MUTUAL RECOGNITION AGREEMENT
BETWEEN
THE GOVERNMENT OF
THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE STATE OF ISRAEL
FOR CONFORMITY ASSESSMENT OF
TELECOMMUNICATIONS EQUIPMENT

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE STATE OF ISRAEL (referred to in this Agreement collectively as "Parties" and individually as "Party");

RECOGNIZING that market access between the territories of the Parties will be enhanced if the Parties mutually recognize test results and equipment certifications undertaken in the context of conformity assessment;

RECOGNIZING that in order to establish this mutual recognition, each Party must have confidence in the reliability of conformity assessment procedures of the other Party;

RECALLING the obligations of the Parties as Members of the World Trade Organization ("WTO"), specifically their obligations under the WTO Agreement on Technical Barriers to Trade;

RECOGNIZING that an agreement for mutual recognition of the results of conformity assessment is of particular importance to telecommunication equipment suppliers of both Parties;

RECOGNIZING that the Parties have mutual interest in the telecommunication sector;

HAVE AGREED as follows:

ARTICLE 1
Purpose of the Agreement

This Agreement is intended to streamline conformity assessment for a wide range of telecommunications and telecommunications-related equipment and thereby to facilitate trade between the Parties. This Agreement provides for the mutual recognition by the Parties of designated conformity assessment bodies and acceptance of the results of testing and equipment certifications undertaken by recognized conformity assessment bodies in assessing conformity of equipment to a Party's technical regulations.

ARTICLE 2
Definitions and Interpretation

General terms associated with test reports and conformity assessment used in this Agreement shall have the meaning assigned to those terms in "ISO/IEC 17000:2004, *Conformity assessment – Vocabulary and general principles*, of the International Organization for Standardization and the International Electrotechnical Commission" (hereinafter "ISO/IEC 17000:2004") unless specifically defined otherwise in this Agreement. In addition, for the purpose of this Agreement, the following definitions shall apply:

administrative arrangements means any publicly available procedures or legal or contractual

arrangements within a Party's jurisdiction that have an impact on conformity assessment of telecommunications equipment within the scope of this Agreement, as described in Article 3;

certification body means a body that performs certification;

conformity assessment body means a body, which may include a third party or a supplier's testing laboratory, or a certification body, that assesses whether telecommunications equipment conforms to a Party's technical regulations;

designation means the act by a designating authority of designating a conformity assessment body to assess whether telecommunications equipment conforms to a Party's technical regulations;

designated conformity assessment body means a conformity assessment body that has been designated by a Party pursuant to this Agreement;

Phase I Procedures means the procedures for the designation and recognition of testing laboratories and mutual acceptance of test reports, set forth in Appendix B;

Phase II Procedures means the procedures for the designation and recognition of certification bodies and mutual acceptance of equipment certifications, set forth in Appendix C;

public telecommunications network means public telecommunications infrastructure that permits telecommunications between defined network termination points;

recognition means the act by a regulatory authority of recognizing that a conformity assessment body is competent to perform conformity assessment and that the results of conformity assessment will be accepted from that conformity assessment body;

recognized conformity assessment body means a conformity assessment body that has been designated by one Party and recognized by the other Party pursuant to this Agreement;

regulatory authority means a government agency or entity that exercises a legal right to control the use or sale of telecommunications equipment within a Party's territory and that may take enforcement action to ensure that products marketed within the Party's territory comply with the Party's legal requirements;

technical regulations means those technical requirements, legislative and regulatory provisions, and administrative arrangements that a Party has specified in Annex I pertaining to the testing or certification of equipment with respect to which compliance is mandatory;

testing laboratory is a laboratory that performs testing.

In the event of any inconsistency between a definition in ISO/IEC 17000:2004 and a definition in this Agreement, the definition in this Agreement shall prevail.

ARTICLE 3
Scope

1. This Agreement applies to conformity assessment of equipment that may be attached to a public telecommunications network and other equipment subject to telecommunications regulation, whether wire or wireless and including terrestrial and satellite equipment, whether or not connected to a public telecommunications network. This Agreement does not apply to conformity assessment of equipment which can only be connected behind devices providing adequate network protection for a public telecommunications network as long as the equipment is not subject to conformity assessment procedures that apply to network terminal attachment.

2. This Agreement applies to those technical regulations that the Parties list in Annex I, namely technical regulations for network terminal equipment and other telecommunications equipment, including regulations concerning conformity assessment and electromagnetic compatibility.

3. This Agreement applies to recognized conformity assessment bodies designated by each Party as listed in Annex III.

4. This Agreement shall not be interpreted as acceptance by one Party of the standards or technical regulations of the other Party, or as mutual recognition of the equivalence of the Parties' standards or technical regulations.

ARTICLE 4
Designating Authorities, Regulatory Authorities, and Accreditation Bodies

1. Each Party shall ensure that its designating authorities have the authority and competence to designate, list, verify the compliance of, limit the designation of, and withdraw the designation of conformity assessment bodies within the designating authorities' jurisdiction. Each Party also shall ensure that its regulatory authorities have the authority and competence to recognize conformity assessment bodies that the other Party designates for recognition under this Agreement.

2. Each Party's designating authorities shall take such measures as necessary to ensure that conformity assessment bodies that such authorities have designated maintain the required technical competence to perform the conformity assessment for which they have been designated.

3. Any designating authority of a Party also may appoint an accreditation body to accredit conformity assessment bodies while maintaining full responsibility as a designating authority under this Agreement.

4. Each Party shall list, in Annex II, its designating authorities, regulatory authorities, and accreditation bodies.

ARTICLE 5
Designation of Conformity Assessment Bodies

1. Each designating authority listed in Annex II for Phase I Procedures may designate conformity assessment bodies to assess whether equipment conforms to the other Party's technical regulations listed in Annex I for Phase I Procedures, and each designating authority listed in Annex II for Phase II Procedures may designate conformity assessment bodies to assess whether equipment conforms to the other Party's technical regulations listed in Annex I for Phase II Procedures.

2. A designating authority may only designate conformity assessment bodies able to demonstrate by means of accreditation, in accordance with the requirements and procedures set forth in Appendix A, that the conformity assessment bodies have the experience and are competent to assess whether equipment conforms to the other Party's technical regulations, including familiarity with interpretations and policies related to the other Party's technical regulations.

3. In designating a conformity assessment body, a designating authority shall observe the procedures set forth in Appendices B and C.

ARTICLE 6
Recognition of Conformity Assessment Bodies

Each Party shall, in accordance with the procedures set forth in Appendices B and C, recognize conformity assessment bodies designated by the designating authorities of the other Party.

ARTICLE 7
Mutual Acceptance of the Results of Conformity Assessment

Each Party shall, in accordance with the procedures set forth in Appendices B and C, subject to Article 16.3, accept the results of conformity assessment for the technical regulations that the Party has listed in Annex I, undertaken by recognized conformity assessment bodies designated by the other Party under terms and conditions no less favorable than those it accords to the results of conformity assessment undertaken by conformity assessment bodies in its territory, and without regard to the nationality of the supplier or manufacturer of the equipment, or the country of origin of the equipment.

ARTICLE 8

Reassessment and Surveillance of Conformity Assessment Bodies

1. Each Party shall provide to the other Party the reassessment and surveillance plans designed, in accordance with sub-clause 7.11.3 of "ISO/IEC 17011:2004, *Conformity*

assessment – General requirements for accreditation bodies accrediting conformity assessment bodies, of the International Organization for Standardization and the International Electrotechnical Commission", by its designating authorities and accreditation bodies to ensure the continued technical competence of designated conformity assessment bodies.

2. Each Party shall inform the other Party of all measures taken by its designating authorities and accreditation bodies based on the results of reassessment and surveillance activities regarding the continuation or renewal of accreditation of recognized conformity assessment bodies. Likewise, each Party shall inform the other Party of any measures taken by its accreditation bodies regarding suspension, withdrawal, or reduction of the relevant scope of accreditation of recognized conformity assessment bodies.

3. On request, each Party shall provide to the other Party a valid scope and certificate of accreditation for a designated conformity assessment body, as well as the documentation described in Appendix B, section I, paragraph 4 or the documentation described in Appendix C, section I, paragraph 4. If a designated conformity assessment body fails to maintain a valid scope and certificate of accreditation, a Party may withdraw its recognition of that designated conformity assessment body.

4. On request, each Party, through its own designating authorities or accreditation bodies, shall endeavor to facilitate the observation of the assessment of a conformity assessment body by representatives of the other Party. All costs incurred for such activities shall be the responsibility of the Party requesting to witness the assessment.

ARTICLE 9
Verification of Conformity Assessment Bodies, Suspension of Conformity Assessment Bodies, and Suspension of Acceptance of the Results of Conformity Assessment

1. Each Party shall have the right to challenge the technical competence of any conformity assessment body designated by the other Party and whether the conformity assessment body meets the requirements for accreditation set forth in Appendix A. A Party shall exercise the right described in this paragraph under exceptional circumstances only, and in accordance with the procedures described in the following paragraphs.

2. A Party shall invoke its right to challenge, as described in paragraph 1, by providing written notice to the conformity assessment body concerned, the relevant designating authority and accreditation body, and the other Party. The notice shall include an objective and reasoned written description of the basis for the challenge, including a description of the available evidence and findings supporting it. The challenging Party shall provide the recipients of the notice no fewer than 60 days after the date on which the notice is provided to present information responding to or correcting any deficiencies that have been identified.

3. Where verification of a conformity assessment body's technical competence or its

conformity with the requirements for accreditation set forth in Appendix A is required to resolve the matter, the verification shall be carried out in a timely manner jointly by the Parties with the participation of the relevant designating authority and accreditation body.

4. Each Party shall ensure that its conformity assessment bodies are available for verification of their technical competence and their conformity with the requirements for accreditation set forth in Appendix A.

5. The Parties and the relevant designating authority shall jointly discuss with the relevant accreditation body and the conformity assessment body concerned the results of any verification with a view to resolving the matter as soon as possible. Where, after verification, the challenging Party finds that the conformity assessment body does not meet the requirements for accreditation set forth in Appendix A, it shall give prompt notice to the conformity assessment body concerned, to the relevant designating authority and accreditation body, and to the other Party. The challenging Party shall provide the recipients of the notice no fewer than 60 days after the date they receive the notice to present information responding to the findings of the verification or correcting any deficiencies identified as a result of the verification.

6. As a result of a verification and taking into account any information provided by the conformity assessment body concerned, the relevant designating authority and accreditation body, and the other Party, the challenging Party may:

   (a) limit to certain technical regulations, suspend, or withdraw its recognition of the designated conformity assessment body; or

   (b) suspend its acceptance of the results of conformity assessment by the recognized conformity assessment body.

   A Party invoking its right under (a) or (b) shall provide 60 days advance notice of its intent, including a written explanation of its reasons, to the conformity assessment body concerned, to the relevant designating authority and accreditation body, and to the other Party.

7. When a Party notifies its intent to take any action under this Article, that Party shall continue to accept the results of conformity assessment undertaken by the conformity assessment body prior to taking such action, unless that Party has good cause for not accepting such results, in which case the Party shall provide a written explanation of the reason for not accepting such results to the conformity assessment body concerned, to the relevant designating authority and accreditation body, and to the other Party.

8. With the consent of both Parties and of the relevant designating authority and accreditation body, matters relating to the conformity of the conformity assessment body with the requirements for accreditation set forth in Appendix A may be referred to a review process recognized by the Parties, or to a subcommittee of the Joint Committee for evaluation and assistance in resolution of technical issues.

9. A limitation, suspension, or withdrawal of recognition, or a suspension of acceptance of the results of conformity assessment, shall remain in effect until the Parties jointly decide on the future status of the conformity assessment body.

ARTICLE 10
Information Exchange

1. Each Party shall maintain in Annex I a list of its technical regulations for Phase I Procedures and Phase II Procedures.

2. Within 60 days after a Party adopts a new technical regulation, or an amendment to an existing technical regulation, the Party shall modify its list in Annex I, as appropriate. Each Party shall promptly notify the other Party of any modification of Annex I.

3. The Parties shall consult as necessary in order to maintain their confidence in conformity assessment and to ensure that the Parties satisfactorily address any concerns either Party may have about the other Party's technical regulations.

4. Each Party shall promptly provide written notice to the other Party of any changes to its: list of designating authorities, regulatory authorities, and accreditation bodies (Annex II), list of designated conformity assessment bodies (Annex III), or list of recognized conformity assessment bodies (Annex IV).

5. On or before the date this Agreement enters into force, each Party shall notify the other Party in writing of the contact persons to be responsible for activities under this Agreement. Each Party shall inform the other Party whenever the contact persons responsible for activities under this Agreement may change.

ARTICLE 11
Joint Committee

1. The Parties hereby establish a Joint Committee, consisting of one or more representatives from relevant government bodies of each Party. The Joint Committee shall be co-chaired by a representative of each Party.

2. The Joint Committee shall determine its own rules of procedure. The Joint Committee shall take decisions by agreement of its co-chairs.

3. The Joint Committee shall convene at the request of either Party. The Joint Committee may convene in parallel to the Joint Committee established under the Agreement on the Establishment of the Free Trade Area between the Parties, signed on April, 22 1985.

4. The Joint Committee shall establish appropriate channels, including relevant contact

points, for the Parties' information exchange as provided in Article 10.

5. The Joint Committee may consider any matter related to the operation of this Agreement.

6. A Party may bring any question or concern it may have regarding the interpretation or application of this Agreement to the Joint Committee, which shall seek to answer the question or resolve the concern.

7. The Joint Committee shall periodically assess the need to update references in this Agreement to international standards and guides and may agree to update such references.

ARTICLE 12
Additional Provisions

1. Each Party shall endeavor to use international standards, or the relevant parts of international standards, as the basis for its technical regulations, where applicable international standards exist or when their completion is imminent, except when such international standards or relevant parts would be ineffective or inappropriate.

2. Each Party may specify the language in which test reports, equipment certifications, notices of designation and recognition, and other pertinent documents shall be submitted. Each Party may issue technical regulations in the language of its choice.

3. The Parties shall endeavor to harmonize their designation and conformity assessment procedures. In order to do so, the Parties shall facilitate cooperation between their respective designating authorities and conformity assessment bodies, including their participation in coordination meetings, mutual recognition agreements, and working group meetings.

ARTICLE 13
Confidentiality

1. Neither Party may require a designating authority, accreditation body, or conformity assessment body of the other Party to disclose to it a supplier's proprietary information except where necessary to demonstrate conformity with the Party's technical regulations.

2. Each Party, in accordance with its applicable domestic laws and regulations, shall protect the confidentiality of any proprietary information disclosed to it by a designating authority, accreditation body, or conformity assessment body of the other Party in connection with conformity assessment.

ARTICLE 14
Preservation of Regulatory Authority

1. Nothing in this Agreement shall be construed as limiting a Party's authority to interpret and implement its technical regulations governing equipment included within the scope of this Agreement.

2. Nothing in this Agreement shall be construed as limiting a Party's authority to determine the level of protection it considers appropriate with regard to safety, security, the protection of consumers, or other risks of concern to the Party.

3. Nothing in this Agreement shall be construed to limit a Party's authority to take all appropriate measures whenever, as a result of market surveillance activities, equipment has been found to be non-compliant with the Party's technical regulations. If a Party takes such action, it shall notify the other Party within 15 days of taking such action, and provide its reasons.

ARTICLE 15
Recognition Fees

Each Party shall ensure that if any recognition fee is imposed by its regulatory authorities on conformity assessment bodies for determining compliance with the Party's requirements, the imposition of such fee shall be transparent, reasonable, and applied to conformity assessment bodies that the other Party has designated on terms no less favorable than those it accords to conformity assessment bodies in its territory.

ARTICLE 16
Entry into force of the Agreement and Initiating Participation in Phase I Procedures or Phase II Procedures

1. Each Party shall notify the other Party through a diplomatic note once it has completed all internal legal requirements for the entry into force of this Agreement. This Agreement shall enter into force 30 days after the date of the later notification made pursuant to this paragraph.

2. On the date this Agreement enters into force, the Parties shall initiate participation in Phase I Procedures set forth in Appendix B. On or before the date this Agreement enters into force, each Party shall provide to the other Party the following information, in writing:

   (a) the list, which shall be set forth in Annex I, of technical regulations for which the Party shall accept test reports from recognized testing laboratories of the other Party, for the purpose of Phase I Procedures;

(b) the list, which shall be set forth in Annex II, of the designating authorities that will be responsible for designating testing laboratories, the regulatory authorities that will be responsible for recognizing testing laboratories, and any accreditation bodies that the designating authorities intend to appoint for accrediting designated testing laboratories, for the purpose of Phase I Procedures.

3. The Parties may decide, through the Joint Committee, to initiate participation in Phase II Procedures, set forth in Appendix C, at a mutually agreed time. On or before the date on which the Parties initiate participation in Phase II Procedures, each Party shall provide to the other Party the following information, in writing:

(a) the list, which shall be set forth in Annex I, of technical regulations for which the Party shall accept equipment certifications from recognized certification bodies of the other Party, for the purpose of Phase II Procedures;

(b) the list, which shall be set forth in Annex II, of the designating authorities that will be responsible for designating certification bodies, the regulatory authorities that will be responsible for recognizing certification bodies, and any accreditation bodies that the designating authorities intend to appoint for accrediting designated certification bodies, for the purpose of Phase II Procedures.

ARTICLE 17
Amendment and Modification

1. This Agreement may be amended by written agreement of the Parties.

2. Without derogating from the provisions of this Agreement, a Party may modify its lists of technical regulations (Annex I), designating authorities, regulatory authorities, and accreditation bodies (Annex II), designated conformity assessment bodies (Annex III), and recognized conformity assessment bodies (Annex IV), as specified in Article 10, without the consent of the other Party

ARTICLE 18
Termination

1. A Party may terminate this Agreement by providing written notice of termination to the other Party. The termination shall take effect on a date the Parties agree or, if the Parties cannot agree, 12 months after the date on which the notice of termination is received.

2. Following notice of termination of this Agreement by either Party under paragraph 1, a Party shall accept test reports that recognized testing laboratories provide before the date on which the Agreement terminates, unless the Party decides otherwise for justified reasons and so notifies the other Party, in writing. For greater clarity, a Party may provide such notice in its notice of termination.

ARTICLE 19
Appendices and Annexes

1. The following Appendices constitute integral parts of this Agreement:

   (a) Appendix A, "Requirements for Accreditation and Designation of Conformity Assessment Bodies";

   (b) Appendix B, "Phase I Procedures for the Designation and Recognition of Testing Laboratories and Mutual Acceptance of Test Reports";

   (c) Appendix C, "Phase II Procedures for the Designation and Recognition of Certification Bodies and Mutual Acceptance of Equipment Certifications."

2. The following Annexes do not constitute integral parts of this Agreement:

   (a) Annex I, "List of Technical Regulations for Phase I and Phase II Procedures";

   (b) Annex II, "List of Designating Authorities, Regulatory Authorities, and Accreditation Bodies for Phase I and Phase II Procedures";

   (c) Annex III, "List of Designated Conformity Assessment Bodies for Phase I and Phase II Procedures"; and

   (d) Annex IV, "List of Recognized Conformity Assessment Bodies for Phase I and Phase II Procedures."

3. In the event of any inconsistency between a provision in an Article of this Agreement and a provision in an Appendix to this Agreement, the provision in the Appendix shall prevail, to the extent of the inconsistency.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE in duplicate at Jerusalem on the 15th day of October, 2012, corresponding to the 29th day of Tishrei, 5773, in the Hebrew calendar, in the English and Hebrew languages, all texts being equally authentic.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA	FOR THE GOVERNMENT OF THE STATE OF ISRAEL

APPENDIX A
REQUIREMENTS FOR ACCREDITATION AND DESIGNATION OF CONFORMITY ASSESSMENT BODIES

This Appendix sets forth the general requirements for the accreditation and designation of conformity assessment bodies under this Agreement.

I. Technical Competence

1. The technical competence of a conformity assessment body shall be demonstrated by means of accreditation, including with regard to the following:

   (a) technological knowledge of the relevant equipment, processes and services;

   (b) understanding of the technical regulations and the general protection requirements for which designation is sought;

   (c) knowledge relevant to the applicable technical regulations;

   (d) practical capability to perform the relevant conformity assessment procedures;

   (e) adequate management of the conformity assessment procedures concerned; and

   (f) any other evidence necessary to give assurance that the conformity assessment procedures shall be adequately performed on a consistent basis.

2. To ensure consistency of the designation and accreditation processes, the relevant international standards and guides for conformity assessment shall be used in conjunction with the technical regulations of a Party to determine the technical competency of a conformity assessment body. The following list of relevant ISO/IEC standards and guides shall be applied for the purpose of determining the technical competency of a conformity assessment body:

   (a) ISO/IEC 17011:2004 – *Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies*;

   (b) ISO/IEC 17025:2004 – *General requirements for the competence of testing and calibration laboratories*; and

   (c) ISO/IEC Guide 65:1996 – *General requirements for bodies operating product certification systems.*

II. Requirements and Conditions for Accreditation and Designation of Conformity Assessment Bodies

1. Each Party may use one or more designating authorities or one or more accreditation bodies, or both designating authorities and accreditation bodies, to accredit conformity assessment bodies as capable of assessing whether equipment conforms to the other Party's technical regulations.

   (a) Any designating authority that is also an accreditation body listed by a Party in Annex II shall be capable of complying with the requirements and conditions of ISO/IEC 17011:2004 to the extent necessary to accredit conformity assessment bodies.

   (b) Any accreditation body appointed by a designating authority shall meet the requirements and conditions of ISO/IEC 17011:2004.

2. Whether a testing laboratory is accredited by a designating authority or by an accreditation body, in either case, in order to be designated, the testing laboratory shall meet the following requirements and conditions:

   (a) the testing laboratory shall be accredited against ISO/IEC 17025:2005 in conjunction with the importing Party's technical regulations listed in Annex I for Phase I Procedures; and

   (b) the testing laboratory shall have the technical expertise and capability for testing against the standards covered in the scope of the accreditation. Testing, if necessary, may be performed in accordance with the provisions for subcontracting in ISO/IEC 17025:2005. The testing laboratory also shall be familiar with the applicable technical regulations of the importing Party for the equipment under test.

3. Whether a certification body is accredited by a designating authority or by an accreditation body, in either case, in order to be designated, the certification body shall meet the following requirements and conditions:

   (a) the certification body shall be accredited against ISO/IEC Guide 65:1996 in conjunction with the importing Party's technical regulations listed in Annex I for Phase II Procedures and based on type testing as identified in sub-clause 1.2(a) of ISO/IEC Guide 65:1996;

   (b) the type testing shall normally be based on testing of one unmodified representative sample of each equipment type for which certification is sought. Additional samples may be requested if they are necessary for technical regulatory purposes, for instance when a test renders a sample inoperative. According to generally accepted conformity assessment practices, all samples,

components and parts shall be returned to the supplier unless the supplier has otherwise requested in writing;

(c) the certification body shall demonstrate expert knowledge of the importing Party's technical regulations listed in Annex I for Phase II Procedures for each equipment type, including knowledge and understanding of interpretations and policies for each equipment type with respect to which the certification body seeks designation;

(d) to ensure that the certification body has up-to-date technical competence, knowledge, and expertise in order to evaluate test data and test reports, and to reach the appropriate conclusion when assessing the conformity of equipment with applicable technical regulations, the certification body shall have the technical expertise and capability to test the equipment that it certifies. Alternatively, the certification body may enter into contractual arrangements with testing laboratories so that the personnel of the certification body has access to personnel and facilities able to carry out the required testing and so that the personnel can oversee and supervise the testing in order to maintain up-to-date expertise and understanding of the applicable technical regulations;

(e) the certification body shall demonstrate, through assessment, general competence, experience, and familiarity with the importing Party's technical regulations listed in Annex I for Phase II Procedures and equipment subject to those technical regulations, as well as through conformity with applicable parts of ISO/IEC 17025:2005 and Guide 65:1996. The certification body shall also demonstrate that it is able to identify situations that call for interpretations of technical regulations or conformity assessment procedures. The appropriate key certification personnel shall know which officials of the importing Party they must contact to obtain current and correct interpretations of technical regulations.

APPENDIX B
PHASE I PROCEDURES
FOR THE DESIGNATION AND RECOGNITION OF TESTING LABORATORIES AND MUTUAL ACCEPTANCE OF TEST REPORTS

This Appendix sets forth the procedures for the designation and recognition of testing laboratories, and for the mutual acceptance of test reports produced by recognized testing laboratories.

I. Procedures for Designation of Testing Laboratories

1. Each Party shall assign a unique six-character identifier, consisting of two letters identifying the Party followed by four additional alpha-numeric characters, to each designated testing laboratory.

2. Each Party shall notify the other Party in writing of any designation of a testing laboratory. This notification shall include: the testing laboratory's name, unique six-character identifier, physical address, and mailing address, the contact person for the testing laboratory, the contact person's telephone number and email address, and the scope of the testing laboratory's accreditation. This notification may be provided by a designating authority.

3. Each Party shall promptly update, as necessary, any designation it has notified to the other Party, for example, to revise the scope of a testing laboratory's accreditation.

4. When a Party first designates a testing laboratory, that Party shall provide the other Party the most recent assessment documentation for the designated testing laboratory, including, for example, the accreditation body assessment report, accreditation body deficiency/non-conformity report, report on corrective actions implemented, and scope and certificate of accreditation.

5. Each Party shall list in Annex III all the testing laboratories that it has designated.

II. Procedures for the Recognition of Designated Testing Laboratories

1. When a Party receives a notification of the designation of a testing laboratory, the Party shall evaluate and make a determination on recognizing the testing laboratory under terms and conditions no less favorable than those it accords to testing laboratories in its territory that apply for recognition. The Party shall make a determination on recognizing the testing laboratory within 60 days after the date on which the notification of designation is provided. Each Party generally shall recognize a testing laboratory designated in accordance with the procedures of Part I of this Appendix.

2. If a Party determines not to recognize a designated testing laboratory, in whole or in part, the Party, within 60 days of the date on which the notification of the designation is provided, shall provide the designating authority, the designated testing laboratory, and

the other Party an explanation, in writing, of the basis for its determination.

3. When a Party notifies its determination not to recognize a designated testing laboratory in accordance with paragraph 2, the Party shall provide the recipients of the notice no fewer than 60 days after the date on which the notice is provided to present information responding to or correcting any deficiencies that form the basis for the Party's determination to not recognize the testing laboratory.

4. If additional information is presented in accordance with paragraph 3, the Party that determined not to recognize the designated testing laboratory shall reevaluate its determination and make a further determination on recognizing the designated testing laboratory in light of the additional information presented, under terms and conditions no less favorable than those it accords to the testing laboratories in the Party's territory that apply for recognition. Within 30 days of the date on which additional information is presented under paragraph 3, the Party shall notify the designating authority, the designated testing laboratory, and the other Party of its further determination.

5. The Parties may jointly refer any matter relating to the designation or recognition of a testing laboratory to a review process the Parties consider appropriate, or to a subcommittee of the Joint Committee for evaluation and assistance in resolving relevant technical issues.

6. Each Party shall list in Annex IV each of the testing laboratories that it has recognized.

III. Procedures for the Mutual Acceptance of Test Reports

1. After a Party has recognized a testing laboratory that the other Party has designated, the regulatory authorities of the Party shall accept test reports produced by the recognized testing laboratory in accordance with the procedures in Article 7 and this Appendix.

2. After receiving a test report, each Party's regulatory authorities shall:

   (a) examine the test report promptly to ensure that the data and documentation contained in the test report are complete;

   (b) inform the applicant in writing of any deficiency in the test report in a timely and precise manner;

   (c) limit any request for additional information from the testing laboratory to omissions, inconsistencies, and/or variances from the Party's technical regulations; and

   (d) avoid re-testing and duplicate testing, in particular where, for example, there is a change in commercial distribution agreements, logo, packaging, or a minor equipment change that does not affect compliance with technical regulations.

IV. Requirements for Processing Applications for Equipment Certification

1. Each Party shall grant applications for equipment certification that are accompanied by test reports produced by recognized testing laboratories in the other Party's territory under transparent terms and conditions no less favorable than those it accords to applications for equipment certification that are accompanied by test reports produced by recognized testing laboratories in the Party's territory, and without regard to the nationality of the supplier or manufacturer of the equipment, or the country of origin of the equipment.

2. Each Party shall permit suppliers to apply directly for and, upon issuance, to hold certification. A Party may require any supplier to:

   (a) name the supplier's agent or other legal representative in the Party's jurisdiction; and

   (b) give prompt and full notice of any change of the supplier's agent or other legal representative.

3. Each Party shall process and communicate decisions regarding applications for equipment certification that are accompanied by test reports produced by recognized testing laboratories in the other Party's territory at least as promptly as it processes and communicates decisions regarding applications for equipment certification that are accompanied by test reports produced by recognized testing laboratories in the Party's territory.

APPENDIX C
PHASE II PROCEDURES
FOR THE DESIGNATION AND RECOGNITION OF CERTIFICATION BODIES AND MUTUAL ACCEPTANCE OF EQUIPMENT CERTIFICATIONS

This Appendix sets forth the procedures for the designation and recognition of certification bodies, and for the mutual acceptance of equipment certifications produced by recognized certification bodies.

I. Procedures for Designation of Certification Bodies

1. Each Party shall assign a unique six-character identifier, consisting of two letters identifying the Party followed by four additional alpha-numeric characters, to each designated certification body.

2. Each Party shall notify the other Party in writing of any designation of a certification body. This notification shall include: the certification body's name, unique six-character identifier, physical address, and mailing address, the contact person for the certification body, the contact person's telephone number and email address, and the scope of the certification body's accreditation. This notification may be provided by a designating authority.

3. Each Party shall promptly update, as necessary, any designation it has notified to the other Party, for example, to revise the scope of a certification body's accreditation.

4. When a Party first designates a certification body, that Party shall provide the other Party the most recent assessment documentation for the designated certification body, including, for example, the accreditation body assessment report, any accreditation body deficiency/non-conformity report, any report on corrective actions implemented, and the scope and certificate of accreditation.

5. Each Party shall list in Annex III all the certification bodies that it has designated.

II. Procedures for the Recognition of Designated Certification Bodies

1. When a Party receives a notification of the designation of a certification body, the Party shall evaluate and make a determination on recognizing the certification body under terms and conditions no less favorable than those it accords to certification bodies in its territory that apply for recognition. The Party shall make a determination on recognizing the certification body within 60 days after the date on which the notification of designation is provided. Each Party generally shall recognize a certification body designated in accordance with the procedures of Part I of this Appendix.

2. If a Party determines not to recognize a designated certification body, in whole or in part, the Party, within 60 days of the date on which the notification of the designation is provided, shall provide the designating authority, the designated certification body, and

the other Party an explanation, in writing, of the basis for its determination.

3. When a Party notifies its determination not to recognize a designated certification body in accordance with paragraph 2, the Party shall provide the recipients of the notice no fewer than 60 days after the date on which the notice is provided to present information responding to or correcting any deficiencies that form the basis for the Party's determination to not recognize the certification body.

4. If additional information is presented in accordance with paragraph 3, the Party that determined not to recognize the designated certification body shall re-evaluate its determination and make a further determination on recognizing the designated certification body in light of the additional information presented, under terms and conditions no less favorable than those it accords to the certification bodies in the Party's territory that apply for recognition. Within 30 days of the date on which additional information is presented under paragraph 3, the Party shall notify the designating authority, the designated certification body, and the other Party of its further determination.

5. The Parties may jointly refer any matter relating to the designation or recognition of a certification body to a review process the Parties consider appropriate, or to a subcommittee of the Joint Committee for evaluation and assistance in resolving relevant technical issues.

6. Each Party shall list in Annex IV each of the certification bodies that it has recognized.

III. Mutual Acceptance of Equipment Certifications

1. Each Party shall accept equipment certifications produced by a recognized certification body in the other Party's territory under transparent terms and conditions no less favorable than those it accords to equipment certifications produced by recognized certification bodies in its territory, and without regard to the nationality of the supplier or manufacturer of the equipment, or the country of origin of the equipment.

2. Each Party shall permit suppliers to apply directly for and, upon issuance, to hold certification. A Party may require any supplier to:

   (a) name the supplier's agent or other legal representative in the Party's jurisdiction; and

   (b) give prompt and full notice of any change of the supplier's agent or other legal representative.

IV. Additional Requirements for Certification Bodies

1. A designated certification body shall participate in any reasonable consultation activities identified by the regulatory authority of the importing Party, in order to establish a

common understanding and interpretation of applicable regulations of the importing Party. A recognized certification body shall continue to participate in such consultative activities after it has been recognized.

2. A recognized certification body may subcontract all or part of equipment tests, including tests for a supplier, in accordance with the provisions of sub-clause 4.4 of ISO/IEC Guide 65:1996, provided that:

   (a) the testing laboratory shall be accredited against ISO/IEC 17025:2005 in conjunction with the importing Party's technical regulations listed in Annex I for Phase I Procedures, or found by the certification body to be competent in accordance with the provisions for subcontracting in ISO/IEC 17025:2005; and

   (b) when the certification body subcontracts testing, the certification body shall remain responsible for the tests and shall continue to oversee the subcontractor to ensure that the test reports are reliable. In order to ensure the reliability of test reports, each Party shall require periodic audits of equipment that has been tested.

3. A recognized certification body shall publish and maintain a list of equipment certifications and, on a request by the importing Party, the designating authority that designated the certification body shall identify all equipment certified by the designated certification body as conforming with the requesting Party's technical regulations.

4. A recognized certification body shall carry out post-certification surveillance in accordance with ISO/IEC Guide 65:1996, requirements of the importing Party, and the provisions of this Agreement.

   (a) The surveillance activities required under ISO/IEC Guide 65:1996 shall be based on type testing of a few samples of the total number of equipment types certified by the certification body. Other types of surveillance activities of equipment that has been certified are permitted provided they are no more onerous than type testing. Upon request, a recognized certification body shall provide to the importing Party copies of equipment certification reports.

   (b) If a recognized certification body determines, during post-certification surveillance of certified equipment, that the equipment does not comply with the applicable technical regulations of the importing Party, the certification body shall immediately notify the supplier of the certified equipment and the regulatory authority of the importing Party. Within 30 days of such notification, the certification body shall provide to the regulatory authority of the importing Party a follow-up report detailing the action taken by the supplier to correct the situation.

   (c) If a Party has concerns about certified equipment, the Party may request from the recognized certification body that certified the equipment a copy of the equipment certification report. The certification body shall make every effort to provide the

Party with a copy of the equipment certification report within 30 days of such a request. If the certification body cannot provide the equipment certification report within 30 days, the certification body shall provide to the Party a statement explaining why the equipment certification report cannot be provided. Failure to provide an equipment certification report upon request may be grounds for the importing Party to revoke the equipment certification or to take other measures in accordance with this Agreement.

ANNEX I

LIST OF TECHNICAL REGULATIONS FOR PHASE I AND II PROCEDURES

UNITED STATES

I. LIST OF TECHNICAL REGULATIONS FOR PHASE I PROCEDURES

The technical regulations for which the United States accepts test reports from recognized testing laboratories designated by Israel are:

1. U.S. Federal Communications Commission (FCC) Rules and Regulations for Telephone Terminal Equipment that are contained in the following:

   a. Code of Federal Regulations (CFR):

Frequency Allocations and Radio Treaty Matters; General Rules and Regulations	47 CFR Part 2
Telephone Terminal Equipment	47 CFR Part 68

   b. documents published by the Administrative Council for Terminal Attachment (ACTA), established in the FCC CC Docket 99-216:

TIA-968-B (September 22, 2009), Telecommunications - Telephone Terminal Equipment - Technical Requirements for Connection of Terminal Equipment to the Telephone Network

2. U.S. FCC Rules and Regulations for Transmitter Equipment that are contained in the following:

Frequency Allocations and Radio Treaty Matters; General Rules and Regulations	47 CFR Part 2
Emergency Alert Systems (EAS)	47 CFR Part 11
Radio Frequency Devices	47 CFR Part 15
Commercial Mobile Radio Services	47 CFR Part 20
Public Mobile Services	47 CFR Part 22
Personal Communications Services	47 CFR Part 24
Satellite Communications	47 CFR Part 25
Miscellaneous Wireless Communications Services	47 CFR Part 27
Radio Broadcast Services	47 CFR Part 73
Experimental Radio, Auxiliary, Special Broadcast and Other Program Distributional Services	47 CFR Part 74
Cable Television Relay Service	47 CFR Part 78
Stations in the Maritime Services	47 CFR Part 80
Aviation Services	47 CFR Part 87

Private Land Mobile Radio Services	47 CFR Part 90
Personal Radio Services	47 CFR Part 95
Amateur Radio Service	47 CFR Part 97
Fixed Microwave Services	47 CFR Part 101

3. U.S. FCC Rules and Regulations for Electromagnetic Compatibility (EMC) that are contained in the following:

Frequency Allocations and Radio Treaty Matters; General Rules and Regulations	47 CFR Part 2
Radio Frequency Devices	47 CFR Part 15
Industrial, Scientific, and Medical Equipment	47 CFR Part 18

4. Any identical or substantially similar technical regulations that add to or replace the technical regulations identified in paragraphs 1 to 3.

II. LIST OF TECHNICAL REGULATIONS FOR PHASE II PROCEDURES

The existing technical regulations for which the United States accepts equipment certifications from recognized certification bodies designated by Israel are:

Intentionally left blank.

ISRAEL

I. LIST OF TECHNICAL REGULATIONS FOR PHASE I PROCEDURES

The technical regulations for which Israel accepts test reports from recognized testing laboratories designated by the United States are:

1. Wireless Telegraph Ordinance (Ordinance Non- application Directive), 1984. Available on the Internet
http://www.moc.gov.il/sip_storage/FILES/3/293.pdf

2. Procedure for Type Approval of Cellular Handset in Israel, December 2005 (Articles 1-5, inclusive). Available on the Internet
http://www.moc.gov.il/sip_storage/FILES/2/1062.pdf

3. Checklist for Conformance Approval for DECT equipment – in the Spectrum Division, July 2010. Available on the Internet
http://www.moc.gov.il/sip_storage/FILES/6/2106.doc

4. Any identical or substantially similar technical regulations that add to or replace the technical regulations identified in paragraphs 1 to 3.

II. LIST OF TECHNICAL REGULATIONS FOR PHASE II PROCEDURES

The existing technical regulations for which Israel accepts equipment certifications from recognized certification bodies designated by the United States are:

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ANNEX II

LIST OF DESIGNATING AUTHORITIES, REGULATORY AUTHORITIES, AND ACCREDITATION BODIES FOR PHASE I AND PHASE II PROCEDURES

UNITED STATES

I. LIST OF DESIGNATING AUTHORITIES, REGULATORY AUTHORITIES, AND ACCREDITATION BODIES FOR PHASE I PROCEDURES

Designating Authorities

1. Name of Designating Authority: National Institute of Standards and Technology (NIST) or an authority succeeding this institute.
Physical address: 100 Bureau Drive, Gaithersburg, MD 20899-1070
Mailing address: 100 Bureau Drive, Stop 1070, Gaithersburg, MD 20899-1070
Home page address: http://www.nist.gov
Name/title of contact person: Ramona Saar
Phone: +1 (301) 975-5521
Fax: + 1 (301) 975-4715
E-mail address: ramona.saar@nist.gov

Regulatory Authorities

1. Name of Regulatory Authority: Federal Communications Commission
Physical address: 7435 Oakland Mills Road, Columbia, MD 21046
Mailing address: 7435 Oakland Mills Road, Columbia, MD 21046
Home page address: http://www.fcc.gov
Name/title of contact person: William Hurst
Phone: +1 (301) 362-3031
Fax: +1 (301) 362-3290
E-mail address: William.Hurst@fcc.gov

Accreditation Bodies

1. Name of Accreditation Body: American Association for Laboratory Accreditation (A2LA)
Physical address: 5301 Buckeystown Pike, Frederick, MD 21704
Mailing address: 5301 Buckeystown Pike, Suite 350, Frederick, MD 21704
Home page address: www.a2la.org
Name/title of contact person: Adam Gouker
Phone: +1 301 644-3217
Fax: +1 301 662-2974
E-mail address: agouker@a2la.org

2. Name of Accreditation Body: ANSI-ASQ National Accreditation Board/ACLASS (ACLASS)
Physical address: 500 Montgomery Street, Alexandria, VA 22314
Mailing address: 500 Montgomery Street, Suite 625, Alexandria, VA 22314
Home page address: www.aclasscorp.com
Name/title of contact person: Bill Hirt
Phone: +1 (703) 836-0025
Fax: + 1 (703) 836-0040
E-mail address: Bill.hirt@aclasscorp.com

3. Name of Accreditation Body: National Voluntary Laboratory Accreditation Program (NVLAP)
Physical address: 100 Bureau Drive Gaithersburg, MD 20899-2140
Mailing address: 100 Bureau Drive, M/S 2140 Gaithersburg, MD 20899-2140
Home page address: www.nist.gov/pml/nvlap/index.cfm
Name/title of contact person: Brad Moore
Phone: +1 (301) 975-5740
Fax: +1 (301) 926-2884
E-mail address: brad.moore@nist.gov

II. LIST OF DESIGNATING AUTHORITIES, REGULATORY AUTHORITIES, AND ACCREDITATION BODIES FOR PHASE II PROCEDURES

Intentionally left blank.

ISRAEL

I. LIST OF DESIGNATING AUTHORITIES, REGULATORY AUTHORITIES, AND ACCREDITATION BODIES FOR PHASE I PROCEDURES

Designating Authorities

1. Name of Designating Authority: Commissioner of Standardization, Ministry of Industry, Trade and Labor
Physical address: 5 Bank of Israel St., Jerusalem, Israel
Mailing address: 5 Bank of Israel St., Jerusalem, Israel, 91036
Home page address: www.moital.gov.il
Name/title of contact person: Grisha Deitch, Commissioner of Standardization
Phone: 972-2-6662296
Fax: 972-2-6662943
E-mail address: Grisha@moital.gov.il

Regulatory Authorities

1. Name of Regulatory Authority: Ministry of Communications
Physical address: 9 Ehad Ha'am st., Tel-Aviv, Israel
Mailing address: P.O. Box 29107, Tel-Aviv 61290, Israel
Home page address: www.moc.gov.il
Name/title of contact person: Mr. Nati Schubert/Senior Deputy Director General, Spectrum Management and Frequency Licensing
Phone: +972-3-5198281
Fax: +972-3-5198103
E-mail address: schubertn@moc.gov.il

2. Name of Regulatory Authority: Commissioner of Standardization, Ministry of Industry, Trade and Labor
Physical address: 5 Bank of Israel St., Jerusalem, Israel
Mailing address: 5 Bank of Israel St., Jerusalem, Israel, 91036
Home page address: www.moital.gov.il
Name/title of contact person: Grisha Deitch, Commissioner of Standardization
Phone: 972-2-6662296
Fax: 972-2-6662943
E-mail address: Grisha@moital.gov.il

Accreditation Bodies

1. Name of Accreditation Body: Israel Laboratory Accreditation Body
Physical address: 12 Kineret St, Lod Airport 70150, Israel
Mailing address: P.O. Box 89, Lod Airport 70150, Israel
Home page address: http://www.israc.gov.il
Name/title of contact person: Mrs. Etty Feller , General Manger (CEO)
Phone: 972-3-9702727
Fax: 972-3-9702413
E-mail address: ettyf@israc.gov.il

2. Name of Accreditation Body: A2LA
Physical address: 5301 Buckeystown Pike, Suite 350, Frederick, MD 21704-8373, United States
Mailing address: 5301 Buckeystown Pike, Suite 350, Frederick, MD 21704-8373, United States
Home page address: http://a2la.org
Name/title of contact person: Adam Gouker
Phone: +1 301 644-3217
Fax: + 1 301 662-2974
E-mail address: agouker@a2la.org

3. Name of Accreditation Body: ANSI-ASQ National Accreditation Board/ACLASS (ACLASS)
Physical address: 500 Montgomery Street, Alexandria, VA 22314
Mailing address: 500 Montgomery Street, Suite 625, Alexandria, VA 22314
Home page address: www.aclasscorp.com
Name/title of contact person: Dr. Bill Hirt, Director of Accreditation
Phone: +1 (703) 836-0025 x226

Fax: + 1 (703) 836-0040
E-mail address: bhirt@anab-aclass.org

II. LIST OF DESIGNATING AUTHORITIES, REGULATORY AUTHORITIES, AND ACCREDITATION BODIES FOR PHASE II PROCEDURES

Intentionally left blank.

ANNEX III

LIST OF DESIGNATED CONFORMITY ASSESSMENT BODIES FOR PHASE I AND PHASE II PROCEDURES

UNITED STATES

I. LIST OF DESIGNATED TESTING LABORATORIES FOR PHASE I PROCEDURES

Name of testing laboratory:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:
Fax:
E-mail address:
Technical regulations for which this testing laboratory has been designated:

II. LIST OF DESIGNATED CERTIFICATION BODIES FOR PHASE II PROCEDURES

Name of certification body:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:
Fax:
E-mail address:
Technical regulations for which this certification body has been designated:

ISRAEL

I. LIST OF DESIGNATED TESTING LABORATORIES FOR PHASE I PROCEDURES

Name of testing laboratory:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:

Fax:
E-mail address:
Technical regulations for which this testing laboratory has been designated:

II. LIST OF DESIGNATED CERTIFICATION BODIES FOR PHASE II PROCEDURES

Name of certification body:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:
Fax:
E-mail address:
Technical regulations for which this certification body has been designated:

ANNEX IV

LIST OF RECOGNIZED CONFORMITY ASSESSMENT BODIES FOR PHASE I AND PHASE II PROCEDURES

UNITED STATES

I. LIST OF RECOGNIZED TESTING LABORATORIES DESIGNATED BY ISRAEL FOR PHASE I PROCEDURES

Name of testing laboratory:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:
Fax:
E-mail address:
Technical regulations for which this testing laboratory has been recognized:

II. LIST OF RECOGNIZED CERTIFICATION BODIES DESIGNATED BY ISRAEL FOR PHASE II PROCEDURES

Name of certification body:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:
Fax:
E-mail address:
Technical regulations for which this certification body has been recognized:

ISRAEL

I. LIST OF RECOGNIZED TESTING LABORATORIES DESIGNATED BY THE UNITED STATES FOR PHASE I PROCEDURES

Name of testing laboratory:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:

Fax:
E-mail address:
Technical regulations for which this testing laboratory has been recognized:

II. LIST OF RECOGNIZED CERTIFICATION BODIES DESIGNATED BY THE UNITED STATES FOR PHASE II PROCEDURES

Name of certification body:
Six-character identifier:
Physical address:
Mailing address:
Name/title of contact person:
Phone:
Fax:
E-mail address:
Technical regulations for which this certification body has been recognized: