

*DISCLAIMER: The Commission and Australia are publishing the texts of the Agreement following the announcement of conclusion of the negotiations on 24 March 2026. The texts are published in view of the public interest in the Agreement, for information purposes only and they may undergo further minor modifications, including as a result of the process of legal and linguistic revision.*

*These texts are without prejudice to the final outcome of the Agreement between the EU and Australia. The texts will be final upon signature. The Agreement will become binding on the Parties under international law only after completion by each Party of its applicable legal requirements and procedures necessary for the entry into force of the Agreement.*

## **ANNEX 8-A**

### CONFORMITY ASSESSMENT

1. This Annex applies to the conformity assessment procedures required by each Party for the fields listed in Appendix 8-A-1<sup>1</sup>, subject to paragraph 3 of this Annex.
2. This Annex does not apply to the conformity assessment procedures required by each Party for the fields listed in paragraphs 1 and 2 of Appendix 8-A-2 or the products listed in paragraphs 3 and 4 of Appendix 8-A-2.
3. For Australia, this Annex applies to conformity assessment procedures required by the Commonwealth and State and Territory governments.
4. Each Party shall, subject to its laws and regulations, accept a supplier's declaration of conformity as assurance that a product complies with that Party's requirements.
5. If Australia requires mandatory third-party conformity assessment as an assurance that a product covered by this Annex conforms with its requirements, it shall subject to its laws and regulations, accept a conformity assessment report, including a test report<sup>2</sup>:

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<sup>1</sup> For greater certainty, this Annex does not apply to a Party's market surveillance or compliance activities in accordance with its laws and regulations.

<sup>2</sup> For greater certainty, in relation to laws and regulations on electrical product safety, Australia may require a final approval, certification, registration or marking requirement to indicate that a product covered by this Annex conforms with its requirements.

- (a) issued by conformity assessment bodies that are located in the territory of the Union and that have been accredited by an accreditation body member of the international arrangements for mutual recognition of the International Laboratory Accreditation Cooperation or the International Accreditation Forum<sup>3</sup>, or their successors; or
  - (b) issued by conformity assessment bodies that are located in the territory of the Union under the International Electrotechnical Commission System of Conformity Assessment Schemes for Electrotechnical Equipment and Components Certification Body Scheme, in relation to electrical safety and electromagnetic compatibility aspects.
6. If a Party adopts or amends conformity assessment procedures for the fields covered by this Annex, the relevant transparency obligations under this Agreement apply.
7. If the Union adopts mandatory third-party conformity assessment requirements for the fields covered by this Annex, Australia may suspend the acceptance of corresponding conformity assessment reports under this Annex, and notify the Union in writing.
8. If Australia has concerns regarding the competence of a conformity assessment body referred to in paragraph 5 to assess compliance with relevant technical regulations, or an accreditation body referred to in paragraph 5 to properly accredit such a conformity assessment body, it may suspend its acceptance of conformity assessment reports under this Annex by notifying the Union in writing and providing details of those concerns.
9. If recognition of conformity is suspended in accordance with paragraph 8, the Parties shall at the request of a Party, discuss the matter within 60 days and shall make every effort to consider possible measures that would enable recognition of conformity to be restored.

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<sup>3</sup> For greater certainty, International Accreditation Forum accreditation arrangements will not be accepted as demonstrating conformity with energy efficiency requirements.

10. At the request of either Party, the Committee on Trade in Goods and Technical Barriers to Trade may review Appendix 8-A-1 (Fields covered by Annex 8-A) or 8-A-2 (Fields and products not covered by Annex 8-A).

FIELDS COVERED BY ANNEX 8-A

1. Health and safety aspects, including relating to exposure to electromagnetic fields, of electrical, electronic and mechanical equipment, or machinery, as well as their parts and components.
2. Electromagnetic compatibility (disturbance and immunity) of electrical and electronic equipment, as well as its parts and components.
3. Restriction of the use, in electrical or electronic equipment, or in its parts or components, of any of the following hazardous substances:
  - (a) Lead (Pb);
  - (b) Mercury (Hg);
  - (c) Cadmium (Cd);
  - (d) Hexavalent chromium (Cr<sup>6+</sup>);
  - (e) Polybrominated biphenyls (PBB);
  - (f) Polybrominated diphenyl ether (PBDE);
  - (g) Bis(2-ethylhexyl) phthalate (DEHP);
  - (h) Butyl benzyl phthalate (BBP);
  - (i) Dibutyl phthalate (DBP); and

(j) Diisobutyl phthalate (DIBP).

4. Energy efficiency, including eco-design requirements of electrical or electronic equipment, as well as its parts and components.

## Appendix 8-A-2

1. Health and safety aspects including aspects relating to exposure to electromagnetic fields of, electromagnetic compatibility (disturbance and immunity) of, restriction of the use of hazardous substances in, and energy efficiency including eco-design requirements of:
  - (a) whole aircraft, whole vessel and whole motor, rail or other vehicle; and
  - (b) any specialised equipment for aircraft, vessel or motor, rail or other vehicle.
  
2. Health and safety aspects, including aspects relating to exposure to electromagnetic fields of, electromagnetic compatibility (disturbance and immunity) of, and restriction of the use of hazardous substances in:
  - (a) equipment for use for radiology or medical purposes, as well as its components and parts;
  - (b) aesthetic devices that present the same characteristics and risk profile as analogous to medical devices as well as their components and parts;
  - (c) toys as well as their components and parts, for use in play by children under 14 years of age;
  - (d) pressure equipment, as well as its components and parts, other than heating or cooling appliances intended only for household (domestic) use;
  - (e) simple pressure vessels, as well as their components and parts;
  - (f) lifts, as well as their components and parts;
  - (g) construction products, as well as their components and parts, for permanent incorporation in buildings or civil engineering works and the performance of which has an effect on the performance of the building or civil engineering works, such as plumbing and drainage products, certain cables, fire alarms, electric doors;

- (h) appliances consuming gaseous fuels as well as their components and parts; as well as equipment, components and parts that are exclusively intended to be used as part of a gas installation;
- (i) cableways, as well as their components and parts;
- (j) equipment for use in an explosive atmosphere, as well as its components and parts;
- (k) radio equipment used by radio amateurs, as well as its components and parts;
- (l) non-automatic weighing instruments, as well as their components and parts;
- (m) measuring instruments, as well as their components and parts;
- (n) electric fence controllers, as well as their components and parts;
- (o) equipment designed and constructed specifically for use in fairground or amusement parks, as well as its components and parts;
- (p) weapons and firearms; as well as their components and parts;
- (q) machinery with a high-risk factor or which serves a critical protective function, as well as its components and parts; such as:
  - (i) circular saws (single- or multi-blade) for working with wood and material with similar physical characteristics or for working with meat and material with similar physical characteristics;
  - (ii) hand-fed surface planing machinery for woodworking;
  - (iii) thicknessers for one-side dressing having a built-in mechanical feed device, with manual loading or unloading for woodworking;

- (iv) band-saws with manual loading or unloading for working with wood and material with similar physical characteristics or for working with meat and material with similar physical characteristics, of the following types;
- (v) sawing machinery with fixed blade(s) during cutting, having a fixed or reciprocating-movement bed or support for the workpiece;
- (vi) sawing machinery with blade(s) assembled on a carriage with reciprocating motion;
- (vii) hand-fed tenoning machinery with several tool holders for woodworking;
- (viii) hand-fed vertical spindle moulding machinery for working with wood and material with similar physical characteristics;
- (ix) portable chainsaws for woodworking;
- (x) presses, including press-brakes, for the cold working of metals, with manual loading or unloading, whose movable working parts may have a travel exceeding 6 mm and a speed exceeding 30 mm/s and power-operated interlocking movable guards designed to be used as safeguards in such machinery;
- (xi) injection or compression plastics-moulding machinery with manual loading or unloading and power-operated interlocking movable guards designed to be used as safeguards in such machinery;
- (xii) machinery for underground working;
- (xiii) manually loaded trucks for the collection of household refuse incorporating a compression mechanism;
- (xiv) removable mechanical transmission devices including their guards;

- (xv) guards for removable mechanical transmission devices;
- (xvi) vehicle servicing lifts;
- (xvii) devices for the lifting of persons or of persons and goods involving a hazard of falling from a vertical height of more than three metres;
- (xviii) portable cartridge-operated fixing and other impact machinery;
- (xix) protective devices designed to detect the presence of persons;
- (xx) logic units to ensure safety functions;
- (xxi) roll-over protective structures (ROPS); and
- (xxii) falling-object protective structures (FOPS).

3. Any product regulated as a medicine, medical device, biological or other products in Australia.<sup>4</sup> Any product regulated as a medical device, medicinal product or pharmaceutical product in the Union.

4. Personal Protective Equipment (PPE).

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Pursuant to the *Therapeutic Goods Act 1989* (Cth), or any successor legislation.