, developing recommendations to the Parties for amendments to these provisions in light of such developments;
- (g) taking any steps the Parties consider will assist them in implementing the provisions of this Chapter;
- (h) as it considers appropriate, reporting to the Commission on the implementation of the provisions of this Chapter;
- (i) as it considers appropriate, establishing working groups that may include or consult with non-governmental experts and stakeholders as mutually agreed by the Parties; and
- (j) at the request of a Party, consulting on any matters arising under this Chapter.

3. The Committee shall meet at least once a year unless the Parties otherwise agree.

## Article 6.9: Definitions

For the purposes of this Chapter:

**automotive good** means all forms of motor vehicles, systems, and parts thereof falling under Chapters 40, 84, 85, 87, and 94 of the Harmonized System (HS), except the following goods:

- (a) tractors (in HS 8701.10, 8701.20, 8709.11, 8709.19, and 8709.90);
- (b) snow mobiles and golf carts (in HS 8703.10); and
- (c) construction machinery (in HS 8413.40, 8425.11, 8425.19, 8425.31, 8425.39, 8425.41, 8425.42, 8425.49, 8426.11, 8426.12, 8426.19, 8426.20, 8426.30, 8426.41, 8426.49, 8426.91, 8426.99, 8427.20, 8428.10, 8428.20, 8428.31, 8428.32, 8428.33, 8428.39, 8428.40, 8428.60, 8428.90, 8429.11, 8429.19, 8429.20, 8429.30, 8429.40, 8429.51, 8429.52, 8429.59, 8430.10, 8430.20, 8430.31, 8430.39, 8430.41, 8430.49, 8430.50, 8430.61, 8430.69, 8431.10, 8431.31, 8431.39, 8431.41, 8431.42, 8431.43, 8431.49, 8474.10, 8474.20, 8474.31, 8474.32, 8474.39, 8474.80, 8474.90, 8479.10, 8701.30, 8704.10, 8705.10, 8705.20, 8705.40, and 8705.90);

**Good Regulatory Practices** means Good Regulatory Practices as defined by the *OECD Guiding Principles for Regulatory Performance* (2005); and

**standards-related measures** means standards, technical regulations, and conformity assessment procedures as defined by the TBT Agreement.

**Annex 6-A**

**List referred to in Article 6.7.2(a)<sup>7</sup>**

<b>Subject</b>		<b>FMVSS, and other standards or regulations</b>	<b>Corresponding KMVSS</b>
Occupant crash protection	Frontal	FMVSS 208	KMVSS Article 102 para. 1, 3
	Side	FMVSS 214	KMVSS Article 102 para. 1
Steering control rearward displacement		FMVSS 204	KMVSS Article 89 para. 1 item 2
Fuel leakage in collision		FMVSS 301	KMVSS Article 91 para. 1
Windshield mounting		FMVSS 212	KMVSS Article 105 para. 2 items 1, 2
Windshield zone intrusion		FMVSS 219	KMVSS Article 105 para. 2 item 3
Seating systems		FMVSS 207	KMVSS Article 97
Head restraints		FMVSS 202a	KMVSS Articles 26, 99
Door locks and door retention components		FMVSS 206	KMVSS Article 104 para. 2
Occupant protection in interior impact (instrument panel, seat back, armrest, sun visor)		FMVSS 201	KMVSS Articles 88, 98, 100, 101
Bumper impact		49 CFR Part 581	KMVSS Article 93
Inside rear view mirror impact		FMVSS 111	KMVSS Article 108
Impact protection for the driver from the steering control system		FMVSS 203	KMVSS Article 89 para. 1 item 1
Side door strength		FMVSS 214	KMVSS Article 104 para. 1
Roof crush resistance		FMVSS 216a	KMVSS Article 92
Seat belt assembly anchorages		FMVSS 210	KMVSS Article 27 para. 1, 2, Article 103 para. 1, 2, 3

<sup>7</sup> The Parties acknowledge that for some subjects listed in this Table the applicable standard or regulation of a Party does not mandate installation of a part, but regulates requirements for that part if it is optionally installed on a motor vehicle. For those subjects, a Party may only require installation of the relevant part if doing so qualifies under the criteria established in Article 6.7.4(c) or (d).

<b>Subject</b>		<b>FMVSS, and other standards or regulations</b>	<b>Corresponding KMVSS</b>
Lighting and signalling system	Installation	FMVSS 108	KMVSS Articles 38, 39, 40, 41, 42, 43, 44, 45, 47
	Head lamp	FMVSS 108 <sup>8</sup>	KMVSS Article 38, Article 48 para. 3, Article 106 item 1
	Fog Lamp <sup>9, 10</sup>	SAE J583 (September 2005 Edition) and SAE J1319 (May 2005 Edition), or subsequent amendments to those standards	KMVSS Article 38-2, Article 106 item 2
	Backup lamp	FMVSS 108	KMVSS Article 39, Article 106 item 3
	Clearance lamp	FMVSS 108	KMVSS Article 40, Article 106 item 4
	Registration plate Lamp	FMVSS 108	KMVSS Article 41, Article 106 item 5
	Tail lamp	FMVSS 108	KMVSS Article 42, Article 106 item 6
	Stop lamp	FMVSS 108	KMVSS Article 43 para. 1, Article 106 item 7
	Center high mounted stop lamp	FMVSS 108	KMVSS Article 43 para. 2, 3, Article 106 item 8
	Turn signal	FMVSS 108 <sup>11</sup>	KMVSS Article 44, Article 106 item 9
	Auxiliary turn signal	FMVSS 108	KMVSS Article 44, Article 106 item 10
	Signal lamp of bus transporting children	FMVSS 108	KMVSS Article 48 para. 4, Article 106 item 11
Driver's visibility	FMVSS 111	KMVSS Article 50 para. 1, 2, Article 94 para. 1	
Engine power	ISO 1585 <sup>12</sup>	KMVSS Article 111	

<sup>8</sup> For a motor vehicle fitted with either HID (High Intensity Discharge) head lamps or LED (Light Emitting Diode) head lamps, this equivalency only applies if the vehicle has an auto leveling device installed that enables the vehicle to automatically adjust the vertical optical axis of its head lamp.

<sup>9</sup> For a motor vehicle fitted with fog lamps, this equivalency only applies for those vehicles that conform to the applicable SAE standard.

<sup>10</sup> For a motor vehicle fitted with either HID (High Intensity Discharge) front fog lamps or LED (Light Emitting Diode) front fog lamps, this equivalency only applies if the vehicle has an auto leveling device installed that enables the vehicle to automatically adjust the vertical optical axis of its front fog lamp.

<sup>11</sup> This equivalency only applies for motor vehicles fitted with yellow or amber turn signals.

<sup>12</sup> This equivalency only applies for internal combustion engine (i.e. it does not include traction motors).

<b>Subject</b>		<b>FMVSS, and other standards or regulations</b>	<b>Corresponding KMVSS</b>
Device for securing driver's visibility	Windshield wiping system	FMVSS 104	KMVSS Article 51 para. 2, Article 109 item 1
	Defrosting system	FMVSS 103	KMVSS Article 109 item 2
	Defogging system	FMVSS 103	KMVSS Article 109 item 3
	Windshield washing system	FMVSS 104	KMVSS Article 109 item 4
Accelerator control		FMVSS 124	KMVSS Article 87
Fuel economy		40 CFR Part 600	KMVSS Article 111-4 para 1, para 2 item 1
Passenger car brake		FMVSS 135	KMVSS Article 15 para 1, 3, 8, Article 90 item 1
Rapid loss of inflation pressure		FMVSS 110	KMVSS Article 88-2
Flammability of interior materials		FMVSS 302	KMVSS Article 95
Interior compartment door		FMVSS 201	KMVSS Article 111-3

## Annex 6-B

### Table 1

**List referred to in Article 6.7.3(a)**<sup>13, 14</sup>

Subject	FMVSS, and other standards or regulations	Corresponding CMVSS
Controls and Displays	FMVSS 101	CMVSS 101
Windshield Defrost and Defog	FMVSS 103	CMVSS 103
Windshield Wiping and Wash	FMVSS 104	CMVSS 104
Hydraulic and Electric Brake Systems	FMVSS 105	CMVSS 105
Brake Hoses	FMVSS 106	CMVSS 106
Lighting System and Retro-reflective devices	FMVSS 108	CMVSS 108
Passenger Car Tires	FMVSS 109	CMVSS 109
Tire Selection and Rims	FMVSS 110	CMVSS 110
Hood Latch Systems	FMVSS 113	CMVSS 113
Theft Protection and Rollaway prevention	FMVSS 114	CMVSS 114
Vehicle Identification Number	49CFR565	CMVSS 115
Motor Vehicle Brake Fluids	FMVSS 116	CMVSS 116
Power-operated Windows, Partition and Roof Panel Systems	FMVSS 118	CMVSS 118
Certain Tires, other than Passenger Car Tires	FMVSS 119	CMVSS 119
Tire Selection and Rims for Vehicles other than Passenger Cars	FMVSS 120	CMVSS 120
Air Brake Systems	FMVSS 121	CMVSS 121
Motorcycle Brake Systems	FMVSS 122	CMVSS 122
Motorcycle Controls and	FMVSS 123	CMVSS 123

<sup>13</sup> The Parties acknowledge that for some subjects listed in this Table the applicable standard or regulation of a Party does not mandate installation of a part, but regulates requirements for that part if it is optionally installed on a motor vehicle. For those subjects, a Party may only require installation of the relevant part if doing so qualifies under the criteria established in Article 6.7.4(c) or (d).

<sup>14</sup> The Parties acknowledge that the FMVSS and other standards or regulations in this Annex are incorporated, in whole or in part, with the adaptations needed, into the corresponding numbered sections of Schedule IV of the *Canadian Motor Vehicle Safety Regulations* and *Motor Vehicle Tire Safety Regulations*, which form the CMVSS, or other applicable provisions, as amended.

<b>Subject</b>	<b>FMVSS, and other standards or regulations</b>	<b>Corresponding CMVSS</b>
Displays		
Accelerator Control Systems	FMVSS 124	CMVSS 124
Electronic Stability Control	FMVSS 126	CMVSS 126
School Bus Pedestrian Safety Devices	FMVSS 131	CMVSS 131
Light Vehicle Brake Systems	FMVSS 135	CMVSS 135
New Radial Ply Tires for Light Vehicles	FMVSS 139	CMVSS 139
Occupant Protection	FMVSS 201	CMVSS 201
Head Restraints	FMVSS 202	CMVSS 202
Driver Impact Protection	FMVSS 203	CMVSS 203
Steering Column Rearward Displacement	FMVSS 204	CMVSS 204
Glazing Materials	FMVSS 205	CMVSS 205
Door Locks and Door Retention Components	FMVSS 206	CMVSS 206
Anchorage of Seats	FMVSS 207	CMVSS 207
Occupant Protection Frontal Impact	FMVSS 208	CMVSS 208
Seat Belt Assemblies	FMVSS 209	CMVSS 209
Windshield Mounting	FMVSS 212	CMVSS 212
Bumpers (Passenger Cars)	49CFR581	CMVSS 215
Roof Crush Resistance	FMVSS 216	CMVSS 216
Windshield Zone Intrusion	FMVSS 219	CMVSS 219
Rollover Protection	FMVSS 220	CMVSS 220
Fuel System Integrity	FMVSS 301	CMVSS 301
Flammability of Interior Materials	FMVSS 302	CMVSS 302

<b>Subject</b>	<b>FMVSS, and other standards or regulations</b>	<b>Corresponding CMVSS</b>
Electrolyte Spillage and Electrical Shock Protection	FMVSS 305	CMVSS 305
Interior Trunk Release	FMVSS 401	CMVSS 401
Low Speed Vehicles	FMVSS 500	CMVSS 500

**Table 2**

**List referred to in Article 6.7.3(b)<sup>15</sup>**

<b>Subject</b>	<b>UN Regulations</b>	<b>Corresponding CMVSS</b>
Headlamps	UN-R 98	CMVSS 108
Headlamps	UN-R 112	CMVSS 108
Headlamps	UN-R 113	CMVSS 108
Passenger vehicle noise	UN-R 51	CMVSS 1106
Motorcycle noise	UN-R 41	CMVSS 1106
Door latches and door retention components	UN-R 11	CMVSS 206
Immobilizer	UN-R 116 (immobilizer only)	CMVSS 114
Front and rear protective devices (Bumpers)	UN-R 42	CMVSS 215
Motorcycle brakes	UN-R 78	CMVSS 122
Headlamps	UN-R 8	CMVSS 108
Headlamps	UN-R 20	CMVSS 108
Headlamps	UN-R 31	CMVSS 108
Motorcycle Headlamps	UN-R 57	CMVSS 108
Motorcycle Headlamps	UN-R 72	CMVSS 108

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<sup>15</sup> The Parties acknowledge that the UN regulations in this Annex are incorporated, in whole or in part, with the adaptations needed, into the corresponding numbered sections of Schedules IV and V.1 of the *Canadian Motor Vehicle Safety Regulations*, which form the CMVSS, or other applicable provisions, as amended.

## **Annex 6-C**

### **Committee on Standards-Related Measures**

The Committee on Standards-Related Measures shall be coordinated by:

- (a) for Korea, the Korean Agency for Technology and Standards; and
  - (b) for Canada, the Department of Foreign Affairs, Trade and Development,
- or their respective successors.

September 22, 2014

Mr. Kyong-lim Choi  
Chief Negotiator for the Republic of Korea  
Seoul, Korea

Dear Mr. Kyong-lim Choi,

I have the honour to confirm the understanding reached between the delegations of the Republic of Korea and Canada during the negotiations relating to the Standards-Related Measures Chapter of the Free Trade Agreement between our two Governments.

During the negotiations, our delegations discussed the establishment of a technical *ad hoc* working group on standards-related measures related to building products and related assemblies. We agreed that, pursuant to Article 6.5.2(g) (Cooperation in Sector-Specific Initiatives), a technical *ad hoc* working group on standards-related measures related to building products and related assemblies will be established by Canada and Korea, at the request of either Party, without delay following entry into force of this Agreement to facilitate trade through cooperation and information sharing on standards-related measures in this sector.

I have the honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an integral part of the Free Trade Agreement, but that neither Party may have recourse to dispute settlement under the Free Trade Agreement regarding this letter.

I would be grateful for your confirmation by reply letter that the Korean delegation shares the above understanding.

Sincerely,

Ian Burney  
Chief Negotiator for Canada

September 22, 2014

Mr. Ian Burney  
Chief Negotiator for Canada  
Ottawa, Canada

Dear Mr. Ian Burney,

I have the honour to acknowledge receipt of your letter, dated \_\_\_\_\_, with regards to the Standards-Related Measures Chapter of the Free Trade Agreement between our two Governments.

I hereby confirm that the Korean delegation shares the understanding with the Canadian delegation that, pursuant to Article 6.5.2(g) (Cooperation in Sector-Specific Initiatives), a technical *ad hoc* working group on standards-related measures related to building products and related assemblies will be established by Canada and Korea, at the request of either Party, without delay following entry into force of this Agreement to facilitate trade through cooperation and information sharing on standards-related measures in this sector.

I have the further honour to confirm that my Government shares this understanding and that your letter and this letter in reply shall constitute an integral part of the Free Trade Agreement, but that neither Party may have recourse to dispute settlement under the Free Trade Agreement regarding this letter.

Sincerely,

Kyong-lim Choi  
Chief Negotiator for the Republic  
of Korea