

**LAW OF THE REPUBLIC OF UZBEKISTAN
ON TECHNICAL REGULATION
(23.04.2009, № ZRU-213)**

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Approved by the Senate on March 27, 2009*

CHAPTER 1. GENERAL PROVISIONS

Article 1. Purpose of this Law

The purpose of this Law is to regulate relations in the area of establishing, applying and executing mandatory requirements for the safety of products, works and services.

Article 2. Legislation on technical regulation

The legislation on technical regulation consists of this Law and other legislative acts.

If an international treaty of the Republic of Uzbekistan establishes other rules than those provided for by the legislation of the Republic of Uzbekistan on technical regulation, then the rules of the international treaty shall apply.

Article 3. Basic Terms

The following basic concepts are applied in this Law:

technical regulation - the establishment, application and execution of mandatory requirements for the safety of products, works and services;

safety of products, works and services - the state of products, the processes of their design, production, operation (use), installation, setting-up, storage, transportation, sale and disposal, work performed, services rendered, in which there is no unacceptable risk associated with the likelihood of harm to human life and health, the environment, property of legal entities, individuals and the state;

regulatory documents in the field of technical regulation - technical regulations, regulatory documents on standardization, sanitary, veterinary, veterinary-sanitary, phytosanitary norms and regulations, urban planning, environmental standards and regulations and other documents in the field of technical regulation;

technical regulation - a regulatory document in the field of technical regulation, which establishes mandatory requirements to the safety of products and services;

general technical regulation - a normative document in the field of technical regulation, which establishes mandatory requirements to the safety of a group of similar products and services;

special technical regulation - a regulatory document in the field of technical regulation, which establishes mandatory safety requirements to a particular type of product and service, which are not provided for by the general technical regulation;

technical barriers to trade - barriers to trade arising from differences or changes in mandatory safety requirements for products and services contained in regulatory documents in the field of technical regulation.

Article 4. Main tasks of technical regulation

The main objectives of technical regulation are:

- ensuring the safety of human life and health, the property of legal entities, individuals and the state;
- ensuring environmental protection and rational use of natural resources;
- elimination of technical barriers to trade;
- prevention of actions that mislead consumers regarding the safety of products, works and services.

Article 5. Basic principles of technical regulation

The main principles of technical regulation are:

mandatory application of technical regulations;
unity of application of technical regulations;
compliance of technical regulations with national and international regulatory documents in the field of technical regulation;
availability of technical regulations, information on the procedure for their development, adoption and publication.

Article 6.State system of technical regulation

The state system of technical regulation consists of:

Cabinet of Ministers of the Republic of Uzbekistan;

authorized state bodies in the field of technical regulation –

the Uzbek Agency for Standardization, Metrology and Certification,
the Ministry of Health of the Republic of Uzbekistan,
the State Committee of the Republic of Uzbekistan on Architecture and Construction,

the State Committee of the Republic of Uzbekistan on Ecology and Environmental Protection;
state and economic management bodies that carry out activities within their competence in the field of technical regulation.

CHAPTER 2. POWERS OF STATE AND OTHER BODIES AND ORGANIZATIONS IN THE FIELD OF TECHNICAL REGULATION

Article 7. Powers of the Cabinet of Ministers of the Republic of Uzbekistan in the field of technical regulation

Cabinet of Ministers of the Republic of Uzbekistan:
determines the main areas of activities of the bodies included in the state system of technical regulation;
ensures the functioning of bodies included in the state system of technical regulation;
approves the program for the development of technical regulations;
approves general technical regulations, makes amendments and additions to them, and also repeals the said regulations.
The Cabinet of Ministers of the Republic of Uzbekistan may exercise other powers in accordance with the law.

Article 8. Powers of the Uzbek Agency for standardization, metrology and certification in the field of technical regulation

Uzbek Agency for Standardization, Metrology and Certification:
submits to the Cabinet of Ministers of the Republic of Uzbekistan generalized proposals on draft programs for the development of technical regulations submitted by authorized state bodies in the field of technical regulation and state and economic management bodies;
within its competence, coordinates and organizes the activities of state and economic management bodies for the development of general and special technical regulations;
makes proposals to the Cabinet of Ministers of the Republic of Uzbekistan on the approval of general technical regulations, on making amendments and additions to them as well as on the cancellation of the said regulations;
sets up an expert commission in the field of technical regulation;
within its competence, conducts an examination of general and special technical regulations developed by state and economic management bodies;

within its competence, approves special technical regulations developed by economic management bodies, makes amendments and additions to them, and also repeals the said regulations;

approves the list of normative documents in the field of technical regulation, defining methods for sampling, testing and measuring of products, necessary for the conformity assessment of products and services with the requirements established in technical regulations;

within its competence, carries out state control over the observance of general and special technical regulations;

forms the state fund of normative documents in the field of technical regulation;

within its competence carries out international cooperation in the field of technical regulation.

The Uzbek Agency for Standardization, Metrology and Certification may exercise other powers in accordance with the law.

Article 9. Powers of the Ministry of Health of the Republic Uzbekistan, State Committee of the Republic of Uzbekistan on Architecture and Construction, the State Committee of the Republic of Uzbekistan on Ecology and Environmental Protection in technical regulation

The Ministry of Health of the Republic of Uzbekistan organizes and ensures the implementation of works in the field of technical regulation relating to mandatory requirements for the safety of products, works and services, the content of substances harmful to human life and health, disease-causing organisms, preventing the entry or spread of disease carriers, production and use of medical products, medical equipment and medicines.

The State Committee of the Republic of Uzbekistan on Architecture and Construction organizes and ensures the implementation of works in the field of technical regulation relating to the mandatory requirements for the safety of products, works and services in urban planning.

The State Committee of the Republic of Uzbekistan on Ecology and Environmental Protection organizes and ensures the implementation of work in the field of technical regulation relating to mandatory requirements for the safety of products, works and services when using natural resources and protecting the environment from pollution and other harmful effects.

The authorized state bodies in the field of technical regulation, specified in the first and third parts of this article, within their competence:

submit proposals to the Uzbek Agency for Standardization, Metrology and Certification on draft programs for the development of technical regulations and on the approval of general technical regulations;

carry out the development of general and special technical regulations and their examination;
set up expert commissions in the field of technical regulation;
conduct an examination of general and special technical regulations developed by state and economic management bodies;
prepare proposals on amendments and additions to the general technical regulations, as well as on cancellation of the said regulations;
approve special technical regulations, make amendments and additions to them, as well as cancel these regulations;
exercise state control over the observance of general and special technical regulations;
form the state fund of regulatory documents in the field of technical regulation;
carry out international cooperation in the field of technical regulation.
Authorized state bodies in the field of technical regulation may exercise other powers in accordance with the law.

Article 10. Powers of state and economic bodies management in the field of technical regulation

State and economic management bodies within their competence: submit proposals to the Uzbek Agency for Standardization, Metrology and Certification on draft programs for the development of technical regulations;
carry out the development of general and special technical regulations;
prepare proposals on amendments and additions to general and special technical regulations, as well as on cancellation of the said regulations;
set up expert advice in the field of technical regulation; participate in the formation of the state fund of regulatory documents in the field of technical regulation;
monitor compliance with general and special technical regulations in the manner established by law.

State and economic management bodies may exercise other powers in accordance with the law.

Government bodies, within their competence, approve special technical regulations, make amendments and additions to them, and also cancel these regulations.

Article 11. Expert commissions in the field of technical regulation

Expert commissions in the field of technical regulation are established under authorized state bodies in the field of technical regulation to examine developed general and special technical regulations, change and

supplement technical regulations, as well as to prepare proposals for the abolition of these regulations and conclusions on them.

The activity of expert commissions in the field of technical regulation is carried out in the manner established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 12. Expert advice in the field of technical regulation

Expert councils in the field of technical regulation are created under state and economic management bodies for the development of general and special technical regulations, changes and additions to technical regulations, as well as proposals for the abolition of these regulations.

The activity of expert councils in the field of technical regulation is carried out in the manner established by the Uzbek Agency for Standardization, Metrology and Certification.

Article 13. State Fund of Regulatory Documents in technical regulation

The state fund of regulatory documents in the field of technical regulation is formed by the Uzbek Agency for Standardization, Metrology and Certification and, within their competence, by other authorized state bodies in the field of technical regulation.

The state fund of regulatory documents in the field of technical regulation includes data on general and special technical regulations.

Authorized state bodies in the field of technical regulation, government bodies in due course submit special technical regulations, approved by them, to the state fund of regulatory documents in the field of technical regulation.

The order of formation and maintenance of the state fund of regulatory documents in the field of technical regulation is established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 14. Information on technical regulations

Information on existing, developed and adopted technical regulations should be available to legal entities and individuals. Information, constituting state secrets and other secrets protected by law, shall not be subject to dissemination.

The Uzbek Agency for Standardization, Metrology and Certification, at the request of businesses and individuals, provides information on: effective, developed and adopted technical regulations;

the procedure for conformity assessment of the products and services with the requirements of regulatory documents in the field of technical regulation;
membership of the Republic of Uzbekistan in international organizations and its participation in international treaties in the field of technical regulation;
official sources of publication of the developed, adopted technical regulations and other regulatory documents in the field of technical regulation.

CHAPTER 3. TECHNICAL REGULATIONS

Article 15. Types of technical regulations

The following types of technical regulations are applied in the Republic of Uzbekistan:

general technical regulations;
special technical regulations.

Article 16. Requirements to safety of products and services in technical regulations

Requirements for ensuring the safety of products and services in technical regulations can be established by:

biological safety;
mechanical safety;
chemical safety;
nuclear and radiation safety;
fire safety;
electrical safety;
safety of operation (use) and disposal of machinery and equipment;
electromagnetic compatibility;
construction safety;
safety of operation of buildings, structures and use of the territory adjacent to them;
environmental safety;
veterinary safety;
industrial and production safety;
explosion safety;
information security;
ensuring the uniformity of measurements and test methods.
The technical regulations may establish other requirements for ensuring the safety of products and services.

Article 17. Content of technical regulations

Technical regulations should contain:

safety features of products and services;

a complete list of products and services for which security requirements are established;

requirements for terminology, packaging, marking and labeling and the rules for their application and product identification;

an order for conducting the state control;

rules required for the conformity assessment of products and services with the requirements of regulatory documents in the field of technical regulation.

Taking into account the degree of the risk for human life and health, the environment and the prevention of damage arising from the entry or spread of harmful microorganisms and additives, diseases, carriers of diseases, pollutants, toxins, pests and weeds, technical regulations should also contain sanitary, veterinary, veterinary-sanitary and phytosanitary measures.

The sanitary, veterinary, veterinary-sanitary and phytosanitary rules and regulations establish:

mandatory product requirements, testing procedures, inspections, procedures for issuing sanitary-epidemiological, veterinary and phytosanitary reports;

quarantine and veterinary-sanitary regulations, including requirements related to transportation of animals and plants;

sampling methods and procedures, research methods and risk assessment of harm to human life and health, the environment, and other requirements.

Technical regulations should not contain requirements for product design and its execution, except for cases when due to lack of requirements for its design and execution, taking into account the degree of risk of harm to human life and health, product safety is not ensured.

Technical regulations should not contain requirements for products and services harmful to human life and health, property of legal entities, individuals and the state as a result of prolonged use of these products and services and (or) due to the impact of other factors that do not allow to determine the degree of acceptable risk. In this case, technical regulations may contain requirements relating to informing consumers about the possible harm and factors that determine the risk of harm to human life and health and the environment.

Technical regulations may contain special requirements for the safety of products and services:

securing protection of life and health of certain categories of citizens, defined by law;

in relation to cross-border hazardous production facilities, which in the case of emergency situations of the technogenic nature pose a threat to human life and health, the environment, property of legal entities, individuals and the state.

Technical regulations containing information constituting state secrets and other secrets protected by law are developed and adopted in the manner established by law.

Technical regulations are exhaustive, have a direct effect on the entire territory of the Republic of Uzbekistan and can be changed only by making changes and additions to them in due course.

Article 18. Formation of programs for the development of technical regulations

Formation of programs for the development of technical regulations is carried out by the Uzbek Agency for Standardization, Metrology and Certification, taking into account the proposals of other authorized state bodies in the field of technical regulation and state and economic management, within their competence.

Programs for the development of technical regulations are approved by the Cabinet of Ministers of the Republic of Uzbekistan and are published in the prescribed manner.

Article 19. Procedure for the development of technical regulations

Technical regulations are developed in accordance with the approved programs of development of technical regulations.

Developers of technical regulations shall do the following, according to the established procedure:

- publish reports on the development of technical regulations;

- determine the groups and types of products and services subject to technical regulation;

- determine the methods for the conformity assessment of products and services with the requirements established in technical regulations;

- get the developed technical regulations approved;

- ensure the availability of developed technical regulations.

Developers of technical regulations ensure discussion of the developed technical regulations within two months from the date of their official publication.

Article 20. Procedure for the adoption of technical regulations

General technical regulations, developed by state and economic management bodies, are transferred to the authorized state bodies in the field of technical regulation in the areas of their activities for examination.

The Uzbek Agency for Standardization, Metrology and Certification after receiving the conclusion of the relevant expert commission in the field of technical regulation, in due course, sends general technical regulations to the Cabinet of Ministers of the Republic of Uzbekistan for approval.

Special technical regulations developed by state and economic management bodies are transferred to the authorized state bodies in the field of technical regulation in the areas of their activities for examination.

Authorized state bodies in the field of technical regulation, government bodies, on the basis of the conclusion of the relevant expert commission in the field of technical regulation, approve special technical regulations.

Approved general and special technical regulations are enacted no earlier than six months from the date of their official publication.

Publication of general and special technical regulations is carried out in the manner prescribed by law.

Article 21. Application of regulatory documents in the field technical regulation for the development of technical regulations

When developing technical regulations, national and international regulatory documents in the field of technical regulation are used. These documents set safety criteria for products and services.

In technical regulations, as evidence, the texts of regulatory documents in the field of technical regulation are given in whole or in part.

Article 22. Observance of Technical Regulations

Observance of technical regulations is mandatory for all legal entities and individuals.

When technical regulations come into effect, previously adopted relevant regulatory documents on standardization for the products and services, indicated in them, lose their binding nature and become voluntary in the established manner.

Article 23. State control for observance of technical regulations

State control over the observance of technical regulations is carried out by officials of the authorized state bodies in the field of technical regulation and government bodies in the manner established by law.

CHAPTER 4. FINAL PROVISIONS

Article 24. Financing of works in the field technical regulation

Financing of works in the field of technical regulation is carried out at the expense of the republican budget and legal entities.

The following is funded at the expense of the republican budget:

development of general technical regulations;

examination of general and special technical regulations;

maintenance of the state fund of regulatory documents in the field of technical regulation;

implementation of state control over compliance with technical regulations;

costs associated with membership of the Republic of Uzbekistan in international organizations for technical regulation.

Article 25. Settlement of Disputes

Disputes in the field of technical regulation are resolved in the manner established by law.

Article 26. Responsibility for violation of the law about technical regulation

Persons guilty of violating the legislation on technical regulation shall bear responsibility in accordance with the established procedure.

Article 27. Bringing legislation in compliance with this Law

The Cabinet of Ministers of the Republic of Uzbekistan should:

bring government decisions into line with this Law;

ensure the review and abolition by government bodies of their legal acts that are contrary to this Law.

Article 28. Entry into force of this Law

This Law enters into force from the date of its official publication.