

Unofficial translation

Approved by President of the RA
11 January 2000

Decree No 9 of the Government of the Republic of Armenia

**“On the Approval of the Procedure of Preparation, Adoption and
Application of Technical Regulations”
of 11 January 2000**

The Government of the Republic of Armenia with a view to further the accession of the Republic of Armenia to World Trade Organization and to remove the technical barriers to trade has decided:

1. To approve the “Procedure of Preparation, Adoption and Application of Technical Regulations” (enclosed).
2. To the Ministry of Health of the RA, Ministry of Industry and Trade of the RA, Ministry of Ecology of the RA, Ministry of Agriculture of the RA, Ministry of Energetic of the RA, Ministry of Internal Affairs of the RA, Ministry of Transport of the RA, Ministry of Post and Telecommunications of the RA, Ministry of Constructions of the RA, Department for Urgent Affairs attached to the Government of the RA, Department for Standardization, Metrology and Certification attached to the Government of the RA:
 - a) to organize an appropriate structural units managing preparation of technical regulations by the February 1, 2000.
 - b) to submit, with justifications, to the Government of the Republic of Armenia the list of technical regulations in relevant fields, required to be prepared in 2000-2004, by the April 1, 2000
3. This Decree shall enter into force since January 11, 2000.

Prime-Minister of the
Republic of Armenia

A. Sargsyan

Approved by Decision of the
Government of the RA #9
of January 11, 2000

**PROCEDURE
of the
Preparation, Adoption and Application of Technical Regulations**

General requirements to the preparation, adoption and application of technical regulations in the Republic of Armenia are established by this procedure.

I. Requirements to the preparation of Technical Regulations

1. Mandatory requirements with the objective to ensure the national security, including economic and industrial security, protection of consumers life and health, environment, flora and fauna, natural resources, prevention of a deceptive practices concerning products or service significance, quality or safety, misleading consumers shall be established by technical regulations.
2. Terminology and concepts established by international standards shall be used in technical regulations.
3. Product consumptive (performance) characteristics and requirements rather than structural (design), technological solutions or operation principles shall be established by technical regulations.
4. International standards, already existing or being at the last stage of development, completely or partly, shall be used as a basis for the preparation of technical regulation, if they comply with the requirements stipulated by the Clause 1 of this procedure, taking into account, particularly, geographical, climate differences and ones of fundamental technological character.
5. Whenever the relevant international standard does not exist or the technical content of a proposed technical regulation is not in accordance with the technical content of relevant international standards, and if developed technical regulation can have impact on the conditions of goods export from the RA or import into the RA, the authorized body working out technical regulation shall:
 - a) publish a notice in a publication prior to adoption of technical regulation;
 - b) prepare brief justification of rational of technical regulation and submit to the World Trade Organization (WTO) Notification Center, which by established order shall notify on the drafted technical regulation via Secretariat of WTO to the WTO Member countries;
 - c) upon request, provide to other Members particulars or copies of the proposed technical regulation and, whenever possible, identify parts which in substance deviate from relevant international standard;

- d) allow no less than 60 days for WTO Member countries to make and submit comments, in writing, discuss and take into account these comments, without discrimination.
6. Whenever execution of conditions stipulated by Clause 5 of this regulation arises or can arise problems of consumers safety, or environment protection or national security, the competent body preparing technical regulation may omit all steps stipulated by Clause 5 of this regulation.
In such cases:
 - a) WTO Notification Center of the Republic of Armenia shall be immediately notified on the preparation of such technical regulation, which in its turn shall notify other Members through the Secretariat of particular technical regulation with indication of the objective and rational of the technical regulation, including the nature of urgent problem;
 - b) Upon request, copies of technical regulations shall be provided to other Members and other Members shall be allowed to present their comments in writing and these comments be taken into account.
7. Authorized bodies preparing technical regulation are obliged, in the cases when the conditions or purposes the technical regulation was elaborated for are disappeared or changed, to revise it and consider this technical regulation invalid or move amendments to it.

II. Recognition of International, Regional (Interstate) and National (of Other Countries) Technical Regulations

8. International, regional (interstate) and national (of other countries) technical regulations can be considered as equivalent to the technical regulations adopted in the RA and applied in parallel with the latter in legal interrelations between the legal entities and sole entrepreneurs in the Republic of Armenia and foreign countries, if mentioned documents:
 - a) do not contravene the legislation of the RA;
 - b) contribute to the realization of the purposes stipulated by technical regulation of the RA in the same extent.
9. The right to consider international, regional (interstate) and national (of other countries) technical regulations as equivalent to the ones adopted in the RA have those bodies, which are, according to the legislation of the RA, competent to adopt mandatory requirements towards a goods and services or processes and methods of their production, rendering.

III. References to Standards in Technical Regulations

10. Should the national standards comply with international standards and completely correspond the purposes technical regulation elaboration is pursued of, the competent bodies prepared technical regulation shall:
 - use the national standards as a basis for the preparation of technical regulation, or
 - include texts, completely or partly, of national standards in technical regulation, or
 - refer to standards in technical regulations.

11. References to standards in technical regulations may be done in exclusive or indicative manner.

The exclusive reference is the reference done in the manner that the application of standard is the unique possibility to be in compliance with the provisions of technical regulation. Exclusive reference makes the standard mandatory.

In the case of indicative reference the standard are referred in the manner that the application of standard is one of the possibilities to realize the requirements of technical regulation. The indicative reference doesn't make standard mandatory.

12. Any changes in standards referred in technical regulation shall be agreed with the relevant body adopted technical regulation.

IV. Adoption and Application of Technical Regulations

13. Publication of the information on the adoption and entry into force of technical regulations, amendments to them or invalidation thereof shall be realized according to the procedure established by the legislation of the Republic of Armenia.
14. No less than 60 days period shall be established between the final publication of a technical regulation and its entry into force which is necessary for the realization of measures established by technical regulation on product/service or methods of its production/provision.
15. Technical regulations of the Republic of Armenia shall be equally and equivalently applied to products and services of both domestic and foreign origin.