



**THE COORDINATING COMMITTEE ON THE IMPLEMENTATION OF THE ATIGA
SUBMISSION FORM FOR CASES OF THE “MATRIX OF ACTUAL CASES”
ON TRADE BARRIERS**

CASE REFERENCE ID (For Secretariat's use)	REPORTING COUNTRY	INVOLVING COUNTRY
	Malaysia	Indonesia
DATE OF REPORT SUBMISSION	HS CODE AND PRODUCT DESCRIPTION (where applicable)	
26 Nov 2018	HS Code : 8528729200 Product Description: LCD TV or LED Backlight TV	
DESCRIPTION OF TRADE BARRIER FACED		
Please provide a description of the situation		
<p>Prohibition on the importation of Wireless products involving Electro-magnetic Compatibility (EMC) – MITI Malaysia has been informed that unilateral recognition of SIRIM will <u>ONLY</u> be accepted until 31 December 2018, after which an MRA between Malaysia and Indonesia will be necessary to enable EMC products from Malaysia to enter the Indonesian market.</p> <p>Previously, products of this nature that have SIRIM test report have always been accepted by Indonesia. SIRIM is mandated by the Ministry of Finance, Malaysia as the machinery for research and technology development, and the national champion of quality.</p> <p>Malaysia is of the view that Indonesia's measure violates its commitments under Chapter 4 (Non-Tariff Measures) of ATIGA (Article 40) regarding the adoption of NTMs.</p> <p>Therefore Malaysia would like to seek Indonesia's clarification on this issue.</p>		
REFERENCE TO ATIGA PROVISION		
Please provide a reference to the ATIGA provision to support your case, where applicable		
<p>Article 40 Application of Non-Tariff Measures</p> <p>1. Each Member States shall not adopt or maintain any non-tariff measures on the importation of any good of any other Member State or on the exportation of any good destined for the territory of any other Member State, except in accordance with its WTO rights and obligations or in accordance with this Agreement.</p> <p>2. Each Member State shall ensure the transparency of its non-tariff measures permitted in paragraph 1 of this Article in accordance with Article 12 and shall ensure that any such measures are not prepared, adopted or applied with the view to, or with the effect of, creating unnecessary obstacles in trade among the Member States.</p>		
LIST OF SUPPORTING DOCUMENTS PROVIDED		
(where applicable)		