

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Agriculture, Nature Management and Fisheries Agency or authority designated to handle comments regarding the notification can be indicated if different from above: National Enquiry Point
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Equipment which is used in the participation, price determination and establishment of totalizer winners.
5.	Title, number of pages and language(s) of the notified document: Totalizer Decision 1997
6.	Description of content: Article 23 of the Games of Chance Act prohibits the use of a totalizer unless a license has been granted for this purpose. Pursuant to Article 24 of the Act, a licence is granted in the 1993 Totalizator Decision for using a totalizer. Article 18 of the Totalizator Decision specifies that the mechanical, electrical and electronic processes which are used in the participation, price determination and establishment of winners are subject to prior approval and periodic inspection by the Ministers for Justice and Agriculture, Conservation and Fisheries.
7.	Objective and rationale: Article 18 of the Decision is justified by the need to protect players against fraud and misuse (public order and consumer protection). The requirements which are established apply without distinction to equipment of Dutch and foreign origin. A mutual recognition provision has not been incorporated. Such a provision is only relevant if the trade in the product is impeded but not if the use of a product is impeded by a technical regulation.
8.	Relevant documents: Games of Chance Act
9.	Proposed date of adoption: } Proposed date of entry into force: } 16 December 1997
10.	Final date for comments: 15 December 1997
11.	Texts available from: National enquiry point [X] or address and telefax number of other body: