

Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

21 October 1999 [shall come into force from 24 November 1999];

31 October 2002 [shall come into force from 1 January 2003];

1 April 2004 [shall come into force from 1 May 2004];

14 November 2008 [shall come into force from 1 January 2009];

12 June 2009 [shall come into force from 1 July 2009];

25 February 2010 [shall come into force from 31 March 2010];

23 May 2013 [shall come into force from 18 June 2013].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted and
the President has proclaimed the following Law:

On Conformity Assessment

Chapter I General Provisions

Section 1.

The following terms are used in this Law:

1) **accreditation** – an attestation carried out by the national accreditation body on the competence and capability of the conformity assessment body to perform specific conformity assessment activities;

2) [1 April 2004];

3) **conformity assessment** – a process during which it is assessed whether the requirements related to the product, process, service, system, person or body (hereinafter – conformity assessment object) are fulfilled;

4) **inspection** – an examination of the product design stages, product, process or service and determination of its conformity with specific or general requirements, based upon a professional judgement;

5) **calibration** – operation that, under specified conditions, establishes a relation between the quantity values indicated by measuring devices or measuring systems, the values of the material measure or reference material and the values reproduced from the corresponding measurement standard is established under specific conditions;

6) [1 April 2004];

7) **non-regulated sphere** – a sphere, which is not subject to compulsory conformity assessment of products, processes or services laid down in laws and regulations;

8) [1 April 2004];

9) **regulated sphere** – a sphere, which is subject to mandatory conformity assessment of products, processes or services laid down in laws and regulations;

10) **certification** – an action of an independent third party confirming that the relevant product, process, service or person conforms to the requirements laid down in a law or regulation, or a standard;

11) **testing** – determination of one or several characteristics of the conformity assessment object in accordance with the procedure;

¹ The Parliament of the Republic of Latvia

12) **conformity assessment body** – an body, which carries out a conformity assessment, including calibration, testing, certification and inspection.
[21 October 1999; 1 April 2004; 25 February 2010]

Chapter II **Purpose and Scope of the Law**

Section 2.

This Law prescribes the general principles of conformity assessment in the regulated sphere and the accreditation system in the regulated and non-regulated spheres.
[21 October 1999]

Section 3.

The purpose of this Law is to ensure unified procedures for the conformity assessment, which are harmonised with the European Union and international regulatory enactments.
[1 April 2004; 25 February 2010]

Section 4.

This Law applies to all subjects that lay claim to conformity assessment.
[21 October 1999; 25 February 2010]

Chapter III **Conformity Assessment in the Regulated Sphere** *[21 October 1999]*

Section 5.

- (1) Conformity assessment in the regulated sphere applies to conformity assessment objects and potential risks, which may threaten human health, safety, the environment or other public interests.
- (2) Conformity assessment in the regulated sphere in relation to food, animal feed and pharmaceutical products shall be determined by special norms.
[21 October 1999; 1 April 2004; 25 February 2010]

Section 6.

- (1) Conformity assessment in the regulated sphere shall be carried out by the conformity assessment bodies, which have been accredited in accordance with the laws and regulations governing the specific field.
- (2) Conformity assessment bodies shall be accredited and decisions in the field of accreditation shall be taken by the national accreditation body.
- (3) The body, which shall carry out the functions of the national accreditation body, shall be determined by the Cabinet. The abovementioned body shall fulfil the requirements laid down in Article 8 of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.
[25 February 2010; 23 May 2013]

Section 7.

(1) The essential requirements for the specific conformity assessment object and the surveillance mechanism for the conformity thereof, according to a recommendation by the responsible ministry, shall be determined by the Cabinet.

(2) The authorities that carry out surveillance of the market in the regulated sphere, and the procedures by which this surveillance of the market shall be carried out, shall be determined by the Cabinet.

[21 October 1999]

Section 8.

(1) The Notification Commission of Conformity Assessment Bodies (hereinafter – the Notification Commission) shall notify the European Commission of the conformity assessment bodies, which are carrying out the conformity assessment in the regulated sphere.

(2) The procedures for establishing the Notification Commission, as well as the procedures, by which such commission shall take a decision and notify the European Commission on the conformity assessment bodies, which carry out the conformity assessment in the regulated sphere, shall be determined by the Cabinet.

[23 May 2013]

Section 9. [21 October 1999]

Chapter IV Conformity Assessment System

Section 10. [25 February 2010]

Section 11. [21 October 1999]

Section 12. [1 April 2004]

Chapter V National System of Accreditation

Section 13.

(1) The Cabinet shall determine a uniform national accreditation system conforming to the international requirements, the task of which shall be to determine the accreditation procedures and conformity with the unified management principles.

(2) The Ministry of Economics shall implement the State policy in the field of accreditation and shall ensure the operation of the national accreditation system.

(3) The Latvian National Accreditation Council shall participate in the drawing up of State policy in the field of accreditation, promote co-operation with the international accreditation organisations, as well as consult the conformity assessment bodies on matters of accreditation in the regulated and non-regulated sphere. The Latvian National Accreditation Council is a consultative body. The by-law of the Council, according to a recommendation of the Minister for Economics, shall be approved by the Cabinet. The composition of the personnel of the Council shall be approved by the Minister for Economics.

(4) Accreditation of conformity assessment bodies in the regulated and non-regulated sphere, as well as surveillance of the conformity assessment bodies shall be carried out by the national accreditation body.

(5) The national accreditation body is entitled to establish sectoral technical committees in order to receive consultations on solving particular technical questions in the relevant sector.
[25 February 2010; 23 May 2013]

Section 14.

(1) The main functions of the national accreditation body shall be as follows:

1) to evaluate and accredit the conformity assessment bodies, as well as to carry out the surveillance of the bodies, conforming to the Latvian national standards, laws and regulations, European or international standards, as well as the requirements laid down in mutual recognition agreements with the international accreditation organisations;

2) to technically ensure the work of the Latvian National Accreditation Council;

3) to organise proficiency testing and to co-ordinate inter-laboratory comparison programmes in accordance with the requirements of Latvia, of the European Union and international requirements regarding inter-laboratory comparisons;

4) to co-operate with the national accreditation bodies of other states;

5) to represent Latvia in international accreditation organisations;

6) to create and maintain a list of accredited conformity assessment bodies on its website;

7) to publish on the official website information regarding the accredited conformity assessment bodies, which operate in the regulated sphere, and to ensure credibility of the published information;

8) to inform the Ministry of Economics regarding accredited bodies in the regulated sphere.

(2) The national accreditation body, in carrying out the functions referred to in Paragraph one of this Section, has the right to issue administrative acts.

(3) The financing procedures for the accreditation system shall be as follows:

1) the following shall be financed from the State budget:

a) the carrying out of the functions of the national accreditation body, except the function laid down in Paragraph one, Clause 1 of this Section,

b) membership fee for international accreditation organisations;

2) all costs related to assessment, accreditation and surveillance in the regulated and non-regulated sphere shall be covered by the respective conformity assessment body.

[25 February 2010; 23 May 2013]

Chapter VI Procedures for the Examination of Disputes

[1 April 2004]

Section 15.

Decisions taken by the national accreditation body may be appealed in a court in accordance with the procedures laid down in the Administrative Procedure Law. The appeal of a decision shall not suspend its operation.

[25 February 2010]

Chapter VII
Mutual Recognition
[1 April 2004]

Section 16.

(1) The mutual recognition shall be applied in accordance with the procedures laid down in Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC (hereinafter – Regulation (EC) No 764/2008).

(2) In mutual recognition shall apply to:

- 1) technical regulations, standards and specifications;
- 2) conformity assessment procedures, testing procedures, testing reports and accreditation systems;
- 3) results of conformity assessment procedures, also testing results, conformity certificates and conformity or inspections marks.

(3) A body of direct or indirect administration, which takes the decision referred to in Article 2 of Regulation (EC) No 764/2008, or an authorised person of such body, who is performing a task of State administration according to an external regulatory enactment or on the basis of a delegation agreement, shall comply with the requirements laid down in Chapter Two of Regulation (EC) No 764/2008, unless the decision is taken in cases referred to in Article 3 of the Regulation.

[23 May 2013]

Section 17.

Products, which in accordance with inter-state agreements entered into and the procedures laid down therein are recognised by Member States of the European Union, Turkey or the states of the European Economic Area shall be recognised in Latvia.

[1 April 2004]

Section 18.

(1) The Ministry of Economics shall publish information on the official website on the product contact point, which has been established according to the requirements laid down in Article 9 of Regulation (EC) No 764/2008.

(2) The Ministry of Economics shall organise and manage the operation of the product contact point according to the principle of good administration and in accordance with the requirements laid down in Article 10 of Regulation (EC) No 764/2008.

[23 May 2013]

Transitional Provisions

1. The Cabinet shall, by 1 May 2000, submit to the *Saeima* necessary amendments to laws, and draft other laws and regulations.

2. Those Cabinet regulations that have been issued in accordance with Section 7 of this Law shall remain in force until the coming into force of new Cabinet regulations, but not later than 1 May 2000.

3. Until the time when the condition of Section 6, Paragraph three of this Law is fulfilled, the functions of the national accreditation body laid down in this Law shall be carried out by the unit “Latvian National Accreditation Bureau” of the limited liability company “Standardisation, Accreditation and Metrology Centre”.

[25 February 2010]

This Law has been adopted by the *Saeima* on 8 August 1996.

Acting for the President,
Chairperson of the *Saeima*

I. Kreituse

Rīga, 20 August 1996