

**DECISION OF THE GOVERNMENT OF THE RUSSIAN FEDERATION
NO. 294 OF JUNE 17, 2004 ON THE FEDERAL AGENCY ON
TECHNICAL REGULATION AND METROLOGY (with the Amendments
and Additions of October 27, 2004, September 5, 2006)**

The Government of the Russian Federation resolves:

1. To approve the annexed Regulations on the Federal Agency on Technical Regulation and Metrology.

2. To permit the Federal Agency on Technical Regulation and Metrology to have up to three deputy heads and also, in the structure of the central apparatus, up to seven departments on the main lines of the activity of the Agency.

3. To establish a maximum number of staff of the central apparatus of the Federal Agency on Technical Regulation and Metrology of 160 persons (without personnel for the protection and maintenance of the buildings) and also a maximum number of staff of its territorial bodies of 644 persons (without personnel for the protection and maintenance of the buildings).

4. To approve the proposal of the Ministry of Industry and Energy of the Russian Federation for the placement of the central apparatus of the Federal Agency on Technical Regulation and Metrology in Moscow, Leninsky prosp. (avenue), d. (house) 9.

5. To establish that, pending the approval by the Government of the Russian Federation of the list of the jurisdictional organisations of the federal bodies of executive power, under the jurisdiction of the Federal Agency on Technical Regulation and Metrology there shall be the organisations which were under the jurisdiction of the State Committee of the Russian Federation for Standardisation and Metrology.

6. To establish that the Federal Agency on Technical Regulation and Metrology shall:

carry out the licensing of the activity in the manufacture and repair of means of measurement, and also the functions of the state metrological control and supervision pending the amendment of the legislative acts of the Russian Federation;

exercise control and supervision over the observance of the obligatory requirements of the state standards and technical regulations pending the adoption by the Government of the Russian Federation of a decision on the transfer of those functions to other federal bodies of executive power.

7. To invalidate Decision of the Government of the Russian Federation No. 194 of April 8, 2004, Issues of the Federal Service on Technical Regulation and Metrology (Sobraniye Zakonodatelstva Rossiyskoy Federatsii, 2004, No. 15, item 1486).

Chairman of the Government of the Russian Federation

Mikhail Fradkov

Regulations on the Federal Agency on Technical Regulation and Metrology (approved by Decision of the Government of the Russian Federation No. 294 of June 17, 2004) (with the Amendments and Additions of September 5, 2006)

I. General Provisions

1. The Federal Agency on Technical Regulation and Metrology shall be a federal body of executive power performing the functions of the rendering of state services and the management of state property in the sphere of technical regulation and metrology.

2. The Federal Agency on Technical Regulations and Metrology shall be under the jurisdiction of the Ministry of Industry and Energy of the Russian Federation.

3. The Federal Agency on Technical Regulation and Metrology shall be guided in its activity by the Constitution of the Russian Federation, federal constitutional laws, federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation, international treaties of the Russian Federation, acts of the Ministry of Industry and Energy of the Russian Federation, and also by these Regulations.

4. The Federal Agency on Technical Regulation and Metrology shall carry out its activity directly, through its territorial bodies and through its jurisdictional organisations in interaction with other federal bodies of executive power, the bodies of executive power of the entities of the Russian Federation, the bodies of local self-government, public associations and other organisations.

II. Authority

5. The Federal Agency on Technical Regulation and Metrology shall exercise the following authority in the established sphere of activity; it shall:

5.1. conduct, in the established procedure, tenders and conclude state contracts for the placement of orders for the supply of goods, performance of works or services, for the conduct of scientific-research, developmental and technological works for state needs in the established sphere of activity, including for satisfying the needs of the Agency;

5.2. in the procedure and within the limits determined by federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation, exercise the authority of owner with respect to federal property necessary for ensuring the fulfilment of the functions of federal bodies of state power, in the sphere of activity established by Item 1 of these Regulations, including the property transferred to federal state unitary

enterprises, federal state institutions and treasury enterprises jurisdictional to the Agency.

5.2.1. perform the functions of the competent administrative body of the Russian Federation in accordance with the Agreement on the Adoption of Uniform Technical Instructions for Wheeled Transport Vehicles, Objects of Equipment and Parts Which May Be Mounted and/or Used on Wheeled Transport Vehicles and on the Conditions of Mutual Recognition of Official Confirmations Issued on the Basis of Such Instructions concluded in Geneva on March 20, 1958;

5.3. organise:

5.3.1. an expert examination of and preparation of conclusions on drafts of federal targeted programmes, and also of interbranch and interstate scientific-technical and innovation programmes;

5.3.2. an expert examination of drafts of national standards;

5.3.3. the conduct, in the established procedure, of tests of measurement means for the purpose of the approval of their type, and the approval of the type of the measurement means;

5.3.4. the conduct, in the established procedure, of a check of measurement means in the Russian Federation;

5.3.5. the collection and processing of information about the cases of the causing of harm due to violation of requirements of technical regulations, and also the informing of acquirers, manufacturers and sellers on the issues of the observance of the requirements of technical regulations;

5.4. carry out:

5.4.1. the publication, in the established procedure, of notifications about the development and completion of a public discussion of drafts of technical regulations, the draft of a federal law on technical regulations adopted by the State Duma of the Federal Assembly of the Russian Federation in the first reading, and also of conclusions of commissions of experts for technical regulation on drafts of technical regulations;

5.4.2. the publication of notifications about the development and completion of a public discussion and the approval of a national standard, and a list of national standards which may on the voluntary basis be applied for the observance of requirements of technical regulations, the official publication of national standards and all-Russian classifiers of technical-and-economic and social information and their distribution;

5.4.3. the guidance of the activity of the State Metrological Service, the State Service of Time, Frequency and Determination of the Parameters of the Rotation of the Earth, the State Service of Standard Reference Data on the Physical Constants and Properties of Substances and Materials, and the State Service of Standard Specimens of the Composition and Properties of Substances and Materials;

5.4.4. the creation of technical committees for standardisation and the coordination of their activity;

5.4.5. the adoption of the programme of the development of national standards;

5.4.6. the approval of national standards;

5.4.7. the registration of national standards, the rules of standardisation, norms and recommendations in this field, and the ensuring of their accessibility to interested persons;

5.4.8. the putting into effect of all-Russian classifiers of technical-and-economic and social information;

5.4.9. the conduct, in the established procedure, of works on accreditation in the established sphere of activity;

5.4.10. the organisational-and-methodological guidance of the works in the creation of the federal system of cataloguing for federal state needs;

5.4.11. the functions of a national body for standardisation in the procedure determined by the federal body for technical regulation;

5.4.12. the determination of the general metrological requirements to the means, methods and results of measurements;

5.4.13. the referring, in the established procedure, of a technical device to means of measurement and the establishment of intervals between the verifications of measurement means;

5.4.14. the conduct of a competition for prizes of the Government of the Russian Federation in the field of quality and other competitions in the field of quality;

5.4.15. the disposal, in the established procedure, in the name of the Russian Federation of the rights to objects of intellectual property and other results of scientific-research and developmental works created from the funds of the federal budget on order of the Agency;

5.4.16. the interregional and interbranch coordination of the activity in the field of ensuring the unity of measurements, the coordination of the conduct of the works in the accreditation of organisations carrying out the activity in the estimation of conformity, and the coordination of the activity in the development of the system of the coding of technical-and-economical and social information;

5.4.17. the keeping of:

5.4.17.1. the federal information fund of technical regulations and standards;

5.4.17.2. the integrated information system of technical regulation;

5.4.17.3. a list of products that are subject to the obligatory confirmation of conformity;

5.4.17.4. a register of registered conformity declarations

5.4.17.5. a single register of issued certificates

5.4.17.6. the state register of accredited organisations carrying out the activity of the assessment of the conformity of products, production processes and services to the established requirements of quality and safety, and also the activity of ensuring the unity of measurements;

5.4.17.7. the state register of the approved types of measurement means;

5.4.17.8. a single register of registered systems of voluntary certification;

5.4.17.9. the federal catalogue of products for state needs;

5.4.17.10. the state cadastre of civilian and military weapons and cartridges therefor;

5.4.17.11. all-Russian classifiers of technical-and-economic and social information;

5.5. carry out the economic analysis of the activity of its jurisdictional state unitary enterprises and approve the economic indices of their activity, conduct, at its jurisdictional organisations, checks of the financial-and-economic activity and of the use of the property complex;

5.6. perform the functions of the state contractor of federal targeted, scientific-technical and innovational programmes and projects in the field of the activity of the Agency;

5.7. interact, in the established procedure, with the bodies of state power of foreign states and international organisations in the established sphere of activity;

5.8. carry out the reception of citizens, ensure the timely and full consideration of oral and written applications of citizens, the adoption of decisions thereon and the sending of answers to the applicants within the time established by the legislation of the Russian Federation;

5.9. ensure, within the limits of its competence, the protection of information constituting a state secret;

5.10. ensure the mobilisational training of the Agency, and also the control and coordination of the activity of its jurisdictional organisations in their mobilisational training;

5.11. organise the professional training of the personnel of the Agency, their retraining, professional development and practical study;

5.12. perform, in accordance with the legislation of the Russian Federation, the work of completing, keeping, recording and use of archival documents formed in the process of the activity of the Agency;

5.13. perform the functions of the chief manager and recipient of the funds of the federal budget stipulated for the maintenance of the Agency and the realisation of the functions assigned to the Agency;

5.14. organise, in the established procedure, congresses, conferences, seminars, exhibitions and other arrangements in the sphere of the activity of the Agency;

5.15. perform other functions in the management of state property and in the rendering of state services in the established sphere of activity if such functions are stipulated by federal laws, normative legal acts of the President of the Russian Federation and the Government of the Russian Federation.

6. For the purpose of the realisation of its authority in the established sphere of activity, the Federal Agency on Technical Regulation and Metrology shall have the right:

6.1. to give explanations to juridical and natural persons on issues of the sphere of the activity of the Agency;

6.2. to attract scientific and other organisations, scientists and specialists for the working out of issues of the sphere of the activity of the Agency;

6.3. to create consultative and expert bodies (councils, commissions, groups, collegia) in the established sphere of activity;

6.4. to exercise control over the activity of the territorial bodies of the Agency and the jurisdictional organisations.

7. The Federal Agency on Technical Regulation and Metrology may not carry out the normative-legal regulation in the established sphere of activity and the functions of control and supervision, except the cases established by decrees of the President of the Russian Federation or by decisions of the Government of the Russian Federation.

The restrictions of the authority of the Agency established by paragraph one of this Item shall not cover the authority of the head of the Agency in the solution of personnel affairs and issues of the organisation of the activity of the Agency, and in the control of the activity at the Agency headed by him (or its structural units).

III. Organisation of the Activity

8. The Federal Agency on Technical Regulation and Metrology shall be directed by a head appointed to and dismissed from the post by the Government of the Russian Federation on the recommendation of the Minister of Industry and Energy of the Russian Federation.

The head of the Federal Agency on Technical Regulation and Metrology shall bear personal responsibility for the performance of the functions assigned to the Agency.

The head of the Federal Agency on Technical Regulation and Metrology shall have deputies appointed to and dismissed from the post by the Minister of Industry and Energy of the Russian Federation on the recommendation of the head of the Agency.

The number of deputy heads of the Federal Agency on Technical Regulation and Metrology shall be established by the Government of the Russian Federation.

9. The head of the Federal Agency on Technical Regulation and Metrology shall:

9.1. distribute the duties among his deputies:

9.2. submit to the Minister of Industry and Energy of the Russian Federation:

9.2.1. a draft of the regulations on the Agency;

9.2.2. proposals for the maximum strength and the fund of the remuneration of labour of the personnel of the apparatus of the Agency;

9.2.3. proposals for the candidatures to the posts of deputy heads of the Agency and the heads of the territorial bodies of the Agency;

9.2.4. the annual plan and the indices of the activity of the Agency, and also a report on its activity;

9.2.5. a draft of the regulations on the territorial bodies of the Agency;

9.3. approve the regulations on the structural units of the Agency;

9.4. in the established procedure appoint to and dismiss from the post personnel of the apparatus of the Agency;

9.5. solve, in accordance with the legislation of the Russian Federation on the state service, issues associated with the doing of the federal state service at the Agency;

9.6. approve the structure and the staff list of the apparatus of the Agency within the limits, established by the Government of the Russian Federation, of the fund of the remuneration of labour and the strength of the personnel, the estimate of the expenses on the maintenance of the apparatus of the Agency within the limits of the allocations approved for the relevant period and stipulated in the federal budget;

9.7. in the established procedure appoint to and dismiss from the post the heads of the jurisdictional institutions and other organisations, conclude, change, and terminate labour agreements with the said heads;

9.8. on the basis and in execution of the Constitution of the Russian Federation, federal constitutional laws, federal laws, acts of the President of the Russian Federation, the Government of the Russian Federation, and the Ministry of Industry and Energy of the Russian Federation, issue orders on matters referred to the competence of the Agency.

10. The financing of the expenses on the maintenance of the Federal Agency on Technical Regulation and Metrology shall be handled from the funds stipulated in the federal budget.

11. The Federal Agency on Technical Regulation and Metrology shall be a juridical person, shall have a seal with an image of the State Emblem of the Russian Federation and with its name, other necessary seals, stamps and forms of the established pattern, and also accounts opened in accordance with the legislation of the Russian Federation.

12. The location of the Federal Agency on Technical Regulation and Metrology shall be the city of Moscow.