

**LAW OF THE REPUBLIC OF UZBEKISTAN
ON CONFORMITY ASSESSMENT**

Adopted by the Legislative Chamber on June 6, 2013

Approved by the Senate on August 22, 2013

Chapter 1. General Provisions

Article 1. Purpose of this Law

The purpose of this Law is to regulate relations in the field of conformity assessment.

Article 2. Legislation on conformity assessment

The legislation on conformity assessment consists of this Law and other legislative acts.

If an international agreement of the Republic of Uzbekistan establishes other rules than those provided for by the legislation of the Republic of Uzbekistan on conformity assessment, then the rules of the international agreement shall apply.

Article 3. Basic Terms

The following basic concepts are applied in this Law:

accreditation - official confirmation by the national accreditation body of the competence of legal entities to perform work in a particular area of conformity assessment activity;

accreditation scope - the scope of activity of the conformity assessment body established by the national accreditation body when accrediting the body;

inspection control - a procedure for periodic re-evaluation of products, production processes, services, management systems, conformity assessment bodies, carried out in order to confirm their compliance with the requirements, established during the conformity assessment period;

inspection body - a legal entity accredited in due course for pre-shipment and (or) unloading inspection and inspection control;

national accreditation system - a system operating at the state level in accordance with the regulatory legal acts as well as regulatory documents in the field of technical regulation, determining the rules and procedure for accreditation of conformity assessment bodies;

conformity assessment - the activity of determining the conformity of products, production processes, services, management systems, personnel, conformity assessment bodies with the requirements of regulatory legal acts as well as regulatory documents in the field of technical regulation;

conformity assessment bodies - inspection bodies, testing and calibration laboratories (centers), certification bodies for products, services, management systems, personnel, which are legal entities and accredited in due course to perform work on conformity assessment;

declaration of conformity - a document in which the manufacturer, seller or executor certifies that the product complies with the requirements of regulatory legal acts as well as regulatory documents in the field of technical regulation;

conformity assessment - documented certification (in the form of an accreditation certificate, a certificate of conformity and a declaration of conformity), based on the decision taken by the national accreditation body or conformity assessment bodies that compliance with regulatory acts as well as regulatory documents in the field of technical regulation proven;

personnel - specialists trained and qualified s for conducting conformity assessment activities.

Article 4. Main Tasks of Conformity Assessment

The main objectives of conformity assessment 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;

certification of compliance of products, production processes, services, management systems, personnel with the requirements of regulatory legal acts, as well as regulatory documents in the field of technical regulation;

confirmation of the competence of conformity assessment bodies in performing work in the established field of accreditation;

increasing the competitiveness of products and services in the domestic and foreign markets;

participation in international economic, scientific and technical cooperation and international trade;

elimination of technical barriers to trade.

Article 5. Basic principles of conformity assessment

The main principles of conformity assessment are:

application of uniform rules and procedures for conformity assessment;

reliability and availability of information on conformity assessment;

impermissibility of creating barriers to the use of the services of accredited conformity assessment bodies and restricting competition between them;

preservation of state secrets, commercial and other legally protected secrets;

inadmissibility of combining accreditation activities with certification, declaration of conformity, the implementation of pre-shipment and (or) unloading

inspection, product testing, issuance of sanitary-epidemiological, veterinary, veterinary-sanitary, phytosanitary certificates, environmental assessments.

Article 6. Objects of Conformity Assessment

The objects of conformity assessment are:

products;

manufacturing processes;

services;

management systems;

legal entities applying for accreditation;

specialists applying for participation in the field of conformity assessment as personnel;

conformity assessment bodies during their inspection control.

Article 7. Implementation of conformity assessment

Conformity assessment is carried out by:

accreditation;

certification;

declaration of conformity;

inspection control;

pre-shipment and (or) unloading inspection;

product testing;

sanitary-epidemiological, veterinary, veterinary-sanitary, phytosanitary or environmental expertise reports.

Article 8. Implementation of accreditation

Accreditation is carried out to confirm the competence of legal entities applying for accreditation.

Accreditation includes the analysis and examination of documents developed by legal entities applying for accreditation, evaluation of evidence obtained by conducting a survey.

Article 9. Declaration of Conformity

Declaration of conformity - confirmation by the manufacturer, seller or performer of product compliance with the requirements of regulatory legal acts, as well as regulatory documents in the field of technical regulation.

The rules, procedure and methods for confirming compliance when declaring compliance are established by the relevant regulatory documents in the field of technical regulation.

If the rules, procedure and methods for confirming compliance with the declaration of conformity establish the need for product testing, then it is conducted by an accredited testing laboratory (center) on a contractual basis with the manufacturer, seller or performer.

Article 10. Implementation of the inspection control

Inspection control is carried out by the national accreditation body, certification bodies that issued the certificate of conformity, or inspection bodies. According to the results of the inspection control, in accordance with the established procedure, a decision may be made on confirmation, suspension, termination or revocation of a certificate of conformity or certificate of accreditation.

Article 11. Certification, pre-shipment and (or) unloading inspection, product testing, sanitary-epidemiological, veterinary, veterinary-sanitary, phytosanitary reports or environmental impact assessment

Certification, pre-shipment and (or) unloading inspection, product testing, sanitary-epidemiological, veterinary, veterinary-sanitary, phytosanitary certificates or environmental expertise are carried out in accordance with the law.

Article 12. Implementation of conformity assessment

Confirmation of compliance of products, services, production processes, management systems, personnel with the requirements of regulatory legal acts as well as regulatory documents in the field of technical regulation is carried out according to the results of certification and declaration of conformity. Certification and declaration of conformity may be mandatory or voluntary.

Conformity assessment of conformity assessment bodies is carried out according to the results of their accreditation.

Article 13. Conformity assessment rules and procedure

Conformity assessment rules and procedures include organizational and technical requirements, procedure, methods of execution and execution of work in the field of conformity assessment.

Conformity assessment is carried out by staff.

Quality assessment experts and (or) technical experts of relevant industries with special knowledge and experience related to the organization of work, process or activity in the field of conformity assessment can be involved in the work on conformity assessment.

Article 14. Recognition of conformity assessment results

The recognition of the results of conformity assessment in the Republic of

Uzbekistan carried out outside the Republic of Uzbekistan is accomplished in the manner established by the Cabinet of Ministers of the Republic of Uzbekistan, taking into account international agreements of the Republic of Uzbekistan.

Chapter 2. State regulation in the field of conformity assessment

Article 15. Bodies implementing state regulation in the field of conformity assessment

State regulation in the field of conformity assessment is carried out by the Cabinet of Ministers of the Republic of Uzbekistan, 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 and other state and economic bodies management in the manner prescribed by the legislation.

Article 16. Powers of the Cabinet of Ministers of the Republic of Uzbekistan in the field of conformity assessment

Cabinet of Ministers of the Republic of Uzbekistan:

ensures the implementation of a unified state policy in the field of conformity assessment;

coordinates the activities of state and economic authorities in the field of conformity assessment;

approves the list of objects of conformity assessment subject to mandatory confirmation of conformity in the Republic of Uzbekistan;

approves the regulations on the national accreditation body;

approves the procedure for recognition in the Republic of Uzbekistan of the results of conformity assessment carried out outside the Republic of Uzbekistan.

The Cabinet of Ministers of the Republic of Uzbekistan may exercise other powers in accordance with the law.

Article 17. Powers of 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, and other state and economic management bodies in the field of conformity assessment

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, and other state and economic management bodies within their authority:

- participate in the implementation of state policy in the field of conformity assessment;

- participate in the development of regulatory legal acts as well as regulatory documents in the field of conformity assessment;

- develop proposals for the introduction of amendments and additions to the list of objects of conformity assessment subject to mandatory confirmation of conformity in the Republic of Uzbekistan;

- make, in the established manner, proposals on the need to recognize in the Republic of Uzbekistan the results of conformity assessment carried out outside the Republic of Uzbekistan;

- participate in trainings, retraining and advanced trainings of specialists in the field of conformity assessment.

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 and other state and economic management bodies can exercise other powers in accordance with legislation.

Article 18. Rights of conformity assessment bodies

Conformity assessment bodies have the right to:

- carry out certification in the established field of accreditation;

- issue certificates of conformity;

- suspend, in accordance with the established procedure, the validity of the certificates of conformity issued by them or the registration of the declaration of conformity or cancel the certificates of conformity or registration of the declaration of conformity;

- conduct product testing, verification or calibration of measuring and testing instruments in the established field of accreditation;

- issue test reports of the products, verification and calibration protocols for measuring and testing in the established field of accreditation;

- apply the mark of the national accreditation system.

Conformity assessment bodies may have other rights in accordance with the law.

Article 19. Responsibilities of conformity assessment bodies

Conformity assessment bodies must:

comply with the requirements established by regulatory legal acts as well as regulatory documents in the field of technical regulation;

provide the interested person with information on the rules and procedure of certification, declaration of conformity, inspection control, pre-shipment and (or) unloading inspection, product testing, sanitary-epidemiological, veterinary, veterinary-sanitary, phytosanitary certificates or environmental impact assessment;

make registration of compliance in due course;

keep records of the certificates of conformity issued by them, test reports of products, verification and calibration protocols of measuring and testing instruments as well as registered declarations of conformity;

inform the national certification body of the certificates of conformity issued by them and the registered declarations of conformity, of introducing changes and (or) additions to them, suspending their validity as well as their cancellation;

comply with established rules and procedures for testing products, verification or calibration of measuring and testing instruments;

ensure the reliability of the results of product testing, verification or calibration of measuring and testing instruments;

pay expenses related to accreditation in due course prescribed by law.

Conformity assessment bodies may also bear other obligations in accordance with the law.

Chapter 3. Accreditation

Article 20. National Accreditation Body

The national accreditation body is the Uzbek Agency for Standardization, Metrology and Certification.

National Accreditation Body:

participates in the implementation of state policy in the field of conformity assessment;

ensures the creation, operation and development of a national accreditation system;

accredits conformity assessment bodies and issues an accreditation certificate to them;

carries out inspection control of conformity assessment bodies;

in due course, suspends, terminates the certificate of accreditation and annuls it;

interacts with international accreditation bodies and national accreditation bodies of foreign countries on accreditation issues;

keeps the State register of conformity assessment bodies.

The national accreditation body may exercise other powers in accordance with the law.

Article 21. Terms of accreditation

To get accreditation, the following documents should be submitted:

application forms for accreditation;

copies of founding documents of legal entities;

documents confirming the competence of legal entities applying for accreditation to perform work in the stated field of accreditation;

a document confirming the payment of expenses related to accreditation.

Legal entities applying for accreditation as a certification body must be organizationally and financially independent in relation to producers, sellers, performers and consumers of objects of conformity assessment.

Legislation may establish other conditions for accreditation.

Article 22. Certificate of accreditation

The certificate of accreditation is a document certifying the competence of the conformity assessment body to perform work in the established field of accreditation.

The form of the certificate of accreditation is approved by the national accreditation body.

The certificate of accreditation is issued for a period of five years.

The use of the accreditation certificate by another person is prohibited.

Article 23. Mark of the national accreditation system

The national accreditation system has a mark of the national accreditation system, which indicates that the conformity assessment body that applies this mark is accredited by the national accreditation body.

The conformity assessment body acquires the right to use the sign of the national accreditation system simultaneously with the receipt of the accreditation certificate for the duration of its validity.

The form of the mark of the national accreditation system and the procedure for its application are established by the national accreditation body. The use of this sign is carried out on a fee basis in the manner established by law.

Article 24. Changing the scope of accreditation

The decision to change the scope of accreditation is made by the national accreditation body if an application is submitted by the conformity assessment body to expand or reduce the scope of accreditation.

Expansion of the scope of accreditation of the conformity assessment body is carried out in accordance with the rules and procedures for accreditation within the agreed time frame.

The decision to reduce the scope of accreditation may be taken by the national accreditation body based on the results of the inspection control in the event of the conformity assessment body does not comply with the requirements established by law.

The decision to change the scope of accreditation may be appealed in accordance with the procedure established in the Regulations on the National Accreditation Body, or in court.

Article 25. Suspension of the certificate of accreditation

The validity of the certificate of accreditation may be suspended in case of non-elimination of non-compliances revealed during the inspection control.

Suspension of the certificate of accreditation is carried out by the national accreditation body or the court. The national accreditation body may suspend the accreditation certificate for a period not exceeding ten working days, and the court for a period longer than ten working days.

The decision of the national accreditation body to suspend the validity of the accreditation certificate shall be communicated to the conformity assessment body in writing no later than three days from the date of its adoption. The decision of the court to suspend the validity of the certificate of accreditation is communicated to the conformity assessment body and the national accreditation body within the time limits established by law.

In case of elimination by the conformity assessment body of circumstances that led to suspension of the accreditation certificate, the national accreditation body or the court that made the decision to suspend the validity of the accreditation certificate shall, within ten days from the date of receipt of confirmation of the elimination of the specified circumstances, shall decide on renewal of validity of accreditation certificate.

The decision of the national accreditation body to suspend the validity of the accreditation certificate may be appealed in court. If the court recognizes the groundlessness of suspension of the certificate of accreditation, the national accreditation body shall bear responsibility before the conformity assessment body in the amount of the damage suffered by it.

Information on suspension and renewal of the certificate of accreditation is subject to publication in the media.

Article 26. Termination of the certificate of accreditation

The certificate of accreditation is terminated in the following cases:

appeals of the conformity assessment body with the application for termination of the accreditation certificate;

liquidation of a legal entity - conformity assessment body - from the moment of liquidation or termination of its activity as a result of reorganization - from the moment of reorganization, except for its transformation;

non-elimination by the conformity assessment body of the circumstances that led to the suspension of the validity of the certificate of accreditation in the period established by the national accreditation body or the court;

systematic violation or one-time gross violation by the conformity assessment body of the requirements established by the regulatory legal acts, as well as regulatory documents in the field of technical regulation;

detection of the illegality of the decision of the national accreditation body to issue a certificate of accreditation;

expiration of the certificate of accreditation.

Termination of the certificate of accreditation is carried out by the national accreditation body, except for the cases provided for in part three of this article.

Termination of the certificate of accreditation in the cases specified in paragraphs four and six of part one of this article shall be carried out by a court decision.

The decision of the national accreditation body to terminate the accreditation certificate is communicated to the conformity assessment body in writing no later than three days from the date of its adoption. The court's decision on the termination of the certificate of accreditation is communicated to the conformity assessment body and the national accreditation body within the time limits established by law.

Within ten days from the date the conformity assessment body receives the decision of the national accreditation body or the court to terminate the accreditation certificate, the accreditation certificate shall be returned to the national accreditation body and destroyed.

The decision of the national accreditation body to terminate the accreditation certificate may be appealed to a court. If the court recognizes the groundlessness of suspension of the certificate of accreditation, the national accreditation body shall bear responsibility before the conformity assessment body in the amount of the damage suffered by it.

Information about the termination of the certificate of accreditation shall be published in the media.

The certificate of accreditation is terminated from the date of the decision on its termination.

Article 27. Cancellation of certificate of accreditation

The certificate of accreditation can be canceled in the following cases:

appeals of the conformity assessment body with the application for cancellation of the certificate of accreditation;

ascertainment of the fact of obtaining a certificate of accreditation by using false documents.

In the case provided for in paragraph three of the first part of this article, the accreditation certificate shall be cancelled by a court decision, and in the case provided for in paragraph two of the first part of this article, by the decision of the national accreditation body.

The decision of the national accreditation body on cancellation the accreditation certificate shall be communicated to the conformity assessment body in writing no later than three days from the date of its adoption. The court's decision to revoke the accreditation certificate is communicated to the conformity assessment body and the national accreditation body within the time limits established by law.

Within ten days from the date the conformity assessment body receives the decision of the national accreditation body or the court to cancel the accreditation certificate, the accreditation certificate shall be returned to the national accreditation body, excluded from the State register of conformity assessment bodies and destroyed.

Information on cancellation of the certificate of accreditation is subject to publication in the media.

When making a court decision on the revocation of the certificate of accreditation, the certificate of accreditation is considered canceled from the date of its issuance.

Chapter 4. Final provisions

Article 28. Financing of conformity assessment work

Financing of conformity assessment work is carried out at the expense of the interested parties, as well as other sources in accordance with the law.

The procedure for calculating tariffs for services provided in the field of conformity assessment is approved in accordance with the legislation.

Article 29. Associations of conformity assessment bodies

In order to coordinate their activities as well as represent and protect common interests, the bodies of conformity assessment may form associations of conformity assessment bodies in the manner prescribed by law.

Article 30. Settlement of disputes

Disputes arising in the field of conformity assessment are resolved in the manner prescribed by law.

Article 31. Responsibility for violation of legislation on conformity assessment

Persons, guilty of violating the legislation on conformity assessment, shall bear responsibility according to the procedure established in due course.

Article 32. Bringing the 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 33. Entry into force of this Law

This Law shall enter into force six months after the date of its official publication.

President of the Republic of Uzbekistan I. KARIMOV

Tashkent city

October 4, 2013,

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