

LAW OF THE REPUBLIC OF BELARUS

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ON STANDARDIZATION

The present Law establishes the legal basis of standardization in the Republic of Belarus, regulates the legal relations that evolve in the process of jobs on standardization, as well as rights, duties and responsibility of the participants of standardization.

Chapter I. General Provisions Article 1. The Notion of Standardization S. (norm-setting) is the activity to set and apply norms, rules and specifications* with the purpose to ensure: - safety of products, works and services to the environment, life, health and property of citizens; - technical and informational compatibility, as well as interchange of products; - unity of measurements; - saving resources, increase of energy efficiency and decrease of energy and material specific consumption in products, works and services; - safety of managing subjects with account for the risks of natural and technogeneous catastrophes, other extraordinary events; - defense capacity and mobilization readiness of the country.

Article 2. Sphere of Application of the Present Law The present Law embraces the bodies of state management, as well as legal entities and entrepreneurs without the formation of legal entities which perform economic activities on the territory of the Republic of Belarus - the managing subjects.

Article 3. Legislation on Standardization The relations in the field of standardization are regulated by the present Law and other legal acts of the Republic of Belarus.

Article 4. Organization of Jobs on Standardization The state management over standardization in the Republic of Belarus is executed by the Republican body on standardization, metrology and certification, which is appointed by the President of the Republic of Belarus in accordance with the Statute of the body, approved by the Cabinet of Ministers of the Republic of Belarus. The Republican body on standardization, metrology and certification forms and executes the state policy in the field of standardization, coordinates the activities of the bodies of state management, cooperates with the local power bodies and managing subjects, approves state standards and constructions norms, executes supervision over performance of compulsory requirements of state standards, construction norms, participates in the works on international (regional) standardization, organizes professional training and retraining g of the personnel in the field of standardization, as well as sets the rules to apply international (regional) standards, rules, norms and recommendations on standardization on the territory on the Republic, in case otherwise stipulated by international treaties of the Republic of Belarus. Other bodies of state management participate in the works on standardization within the measures of their competence. The Republican body on standardization, metrology and certification in accordance with the present Law establishes in state standards and construction norms the general organizational and technical rules of executing the works on standardization, forms and methods of cooperation of the managing subjects both with each other and with the bodies of state management. Chapter II. Normative Documents on Standardization

Article 5. Normative Documents on Standardization and Requirements to Them A normative document on standardization in the sense of the present Law is a document containing rules, general norms, principles or specifications concerning different types of activities or the results thereof in the field of standardization. The normative documents on standardization in power on the territory of the Republic of Belarus comprise: - state standards of the Republic of Belarus*, state construction norms of the Republic of Belarus**, state classifiers of technical and economic information of the Republic of Belarus***; - branch normative documents on standardization, standards of enterprises and other managing subjects****, technical conditions. * Hereinafter - state standards. ** Hereinafter - construction norms. *** Hereinafter - classifiers of technical and economic information. **** Hereinafter - enterprise standards. The term "branch" in the present Law means the grouping of managing subjects irrespective of their ministerial belonging and property forms, which design and (or) manufacture products, execute works and provide services of certain types, that have similar consumer or functional application. The requirements set forth by the normative documents on standardization should be based upon the modern science,

technique, technology achievements, on international (regional) standards, rules, norms and recommendations on standardization, on progressive national standards of other countries, take into account the conditions of utilization the products, execution of works and provision of services, conditions and regimes of work and should not violate the provisions set forth by the legislation acts of the Republic of Belarus. Article 6. State Standards, Construction Norms, Classifiers of Technical and Economic Information The state standards should contain: - requirements to products, works and services concerning their safety to environment, life, health and property of citizens, requirements of safety and production sanitary; - requirements concerning technical and information compatibility, as well as interchange ability of products; - main consumer (operational) specifications of products, methods to control them, requirements to packaging, marking, transportation, storage, usage and utilization of products; - rules and norms which ensure technical and information unity during design, manufacture, usage (operation) of the products, execution of works and provision of services, as well as the rules of making technical documentation, tolerances and fits, general rules of ensuring the quality of products, works and services, preservation and rational usage of resources, increase of energy efficiency and decrease of energy and material specific consumption of products, works and services, terms and their explanations, definitions, metrology and other general technical and organizational and methodology rules and norms. Requirements concerning the contents of state standards, area of dissemination and application, enactment dates are determined by the Republican body on standardization, metrology and certification. The requirements set forth in state standards for ensuring the safety of products, works and services to environment, life, health and property of citizens, for provision of technical and information compatibility, interchange ability of products, unity of methods of control and marking, as well as other requirements, set forth by the legislation of the Republic of Belarus, are compulsory for performance by the bodies of state management and by the managing subjects. Other requirements of state standards concerning products, works and services must be certainly executed according to the contract or technical documentation by the manufacturer (supplier) of products, executor of works and services. State standards are enacted after their registration at the Republican body on standardization, metrology and certification. State construction norms should contain requirements to city construction, engineering research, design, building repair and maintenance of buildings and constructions, materials, products and constructions and engineering equipment, which should ensure: - safety of construction products, works and services for environment, life, health and property of citizens; - reliability of usage; - mechanical rigidity and stability of the objects with the account of the risk of natural and technogeneous catastrophes, other extraordinary situations; - sound and heat insulation and economy of energy resources; - technical and information unity, geometry precision and modular coordination of dimensions; - unity of testing and control methods. The construction norms which are compulsory for usage by the bodies of state management, managing subjects, are approved and enacted by the Republican body on standardization, metrology and certification. State standards, construction norms are not objects of author's right. Classifiers of technical and economic information are designed for the objects subject to state accounting. The order of designing, passing, enactment, usage and maintenance are set forth by the Republican body on standardization, metrology and certification.

Article 7. Branch Normative Documents on Standardization, Standards of Enterprises, Technical Conditions Branch normative documents on standardization are designed and approved, if necessary, by the central bodies of state management within their competence with the aims to satisfy the requirements set forth in Article 1 of the present Law. The branch normative documents on standardization for products, works and services supplied are not designed. The order of design, passage, alteration and cancellation of these documents is set forth by state standards. The branch normative documents on standardization should not violate compulsory requirements of state standards and construction norms. The responsibility for compliance of the requirements of branch normative documents on standardization to compulsory requirements of state standards and construction norms is imposed on those central bodies of state management who approved them. Standards of enterprises are designed and approved by the managing subjects individually, basing on the necessity to use them with the aim to ensure the requirements set forth in Article 1 of the present Law, as well as with the aim to improve the organization of production and management thereof. Enterprise standards for products, works and services supplied are not designed. The order to design, approve, register, change and cancel of standards of enterprises are established by managing subjects in accordance with the requirements of state standards. The standards of enterprises should not violate the compulsory requirements of the state standards. Responsibility for compliance of the requirements of the standards of enterprises to the compulsory requirements of state standards is imposed on the managing subjects who approved them. Ts. are designed and approved by managing subjects for the products, works and services in case there are no standards for them, as well as in case of necessity to add or clarify the requirements established in these standards. The order of design, approval, registration, application and control over the performance of the compulsory requirements of standards, change and cancellation of technical conditions is established by state standards. Ts. should not violate

compulsory requirements of state standards. The responsibility for compliance of the requirements of technical conditions to the compulsory requirements of state standards is imposed on the managing subjects who approved them.

Article 8. Application of Normative Documents on Standardization The normative documents on standardization in power on the territory of the Republic of Belarus must be applied by the bodies of state management, managing subjects on stages of design preparation for production, production, sale, usage (operation), storage, transportation and utilization of products, of work performance and provision of services. Into contracts to design, manufacture and sale products, to perform works and provide services the parties must include the conditions of compliance of the products, works and services to the requirements of normative documents on standardization which are applied in the Republic of Belarus. In the Republic of Belarus, besides the normative documents on standardization, mentioned in Article 5 of the present Law, international (regional) standards, norms and rules, acknowledged in the established order, may be applied, as well as national standards, norms and rules of other countries, other normative documents on standardization. The rules of application of international (regional) standards, norms and rules of national standards, norms and rules of other countries are established by the Republican body on standardization, metrology and certification.

Article 9. Information on Normative Documents on Standardization, Publication and Dissemination Official information about state standards, construction norms, classifiers of technical and economic information, as well as these very state standards, construction norms and classifiers of technical and economic information must be available and accessible for users, including the foreign ones, in the part where they do not contain the state secret. The Republican body on standardization, metrology and certification is responsible for publication in its official editions of the information about the adopted state standards, construction norms, classifiers of technical and economic information, international (regional) standards, rules, norms and recommendations on standardization, national standards of other countries, as well as the information about international treaties in the field of standardization concluded and rules how to apply them, for establishment and running the National fund of normative documents on standardization. The order of establishing and the rules of using this fund are set forth by the Cabinet of Ministers of the Republic of Belarus. The bodies of state management which have adopted within their competence branch normative documents on standardization, managing subjects which have approved normative documents on standardization, must form and run funds of these normative documents on standardization, as well as provide the users with necessary information on them and with documents on standardization on the contract basis. The exclusive right of official publication in the established order of state standards, construction norms, classifiers of technical and economic information belongs to the Republican body on standardization, metrology and certification.

Chapter III. State Supervision Over Performance of the Requirements of Standards, Construction Norms

Article 10. Bodies to Perform State Supervision The bodies to execute the state supervision over the performance of requirements of state standards, construction norms and other normative documents on standardization the compulsory nature of requirements of which is stipulated by the present Law, are the Republican body on standardization, metrology and certification and the bodies subordinated to it, as well as other bodies of state management within their competence. The order to execute the state supervision is established by the Cabinet of Ministers of the Republic of Belarus. Official persons of the Republican body on standardization, metrology and certification and of its subordinate bodies who perform the duties of state supervision are state inspectors on supervision over standards and measuring means, their status is established by the Law of the Republic of Belarus "On the Basics of Service in the State Machinery". The manager of the Republican body on standardization, metrology and certification is at the same time the Chief State Inspector of the Republic of Belarus on supervision over standards and measuring means, while his deputies responsible for the execution of state supervision are Deputies of the Chief State Inspector of the Republic of Belarus on standardization over standards and measuring means.

Article 11. Rights, Duties and Responsibility of State Inspectors State inspector on supervision over standards and measuring means has the right: - to enter freely the territory of the managing subjects which subject to control with the account of their work schedule; - to receive from a managing subject documents and references necessary to execute the state supervision; - to attract upon agreement with the managing subjects technical means and experts for executing the state supervision; - to perform in accordance with the normative documents on standardization in power selection of samples of products with the aim of further determination of their compliance to requirements of standards and construction norms. The order to charge the spent tests and samples, as well as expenses for making tests (analysis, measurements) suffered by the managing subjects who are being controlled, is determined by the Cabinet of Ministers of the Republic of Belarus: - to issue to the managing subjects compulsory for performance orders to remove the violations of standards, construction norms, as well as the reasons that caused these violations;

- to ban to the managing subjects transfer to the customer and usage of design, technology and project documentation which does not comply to compulsory requirements of standards and construction norms; - to ban to the managing subjects if the products, works and services do not comply to the compulsory requirements of standards, construction norms, sale usage (operation) of the products, as well as performance of works and provision of services; - to ban to the managing subjects sale of products, in accompanying documents on which or in the labels on which the compliance to the normative documents on standardization is not mentioned. The Chief State Inspector on supervision over standards and measuring means and his deputies alongside with the rights stipulated in the first part of this Article have the right: - to ban the production which does not comply to the requirements of standards on safety for environment, life, health and property of citizens, as well as in other cases, stipulated by the legislation; - to issue orders to the managing subjects to withdraw from the consumers those products which do not comply to the requirements of standards on safety for environment, life, health and property of citizens in accordance of the legislation in power; - to ban to the managing subjects sale of products, performance of works and provision of services in case they escape to submit products, works and services for control in the established order and create obstacles for state inspectors to perform such; - to impose penalties on the managing subjects for violating by them of the compulsory requirements of standards and construction norms, as well as for violation of the orders by state inspectors to ban the sale of products, performance of works and provision of services within the range and in the order stipulated by the legislation. State inspectors in executing state supervision over standards must protect the interests of consumers and the state, strictly following in this the legislation in power. State inspectors bear the responsibility established by the legislation for non-execution or improper execution of the duties imposed on them.

Chapter IV. Financing of Jobs on Standardization

Article 12. Sources of Financing Sources of financing the works on state standardization, as well as participation of the Republic of Belarus in the works on international standardization are budget funds. The budget funds are assigned to the Republican body on standardization, metrology and certification for: - design of state standards, construction norms, state classifiers of technical and economic information; - preparation and publication of official information about state standards adopted, construction norms, classifiers of technical and economic information: - design and (or) participation in the design of international (regional) standards, rules, norms and recommendations on standardization; - design of drafts of the legislation of the Republic of Belarus on definite objects of standardization, as well as design and operation of main organizational, methodological and general technical systems (groups) of standards; - formation and operation of the National fund of state standards, construction norms, classifiers of technical and economic information, international (regional) standards, rules, norms and recommendations on standardization, national standards of other countries; - other works on state standardization determined by the Cabinet of Ministers of the Republic of Belarus.

Chapter V. Responsibility for Violating Legislation on Standardization

Article 13. Responsibility of the Bodies of State Management and of the Managing Subjects Responsibility for compliance of the normative documents on standardization to the requirements of legislation acts of the Republic of Belarus is imposed on the designers and those bodies of state management, managing subjects, who have approved these documents. The managing subjects, their official persons bear the responsibility for violating the legislation on standardization in accordance with the legislation.

Chapter VI. Concluding Provisions

Article 14. International Cooperation in the Field of Standardization The Republican body on standardization, metrology and certification represents the interests of the Republic of Belarus in international (regional) organizations which execute activities on standardization.

Article 15. International Treaties In case the international treaties of which the Republic of Belarus is a participant establish other rules than those contained in the legislation of the Republic of Belarus on standardization, the rules of the international treaties are applied.

Article 16. On the Order of Enactment of the Present Law To enact the Law of the Republic of Belarus "On Standardization" since the moment of publication. Until the legislation of the Republic of Belarus is brought into compliance with the present Law, the acts of the legislation in power are applied in that part where they do not contradict to the present Law. The Cabinet of Ministers of the Republic of Belarus shall within 2 months' period shall bring the decisions of the Government of the Republic of Belarus into compliance with the present Law.

President of the Republic of Belarus
A. Lukashenko

The Law is considered signed in accordance with p. 20 Article 20

of the Constitution of the Republic of Belarus