

## THE LAW OF THE REPUBLIC OF TAJIKISTAN

### On the Technical Regulation

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The present Law establishes the legal fundamentals of state system of technical regulation ensuring safety of products and processes of manufacture in the Republic of Tajikistan.

The present Law regulates the relations under:

- the development, adoption, applying and implementation of mandatory requirements to products and processes of manufacture, operation, storage, transportation, sale, disposal;
- the development, adoption, applying and implementation of free will requirements to operation, storage, transportation, sale, disposal, execution of works and services;
- conformity assessment.

Present Law does not cover state education standards, provisions (standards) on accounting and on rules (standards) of auditing, standards of paper issue and prospects of paper issue.

#### Section I. General Provisions

##### Article 1. Basic Notions.

The following terms are applied for the purposes of the present Law:

**Accreditation** – assurance of conformity by the third side being the body on conformity assessment, which is the official evidence of its competence to perform specific, works in conformity assessment;

**Certificate of accreditation** – a document, attesting the right of a body on conformity assessment and (or) testing laboratories (centers) to implement works in a certain area of conformity assessment in accordance with fixed requirements, issued according to the rules of works implementation in the area of conformity assessment and accreditation.

**Safety of products, processes (methods) of manufacture, operation, storage, transportation, sale and disposal (further – “safety”)** - absence of inadmissible risks related to causing harm to life, to the health of citizens, to the environment, including that to life and health of animals or plants;

**State system of technical regulation** – a number of state bodies, physical persons and legal entities implementing works in the area of technical regulation within their competence, as well as number of normative acts and standards;

**Declaration of conformity** – a document with which the manufacturer (supplier) certifies that sold product meets the requirements of the technical regulations;

**Mark of circulation on the market** – a designation used to inform buyers on products conformity to the requirements of technical regulations;

**Mark of conformity** - a designation used to inform buyers that the object of certification meets the requirements set by the voluntary certification system, or those set by a national standard;

**Inspection control** – systematic iteration of conformity assessment activities as a basis for maintaining the validity of the statement of conformity;

**Testing laboratory (center) (furthering after laboratory)** – is a laboratory including the laboratory of state bodies which tests the products on conformity assessment according to the requirements provided by the normative acts on standardization;

**Control (supervision) over maintenance of requirements of technical regulations** – control over implementation of requirements of technical regulations to the products, processes of manufacture, operation, storage, transportation, sale, disposal by a legal entity or individual entrepreneur and taken measures upon the outcomes of inspection.

**National standard** – a standard adopted by the national standardization body;

**Area of accreditation** – special services of conformity assessment that require accreditation or accreditation is issued;

**Accreditation Body** – authorized competent body, which conducts accreditation

**Certification Body** - accredited in the determined order legal entity that carries out certification;

**Conformity assessment** - activity proving the requirements to products, process, system and person or body are implemented;

**Assurance of conformity** – issue of an application based on adopted after inspection decision that implementation of requirements is proved.

**Products issued into circulation** – finished products sold by its manufacture located on the territory of the Republic of Tajikistan or imported into the territory of the republic products issued within the customs regime of issue for free circulation in accordance with the rules of Customs Code of the RT.

**Risk** – probability of inflicting harm to life and health of individuals and the environment, life and health of animals and plants taking into account the severity of this harm;

**Conformity certificate** – is a document certifying that certified products, processes (methods) of manufacturing, storage, transportation, sale, operation and disposal, works or services meet the determined requirements of technical regulations, standards or conditions of an agreement;

**Certification** –conformity assuring by the third side with regard to products, systems and staff;

**Standardization** - activity to establish rules, general principles, characteristics designed for repeated use on a voluntary basis, directed to achieving orderliness, increasing competitiveness in the field of manufacturing and circulating products, performing works and rendering services;

**Standard** - document established by consensus in which are established rules, general principles, characteristics of products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, works or services for voluntary repeated use. A standard can also contain requirements to terminology, symbols, packages, marking and/or labeling;

**Technical regulations** – a document adopted by an international agreement and empowered in the determined by legislation of the Republic of Tajikistan order, a Law of the Republic of Tajikistan, or a Resolution of the Government of the Republic of Tajikistan establishing mandatory requirements of applying and maintenance with regard to objects of technical regulation;

**Technical regulation** - legal regulation of the relations in the area of establishment, application, and fulfillment of mandatory requirements to products, processes of manufacture, operation, storage, transportation, sale, and disposal, and also in the area of establishment and application, on a voluntary basis, of requirements to products, processes of manufacture, operation, storage, transportation, sale, and disposal, performance of work or rendering services, and legal regulating of relations in the area of conformity assessment;

**Authorized Body for Technical Regulation** – an executive power body in the area of Technical Regulation authorized by the Government of the Republic of Tajikistan.

## **Article 2. Principles of Technical Regulating.**

In the Republic of Tajikistan, technical regulation shall be carried out according to the following principles:

Uniformity of rules for establishing requirements to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, works or services;

Conformity of technical regulation to the national economy's interests and the level of scientific and technical development, as well as international norms and rules;

Independence of accreditation bodies, certification bodies and inspection bodies from manufacturers, sellers, performers and buyers;

Uniform system and a unity of accreditation rules;

Unity of the system of measurements;

Unity of testing and measuring rules and methods when performing conformity assessment;

Unity in applying requirements of technical regulations irrespective of the type and peculiarities of transactions;

Personnel specially trained in the area being assessed shall perform mandatory conformity assessment;

It is not permitted to combine the functions of both a state body of executive power specially authorized to verify the observance of requirements of technical regulations and a certification body in one organization;

It is not permitted to combine accreditation and certification functions in one organization;

It is not permitted to finance functions of state supervision over the compliance with the requirements of technical regulations from sources other than the state budget.

## **Article 3. Legislation on Technical Regulation**

1. The legislation of the Republic of Tajikistan on technical regulation comprises the present Law, other Laws to be adopted according to it, and Resolutions of the Government of the Republic of Tajikistan.

2. The provisions of Laws and other normative legal acts, effective on the territory of the Republic of Tajikistan, which concern the field of application of the present Law shall be applied in a part compliant with the present Law and the technical regulations adopted according to it.

3. Ministries, state committees, other bodies of executive power and local self-government have the right to issue in the area of technical regulation acts of only a recommendatory nature.

4. If an international agreement of the Republic of Tajikistan in the area of technical regulation establishes rules other than those contained in the present Law and the technical regulations adopted according to it, then those rules of the international agreement shall be applied.

5. The procedure for the development, adoption and application of documents on standardization, conformity assessment, and issues of government supervision and inspection regarding defense-related products and those products information on which is a state secret are set by the Government of the Republic of Tajikistan.

#### **Article 4. Jurisdiction of an Authorized Body for Technical Regulating**

With the purpose of implementation of a unified policy in the field of technical regulating, ensuring transparency and consistency of actions on development, implementation and review of regulations according to the requirements of the present Law, the Government of the Republic of Tajikistan authorizes an executive power body to accomplish the following functions:

- implementation of state policy in the area of technical regulating;
- implementation of intersectoral coordination of state bodies, individuals and legal entities activity in the area of technical regulation;
- Coordination of activity for development of technical regulations by creation of annual Program for development of technical regulations on the basis of state executive bodies' and bodies' of local self-administration, scientific institutions', citizens' and their unions' proposals and its submission to the Government of the Republic of Tajikistan for approval;
- ensure organization of works on implementation of analysis and expertise of draft technical regulations in expert commissions;
- ensure organization of works for development, adoption, implementation and reviewing technical regulations;
- cooperation of individuals and legal entities with technical committees on standardization and technical regulating;
- maintenance of register of state system of technical regulating;
- organization and coordination of work of state fund of normative legal acts in the area of technical regulating and standards;
- providing the functioning of Informational Center on technical barriers to trade, sanitary and phytosanitary measures (further –Information Center);
- development of proposals on development of international cooperation in the area of technical regulation

The Authorized Body on Technical Regulation is not entitled to perform the functions of state supervision over requirements of technical regulations.

## **Section II. Technical Regulations**

#### **Article 5. Purposes for Adopting Technical Regulations**

1. Technical regulations shall be adopted only with the purpose to provide for safety in following areas:

- Protection of life and health of individuals, including separate categories;

Prevention of activities deceiving consumers of products  
Protection of environment;  
Protect life and health of animals and plants.

2. Adoption of technical regulations for other purposes is not allowed.

#### **Article 6. Kinds of Technical Regulations.**

1. In the Republic of Tajikistan, there shall be adopted :

General technical regulations;

Special technical regulations.

2. A general technical regulation contains requirements mandatory for application and observance regarding all kinds of products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal shall be adopted to address the following issues:

Safe operation and disposal of machinery and equipment;

Safe construction of buildings and installations;

Biological safety;

Explosion-proof safety;

Non-nuclear radiation safety;

Mechanical safety;

Fire safety;

Thermal safety;

Electrical safety;

Ecological safety;

Electromagnetic compatibility;

Industrial safety;

Chemical safety;

Toxicological safety

Nuclear and radiation safety;

A general technical regulation can be adopted only by a law.

3. A special technical regulation contains the requirements, which take into account the technological and other features of separate kinds of products, processes of manufacture, operation, storage, transportation, sale, and disposal.

4. A special technical regulation is adopted only in the event and in regard to only those individual types of products or processes (methods) of manufacture, operation, storage, transportation, sale and disposal if the goals defined by the present Law for adoption of technical regulations are not ensured by the requirements of a general technical regulation, and in regard to which the extent of risk of inflicting harm is higher than the extent of risk covered by the general technical regulation. The necessity for the development of a special technical regulation is identified in the general technical regulation.

A special technical regulation is adopted by a resolution of the government of the Republic of Tajikistan.

#### **Article 7. Application of Technical Regulations**

1. Taking into account the degree of risk to causing harm, technical regulations shall establish minimally necessary requirements in order to ensure all the types of safety mentioned in point 1 of Article 5 of the present Law.

2. Technical regulations can also provide:

Special requirements scientifically proven to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, which ensure the protection of specific categories of individuals (minors, pregnant women, lactating mothers, and invalids);

Special requirements scientifically proven to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal in specific locations if the absence of such special requirements, by virtue of climatic and geographical features, will not bring to achieving the purposes specified in point 1, Article 5 of the present Law.

3. Technical regulations shall be developed and applied identically and equally regarding a given or similar product, processes (methods) of manufacture, storage, transportation, sale, operation and disposal irrespective of a country and/or location of their origin (performance), the nature or features of transactions and/or persons who are manufacturers, performers, sellers, and buyers, with the exceptions provided for by point 2 of this Article.

4. International standards, norms, and rules must be used in full or in part as a basis for developing draft technical regulations.

5. The testing and measurement rules and methods are applied in the order determined by special technical regulations.

6. The necessity to develop a technical regulation, and also a choice of conformity assessment methods and schemes shall be determined in view of the degree of risk of not achieving the purposes specified in point 1, Article 5, of the present Law. The justification of the necessity to adopt a technical regulation shall be contained in an explanatory note and a feasibility study to the draft technical regulation.

7. Requirements of technical regulations must not create barriers to realize entrepreneurial activities in a greater degree, than it is minimally necessary for achieving the purposes specified in point 1, Article 5, of the present Law.

## **Article 8. Contents of Technical Regulations**

1. A technical regulation shall contain the complete list of products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, which are covered by its requirements. A technical regulation can carry rules and methods of conformity assessment (including the schemes of assurance of conformity) determined considering the extent of risk, ultimate time limits for conformity assessment in regard to each object of technical regulation and/or requirement to terminology, packaging, marking or labeling and the rules to affix them, their identification peculiarities, samples' selection, performing tests, fulfilling state supervision, Certification Body inspection of the certification object (if it is stipulated by the assurance of conformity scheme) and other procedures, required for implementing goals of technical regulations.

A technical regulation determines the authorized state body of executive power for performing state supervision. In case a technical regulation stipulates other forms of mandatory conformity assessment performed by specially authorized state bodies of executive power, a technical regulation shall establish the specific state body of executive power.

2. The mandatory requirements to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, and the methods and schemes for assessing conformity that are contained in technical regulations are exhaustive, have direct effect throughout the territory of the Republic of Tajikistan, and cannot be amended other than through introduction of amendments and supplements into the respective technical regulation.

3. Technical regulations shall not contain requirements to the design and description of external parameters except for cases when the purposes for which the technical regulation has been developed listed in point 1 of Article 5 of this Law, cannot be attained. Such cases shall be determined on the basis of practice and scientific experimental researches.

4. Requirements to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal cannot be mandatory if they are not included in technical regulations.

5. A technical regulation cannot contain requirements to products inflicting harm to life or health of people that is accumulated through the extended use of these products and dependent upon other factors not allowing a determination of the extent of the permissible risk. In these cases, a technical regulation can contain a requirement that will deal with informing the consumer of a possible harm and the factors, upon which this harm is dependent.

6. Technical regulations can establish minimum required veterinary-sanitary and phyto-sanitary measures regarding the products, originated from specific countries and (or) locations, including limitations for import, use, storage, transportation, sale and disposal, ensuring biological safety (irrespective of the safety ensuring methods used by the manufacturer).

Veterinary-sanitary and phyto-sanitary measures can provide requirements to the product, its processing and manufacturing methods, product testing procedures, inspection, assurance of conformity, quarantine rules, including rules related to the transportation of animals and plants, materials required for ensuring life and health of animals and plants during their transportation, as well as methods and procedures of samples' selection, testing risk evaluation methods, and other requirements present in technical regulations.

Veterinary-sanitary and phyto-sanitary measures are developed and implemented based on scientific data, as well as taking into account appropriate international standards, rules, norms and other documents of international organizations with the purpose of required level of veterinary-sanitary and phyto-sanitary protection observance determined by taking into account a rate of actual scientifically proven risk. When evaluating the level of risk the following should be taken into account: international standards provision, rules, norms and other documents of international organizations to which Republic of Tajikistan is a member, prevalence of diseases and vermin, as well as measures undertaken by the suppliers to restrain diseases and vermin, ecological conditions, consequences for the economy related to possible infliction of harm, and the volume of expenses for prevention of infliction of harm.

7. In the event, if the immediate application of veterinary-sanitary and phyto-sanitary measures is required in order to achieve the purposes of veterinary-sanitary and phyto-sanitary protection, and relative scientific justification is insufficient or cannot be obtained during the required period of time, veterinary-sanitary and phyto-sanitary measures, set by technical regulations in relation to specific types of products, can be applied on the basis of available information, including information received from appropriate international organizations, authorities of foreign states, information about appropriate measures undertaken by other states, or other information. Until appropriate technical regulations are adopted, in the event set by the present ~~paragraph~~point, veterinary-sanitary and phyto-sanitary measures are regulated according to point 2 of Article 45 of the present Law.

## **Article 9. Procedure of Developing Technical Regulations**

1. Any individual or legal entity can be the developer (requester) of a draft technical regulation.

2. The developer (requester) of a draft technical regulation shall publish at his/her own expense a notice on the development of a technical regulation in an official printed publication and/ or in the electronic informational system of common use.

The official printed publication is obliged to publish the notice on the development of a draft technical regulation submitted by the developer (requester) within thirty days from the moment of its receipt.

3. The notice on the development of a draft technical regulation shall contain the information about the product, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, which will be covered by the technical regulation being developed, a justification of the necessity for its development, the structure of the document, compliance (noncompliance) with international standards, norms and rules, and also deviation from the requirements of other technical regulations effective on the territory of the Republic of Tajikistan.

4. The developer (requester) of the draft technical regulation shall insure that it is available from the moment of publishing the notification on the inquiries of interested parties in such a way that the interested parties could prepare written remarks for their discussion. The term of discussion of a draft technical regulation cannot be less than two months.

5. While discussing the draft technical regulation with concerned interests, which can include any legal entities, individual entrepreneurs, co-operations of legal entities (unions, associations) whose activity is directly related to the field of application of technical regulations, the developer (requester) insures that the technical regulation is completed considering written remarks and suggestions received, and makes up a list of disagreements.

6. Once the developer has accomplished the procedures of publication of notifications, discussions with concerned interests, and preparation of the list of disagreements (if any) draft technical regulations are submitted to the Authorized Body for Technical Regulation to undergo expertise by commissions of experts in the area of the technical regulating.

The commission of experts will include, on an equal rights basis, interested representatives from bodies of executive authorities, scientific-technical organizations, co-operations of entrepreneurs, and consumers. The procedure for forming and the activity of the commissions of experts are approved by the Government of the Republic of Tajikistan. The Authorized Body for Technical Regulation approves the members of the commissions of experts and ensures their activity. Meetings of the commissions of experts are to be open to the public.

7. A draft technical regulation, an explanatory note and a financial economic ground feasibility study, which shall contain a justification of the necessity of the development and adoption of the technical regulation, issues related to compliance or noncompliance with international standards, norms and rules, and the reasons for any deviation from the provisions of international standards, norms, and rules and the list of those disagreements (if any) shall be submitted to a commission of experts for examination.

The Authorized Body for Technical Regulation is bound to forward the conclusions of the commission of experts to the developer (requester).

## **Article 10. Procedure for Adoption of a General Technical Regulation**

1. Based on the procedure established by the legislation of the Republic of Tajikistan, the developer (requester) submits the draft along with all accompanying documents to a subject vested with the right for the legislative initiative.

In case of violation of the technical regulations development procedure, set by Article 9 of the present Law, the subject vested with the right for the legislative initiative is obliged to



return a draft technical regulation to the to the developer (requester) for fulfilling designated procedures.

2. Based on the procedure established, the subject vested with the right for the legislative initiative considers the draft general technical regulation and takes a decision to submit it to the Majlisi Namoyandagon Majlisi Oli of the Republic of Tajikistan.

3. Based on the procedure established by the legislation of the Republic of Tajikistan, Majlisi Namoyandagon Majlisi Oli of the Republic of Tajikistan considers the draft general technical regulation.

4. A general technical regulation cannot be put into effect earlier than six months from the moment it was officially published.

### **Article 11. Procedure for Adoption of a Special Technical Regulation**

1. The developer (requester) of a draft special technical regulation submits it along with all accompanying documents to the Authorized Body for Technical Regulating.

In case of violation of the technical regulations development procedure, set by Article 9 of the present Law, the Authorized Body for Technical Regulation is obliged to return a draft technical regulation to the to the developer (requester) for fulfilling designated procedures.

2. The Authorized Body for Technical Regulation is obliged to submit the draft special technical regulation to the Government of the Republic of Tajikistan for consideration, based on the procedure established by the legislation of the Republic of Tajikistan.

The draft special technical regulation is submitted to the Government of the Republic of Tajikistan for consideration together with the conclusion of the commission of experts, the explanatory note, financial economic ground substantiating the necessity of its adoption, and the list of disagreements (if any).

Within less than two months the Government of the Republic of Tajikistan considers the draft special technical regulation submitted.

3. In the event the draft special technical regulation is declined, it is returned back to the developer (requester) to conduct the procedure of completion in compliance with the requirements set forth in Article 9 of the present Law or to cease the activity over the draft.

4. A special technical regulation cannot be put into effect earlier than six months from the moment it was officially published.

### **Article 12. Procedure for Amending and Canceling Technical Regulations**

1. Within 5 years of the date a technical regulation was put into force, the Authorized Body for Technical Regulation is obliged to ensure an examination is conducted on whether the relative technical regulation complies with the purposes stated in point 1 of Article 5 of this Law, as well as with international standards, norms, and rules.

2. In cases where the circumstances or purposes, which caused the adoption of the technical regulation, have changed or ceased to exist, the technical regulation is subject to change or cancellation.

At an occurrence of the circumstances specified in the first paragraph of the present item, the Authorized Body for Technical Regulation is obliged to begin the procedure of amending or canceling the technical regulation.

3. The notice on the development of amendments and changes to the technical regulation is to be published based on the procedure established for development of technical regulations. Changes and amendments into technical regulations are to be carried out based on the procedure designed for newly developed technical regulations.

### **Article 13. Special Procedure of Developing and Adopting Technical Regulations**

1. If at a proven, direct, and immediate threat to life and health of individuals, animals and plants, to the environment, in order to insure safety of products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal it is necessary to adopt immediately a technical regulation, the Government of the Republic of Tajikistan adopts a technical regulation without its public discussion.

In this event the technical regulation is put into force by a resolution of the Government of the Republic of Tajikistan, which must contain the justification of the necessity for the urgent enactment of the technical regulation. The period of effect of the given technical regulation cannot exceed one year.

2. In the case the technical regulation mentioned in point 1 of the present Article complies with the requirements of point 2 of Article 6 of the present Law, then, simultaneously with the introduction into action of the given technical regulation, the Government of the Republic of Tajikistan shall, in a prescribed manner and pursuant to Article 9 of the present Law, commit an appropriate draft law to Majlisi Namoyandagon Majlisi Oli of the Republic of Tajikistan. After introduction into action of the technical regulation developed according to Article 9 of the present Law, the technical regulation, commissioned by the Resolution of the Government of the Republic of Tajikistan, shall lose its force.

### **Section III. Standardization**

#### **Article 14. Objectives of Standardization**

Standardization is aimed at:

Stimulating scientific and technical progress;

Increasing the competitiveness of products, works and services according to the level of development of science, engineering and technology;

Increasing the level of safety of objects considering the extent of risk of emergency situations arising from natural and man-made origin;

Saving and rational use of resources;

Ensuring technical and information compatibility;

Providing a comparability of test and measurement results;

Interchangeability of products;

Enhancing the level of safety, life, health of individuals, as well as life and health of animals and plants, property of legal entities and individuals, state property, the environment, including assisting in implementation of requirements of technical regulations.

#### **Article 15. Principles of Standardization**

1. In the Republic of Tajikistan standardization shall be carried out according to the following principles:

Voluntary nature of standards application;

Taking into account, to the maximum extent possible, the interests of all interested persons during standards development, adoption, harmonization, and application;

Use of international standards, norms, and rules as a basis for preparing national standards;

It shall not be permitted to create barriers to manufacturing and circulation of products, works and services;

On ensuring the conditions for uniform application of standards.

2. Standards are developed and applied in the same way and to the equal extent in respect to given or similar products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal disregarding the country and/or location of origin (performance), the nature or peculiarities of transactions, and/or persons who are the manufacturers, executors, sellers, and buyers.

## **Article 16. Documents on Standardization**

The documents on standardization effective on the territory of the Republic of Tajikistan are:

National standards of the Republic of Tajikistan;

Standardization rules, norms and recommendations in the area of standardization;

International (regional) standards;

National standards of other countries;

Standards of organizations.

International (regional) standards and national standards of other countries are adopted in the Republic of Tajikistan as national documents on standardization according to methodology established by the National Standards Body.

## **Article 17. National Standards Body, Technical Committees on Standardization**

1. The Government of the Republic of Tajikistan determines the National Standards Body. The National Standards Body does not have the authority to issue normative legal acts mandatory for implementation by bodies of executive power, legal entities and individuals.

2. The National Standards Body of the Republic of Tajikistan shall:

Approve national standards;

Adopt a program of developing national standards;

Organize examination of draft national standards;

Ensure the conformity of the national standards system to the interests of the national economy, and the development of scientific and technical progress;

Keep records and ensures accessibility for interested persons to national standards, rules, norms and recommendations in standardization;

Coordinate the activity of technical committees on standardization;

Approve the depiction of a mark of conformity to national standards;

Represent the Republic of Tajikistan in international and regional organizations, which are carrying out standards activities;

Establishes methods of adoption of international (regional) standards and national standards of other countries as national documents on standardization of the Republic of Tajikistan;

Coordinate the publication and promulgation of official publications of national standards.

For the aim of the present Article, the official publication of a national standard is to be understood as a publication implemented in polygraphy or electronic version and in the order provided by the legislation of the Republic of Tajikistan.

3. National Standards Body approves a procedure for creation and operation of technical committees on standardization. The sessions of technical committees shall be open

to the public. The composition of the technical committees on standardization shall include equal and balanced representatives of bodies of executive power, scientific and technical organizations, associations of entrepreneurs and consumers.

#### **Article 18. Development, Adoption and Application of National Standards**

In accordance with the provisions of Article 14 of the present Law, and based on the provisions of the Agreement on Technical Barriers to Trade of the World Trade Organization, rules, norms, and recommendations for standardization adopted by international (regional) standardization organizations, the National Standards Body establishes the procedure for development, adoption, application, and registration, as well as change and revocation of national standards.

#### **Article 19. Standards of Organizations**

Organizations develop, approve, and apply their standards independently.

### **Section IV. Assurance of Conformity**

#### **Article 20. Objectives of Assurance of Conformity.**

Assurance of conformity is to be carried out with the following purposes:

To confirm conformity of a product, processes (methods) of manufacture, storage, transportation, sale, operation and disposal to requirements of technical regulations or provisions of standards and to conditions of contracts;

To confirm conformity of performance of works or rendering of services to provisions of standards and conditions of contracts;

To assist buyers in choosing products, works and services;

To increase the competitiveness of products, works and services in the domestic and international markets;

To create conditions for ensuring a free movement of goods in the Republic of Tajikistan, and also to participate in international economic, scientific and technical cooperation and international trade.

#### **Article 21. Principles of Assurance of Conformity.**

1. Assurance of conformity is to be carried out based on the following principles:

Openness and availability to all interested persons of information about the procedure of conducting assurance of conformity;

Impermissibility of application of mandatory assurance of conformity to objects for which there are no requirements in technical regulations;

Independence of certification bodies from product manufacturers, sellers, and buyers;

Establishment of the complete list of methods and schemes of mandatory assurance of conformity in appropriate technical regulations concerning specific products;

Opportunity for the applicant to choose the method and schemes of mandatory conformity assurance regarding specific products;

Minimization of the time and the applicant's expenses required while going through the procedures of assurance of conformity;

It shall not be permitted to require applicants to go through the procedures of voluntary conformity assurance;

Protection of property interests of applicants, including the confidentiality of trade secrets concerning the data received during the passage of mandatory assurance of conformity procedures;

Impermissibility of overlapping certification activities with state supervision activities.;

Impermissibility of overlapping certification activities on accreditation;

2. Procedures for assurance of conformity are developed and applied equally and to the same extent in regard to these or similar products, processes (methods) of production, storage, transportation, sale, operation and disposal disregarding the country and/or location of origin (performance), the nature or peculiarities of transactions and/or persons which are the manufacturers, performers, sellers, and buyers.

3. The rules and procedures of assurance of conformity are developed, adopted and applied in the same way both for imports and products manufactured domestically.

## **Article 22. Methods of Assurance of Conformity**

1. On the territory of the Republic of Tajikistan assurance of conformity can be of either voluntary or mandatory nature.

2. Voluntary assurance of conformity is performed through the method of voluntary certification.

3. On the territory of the Republic of Tajikistan mandatory assurance of conformity is performed through the following methods:

Issue of a declaration of conformity (declaring conformity); and

Certification.

4. Schemes of declaring conformity are approved by the Government of the Republic of Tajikistan.

## **Article 23. Voluntary Assurance of Conformity**

1. Voluntary assurance of conformity is performed by the initiative of the applicant based on conditions of a contract between the applicant and the certification body. Voluntary assurance of conformity can be performed to establish compliance with standards, certification systems, and provisions of contracts.

2. Certification body:

Performs assurance of conformity of objects of voluntary assurance of conformity;

Issues certificates of conformity for objects, which have passed voluntary certification;

Entitles the applicant to apply the mark of conformity, if the application of such a mark of conformity is provided by the relevant system of voluntary certification;

Suspends or cancels the certificates of conformity issued by it.

3. A voluntary certification system can be created by a legal entity and/or an individual entrepreneur, or by several legal entities and/or individual entrepreneurs.

The person or persons who have created a voluntary certification system establish a list of objects subject to certification and their characteristics for conformance to which the voluntary certification is performed, as well as the rules for performance of works provided for by this certification system, the payment procedure for them, and identify the participants of the given voluntary certification system. A certification system may have a mark of conformity for application.

4. It is forbidden to mark objects with the marks of conformity if conformity is not assured.

#### **Article 24. Mandatory Assurance of Conformity.**

1. Mandatory assurance of conformity shall be carried out only in cases established by an appropriate technical regulation.

2. Only a product arriving in circulation on the territory of the Republic of Tajikistan can be an object of mandatory assurance of conformity, and exclusively under requirements of technical regulations.

3. Products, which are subject to mandatory assurance of conformity, are allowed onto the market of the Republic of Tajikistan upon condition that their conformity to requirements of technical regulations has been assured.

It is forbidden to advertise products subject to mandatory assurance of conformity, which do not have documents attesting that conformity has been assured.

4. The method of mandatory assurance of conformity regarding specific products, procedures and schemes for assurance of conformity can be established only in a technical regulation considering the extent of the risk that the purposes of technical regulations may not be attained.

5. The declaration of conformity or certificate of conformity has equal legal effect throughout the territory of the Republic of Tajikistan.

6. Payment for works shall be performed by the applicant and is formed together from actual costs for performing works on mandatory assurance of conformity. Cost of such works shall be the same for local manufacturers and importers.

#### **Article 25. Declaring Conformity**

1. Declaring conformity, if it is provisioned by a technical regulation, is carried out in the following ways:

Issue of the declaration of conformity on the basis of one's own verifications;

Issue of the declaration of conformity on the basis of one's own verifications and the verifications received with the participation of a third party.

The way of declaring conformity of a specific product is to be established by the appropriate technical regulation only.

2. When declaring on the basis of one's own verifications, the manufacturer (supplier), issuing the declaration, shall independently form an evidentiary base aimed at the product's assurance of conformity to the requirements of technical regulations. As a verification, one can use technical documentation, the results of one's own tests and measurements, and/or other documents which have served as the basis for making the statement about the conformity of the product being declared to the requirements of technical regulations.

3. When declaring conformity on the basis of one's own verifications and the verifications received with the participation of a third party, the manufacturer (supplier) issuing the declaration can, at his/her own choice, use one of the following schemes:

In addition to his/her own verifications, generated in the manner stipulated by point 2 of the present Article, the person issuing the declaration shall include in the set of technical documentation the test reports on the product being declared, which have been carried out in an accredited testing laboratory.

In addition to one's own verifications, generated in the manner stipulated by point 2 of the present Article, the manufacturer (supplier) issuing the declaration shall submit the quality system certificate issued in the appropriate certification system that would allow for the inspection over the object of certification by the body which has issued the certificate. The quality system certificate can be used as part of the verifications when issuing the declaration concerning any products.

4. The declaration of conformity shall contain the following:

Name of a product;

Name and location of the applicant (making a declaration);

Name and location of the manufacturer of the products;

Name of the technical regulation (its international (regional) equivalent), conformity to which is to be assured;

Statement of the manufacturer (supplier) who issues the declaration that the product is safe if used according to its intended designation, and he/she has taken measures to ensure the product's conformity to the requirements of technical regulations;

Indication of the scheme used for declaring assurance of conformity;

Information on tests carried out, the quality system certificate, and also documents used to prove the conformity of products to a respective technical regulation;

Signature of an applicant (making a declaration);

Other data stipulated by the technical regulation.

A technical regulation determines the period of validity of a declaration of conformity.

5. The Government of the Republic of Tajikistan determines the format of a declaration of conformity.

## **Article 26. Certification, as a Method of Mandatory Assurance of Conformity**

1. Certification, as a method of mandatory assurance of conformity, is to be carried out by a certification body at the request of the applicant. The certification schemes being used for certification of a specific product are to be determined by the appropriate technical regulation.

The certificate of conformity issued to the applicant by the certification body shall confirm the product's conformity to the requirements of technical regulations.

2. The certificate of conformity shall specify the following:

Applicant's name and location;

Name of conformity assessment object;

Name and location of the manufacturer of the product, which has been certified;

Name and location of the certification body, which has issued the certificate of conformity;

Information on the object of certification that would allow for identifying it;

Information on tests carried out;

Information on documents submitted by the applicant to a certification body to prove the conformity of products to a respective technical regulation;

Name of the technical regulation in conformity to which certification has been carried out;

Period of the validity of the certificate of conformity.

The technical regulation establishes the period of validity of a conformity certificate.

3. The format of the certificate for mandatory assurance of conformity is approved by the Government of the Republic of Tajikistan.

## **Article 27. Organization of Certification as a Form of Mandatory Assurance of Conformity**

1. Certification as a method of mandatory assurance of conformity is to be carried out by accredited certification bodies.

2. Certification body:

Sample products to be certified to perform tests if it is stipulated by the relevant certification scheme;

Use accredited testing laboratories to carry out the tests of a product to be certified;

Supervise over certified objects, if such supervision is stipulated by the appropriate scheme of certification;

Suspend or revoke a conformity certificate issued by it;

Inform applicants on the certification procedure;

Maintain the register of conformity certificates issued;

3. When performing certification as a method of mandatory assurance of conformity tests are to be carried out by accredited testing laboratories.

Testing laboratories shall carry out product tests within the limits of their accreditation.

4. The results of tests are to be formalized by appropriate reports on the basis of which the certification body makes a decision on the issuance of the certificate of conformity or justifiably denies the issuance of the certificate of conformity.

## **Article 28. Mark of conformity to technical regulations**

1. The product, compliance of which with the requirements of technical regulations has been assured, is to be marked with the mark of conformity to technical regulations, except for cases covered in point 3 of Article 30 of the present Law. The image of the mark of conformity to technical regulations is to be established by the Government of the Republic of Tajikistan.

2. The applicant shall independently affix the mark of conformity to technical regulations according to point 1 of the present Article.

3. Peculiarities of mark of conformity to the technical regulations to a product are determined in corresponding technical regulation.

It is forbidden to affix the mark of conformity to technical regulations to a product, for which compliance with the requirements of technical regulations has not been assured.

## **Article 29. Conditions of Importing a Product Subject to Mandatory Assurance of Conformity onto the Territory of the Republic of Tajikistan**

1. In order to place a product(s) subject to mandatory assurance of conformity under the customs regimes provided output of products onto the customs territory according to customs regime “release for free circulation”, a certificate of conformity or declaration of conformity along with the customs declaration, which are recognized pursuant to Article 30 of this Law, are to be submitted to the customs authorities.

2. For the purposes of customs registration, the Government of the Republic of Tajikistan shall approve, on the basis of technical regulations, the lists of the specified products covered by the point 1 of the present Article, with the indication of Foreign Trade Activity Commodity Nomenclature codes at the level of 10 digits, including necessary explanations, as well as outlining Accredited Certifying Bodies and the list of supporting



documents. The Government of the Republic of Tajikistan shall form and, when necessary, but at least once a year, publish the lists of the products, which require the representation of documents on their conformity, specified in the first point of the present Article, at their release on the customs territory of the Republic of Tajikistan.

3. Subject to mandatory assurance of conformity products imported onto the customs territory of the Republic of Tajikistan and placed under customs regimes, which are not to be alienated in accordance with the customs regime “release for free circulation”, are released by the customs authorities of the Republic of Tajikistan without producing documents on conformity specified in point 1 of this Article.

4. The procedure of import on the customs territory of the Republic of Tajikistan of the products subject to mandatory assurance of conformity, shall be approved by the Government of the Republic of Tajikistan.

### **Article 30. Recognition of Results of Assurance of Conformity**

1. Recognition of the results of assurance of conformity of products, being imported to the territory of Republic of Tajikistan, is to be carried out based on the principles of

It is not permitted to create unnecessary barriers to trade;

Establishing simplified, distinct and clear procedures and minimizing terms and costs that bear the applicant while passing these procedures;

It is not permitted to introduce additional requirements and tests, as well as duplication of activities on the part of state or other authorized bodies.

2. Documents on assurance of conformity, marks of conformity, product test reports received outside the territory of the Republic of Tajikistan shall be recognized according to the international agreements of the Republic of Tajikistan. If international agreements are absent, recognition of results of assurance of conformity and marks of conformity can be performed according to a procedure established by the Government of the Republic of Tajikistan.

3. Additional marking by mark of conformity to technical regulations of products, which conformity marks have received recognition on the territory of the Republic of Tajikistan is not required.

### **Article 31. Rights and Responsibilities of Applicants in the Field of Mandatory Assurance of Conformity**

1. An Applicant has the following rights:

To choose a method and scheme of assurance of conformity from those methods and schemes stipulated for the given product by the appropriate technical regulation;

To apply to any accredited certification body for conducting certification, which area of accreditation includes the product the applicant intends to certify;

In compliance with the legislation of the Republic of Tajikistan, address to the accreditation body with complaints for unlawful actions of the certification bodies and the accredited testing laboratories;

Based on the legal procedure, to appeal actions of the Authorized Body for Technical Regulating, specially authorized state bodies, certification bodies and testing laboratories.

2. The Applicant is obliged:

To assure its product's conformity to the requirements of technical regulations;

To release in circulation a product subject to mandatory assurance of conformity, only after its passage of the procedures of assurance of conformity;

To provide to specially authorized state bodies of state supervision, and also to interested persons, the documentary confirmation of a product's compliance with mandatory requirements (the declaration of conformity or the certificate of conformity or their copies);

To suspend or stop manufacture of products if the validity of the certificate of conformity or declaration of conformity has been suspended or annulled;

Based on the court decision, to stop the manufacture of a product, conformity of which had been assured before, in regard to which nonconformity to requirements of relevant technical regulations is found.

## **Section V. Accreditation**

### **Article 32. Objectives of Accreditation**

Accreditation of conformity assessment bodies, including testing and measurement laboratories is aimed at:

To confirm their competence;

To ensure trust to them;

To create conditions for recognition of results of their activities.

### **Article 33. Principles of Accreditation**

1. Accreditation is performed on the basis of principles of:

Voluntaries;

Openness and accessibility of accreditation rules;

Competence and impartiality of the body carrying out accreditation;

It is not permitted to restrict competition and create obstacles in using the services of accredited conformity assessment bodies;

Equal rights and lawful interests for all persons applying for reception of accreditation;

Nondisclosure of the confidential information received in the process of performing accreditation activities;

An applicant is entitled to chose the form and scheme of conformity assessment among the forms and schemes provided for such kind of products that meet corresponding technical regulations .

Accreditation is based on international norms and rules and is performed according to the procedure established by the Government of the Republic of Tajikistan.

## **Section VI. State Supervision over Observance of Requirements of Technical Regulations**

### **Article 34. The basic principles for Carrying Out State Supervision**

1. The basic principles for carrying out state supervision are:

Presumption of good faith of business entities, i.e. a business entity is not recognized as having violated mandatory requirements and conditions unless otherwise established;

The activity of the specially authorized state bodies is funded out of the state budget only;

Performing a state supervision is allowed only to bodies authorized by technical regulations to do so;

State supervision related to a specific type of production is performed by only one specially authorized state body;

Openness and availability for economic entities of acts establishing mandatory requirements and provisions, observance of which is verified when performing state supervision;

Continuity and timeliness when performing state supervision, i.e. complete and prompt implementation within a set period of time;

Conformity of the object (nature) of state supervision performed by a specially authorized state body within the competence of the latter;

Opportunity to dispute actions (inaction) of a specially authorized state body that are inconsistent with the requirements established by this Law and technical regulations;

Responsibility of the specially authorized state bodies for violating the legislation of the Republic of Tajikistan when performing state supervision;

### **Article 35. Objects of State Supervision.**

1. The state supervision over the compliance with the requirements of technical regulations (hereinafter referred to as “state supervision”) is carried out exclusively in regard to the observance of the requirements of technical regulations.

2. Regarding products, the state supervision is to be carried out exclusively at a stage of product circulation on the market.

### **Article 36. Implementation of State Supervision**

Specially authorized state bodies carry out state supervision in compliance with technical regulations.

### **Article 37. Rights and Responsibilities of Specially Authorized State Bodies of State Supervision**

1. On the basis of the provisions of the present Law and requirements of technical regulations, the specially authorized state bodies of state supervision have the following rights:

To demand from manufacturers (performers, sellers) to submit the declaration of conformity or the certificate of conformity, if the availability of such documents is stipulated by the appropriate technical regulation;

To make the manufacturer (performer, seller) answerable according to the current legislation of the Republic of Tajikistan.

2. The state supervision shall not create barriers to manufacturers (performers, sellers) in their economic activities in a greater degree than is minimally necessary for achieving the purposes of state supervision.

3. Specially authorized state bodies are obliged to:

While performing supervision activities, provide explanations on the implementation of the legislation on technical regulation; inform manufacturers (performers, sellers) of the requirements of existing technical regulations;

Observe trade secrets and other confidential information protected by law;

Follow the procedure set by the active legislation for conducting and arranging measures for state supervision;

Based on the results of the measures of state supervision, take steps aimed at the elimination of the consequences of violations of requirements of technical regulations, which least intrude upon the economic activity carried out by manufacturers (performers, sellers).

4. In case of revealing infringements of the requirements of technical regulations, the specially authorized state bodies shall:

Require elimination of infringements in a justified period of time in view of an infringement's character;

Inform directly or through the media interested persons and potential consumers about hazardous products produced and/or sold;

Undertake actions established by laws of the Republic of Tajikistan to prohibit alienation (sale) and (or) transfer of product to other persons;

Based on a court decision, undertake actions to ban (suspend) fully or partially processes of manufacture, storage, transportation, sale, operation and rendering services, and also to recall products from circulation;

Take other actions stipulated by the legislation of the Republic of Tajikistan with the aim to prevent causing harm.

## **Section VII. Responsibilities and Procedures Being Used in Cases of Noncompliance with the Requirements of Technical Regulations**

### **Article 38. Responsibility of Specially Authorized State Bodies of State Supervision and Their Officials at Realization of State Supervision.**

1. In case of inadequate performance of their functions, official duties in performing supervision actions over the observance of the requirements of technical regulations, and committing unlawful acts (inactivity), the specially authorized state bodies of state supervision and their officials shall bear responsibility according to the legislation of the Republic of Tajikistan.

2. The specially authorized state bodies of state supervision are obliged, within a one-month period, to inform the person whose rights and legitimate interests have been violated about the actions taken against the officials guilty of violations of the legislation.

### **Article 39. Responsibility for Non-Compliance of a Product, Processes (Methods) of Manufacture, Storage, Transportation, Sale, Operation and Disposal with Requirements of Technical Regulations**

1. In the case where it is revealed that a prescription of a specially authorized state body to eliminate the discovered infringements of the requirements of technical regulations committed during the processes (methods) of manufacture, storage, transportation, sale, operation and disposal is not fulfilled, the manufacturer (performer, seller) shall bear responsibility according to the legislation currently in force in the Republic of Tajikistan.

2. In the case that non-compliance of products released into circulation with the requirements of technical regulations has been revealed, the manufacturer (performer, seller) shall bear responsibility according to the legislation currently in force in the Republic of Tajikistan.

3. The responsibility of the manufacturer (seller, performer) to compensate for harm cannot to be limited by a contract or unilateral statement made before the grounds for the compensation arose. The agreements or statements about restricting the responsibility made before the grounds for the compensation arose are null and void.

## **Article 40. Responsibility of Conformity Assessment Bodies**

Bodies for conformity assessment, their directors, and also experts and specialists guilty of infringement of the provisions of this Law and technical regulations bear responsibility according to the legislation of the Republic of Tajikistan.

## **Section VIII. Information on Technical Regulations and Documents on Standardization**

### **Article 41. Information on Technical Regulations and Documents on Standardization**

The following are the basic principles in the sphere of information on technical regulations and documents on standardization:

- Free access to information on technical regulations and documents on standardization;
- Objectivity, timeliness, openness and reliability of information;
- Realization of rights of the citizens and organizations to access informational resources, and also protection of proprietary rights and copyrights in the sphere of informatization;

### **Article 42. National Information Fund of Technical Regulations and Standards.**

Technical regulations, national standards and documents on standardization, including international (regional) standards, norms and rules, and also national standards of other nations shall make up the National Information Fund of Technical Regulations and Standards.

The National Information Fund of Technical Regulations and Standards is a national information resource.

The procedure for activity of the National Information Fund of Technical Regulations and Standards, and also the rules of using this Fund are to be established by the Government of the Republic of Tajikistan.

### **Article 43 Information center**

1. Information center is created and functions in the order fixed by the Government of the Republic of Tajikistan to cooperate with WTO Secretariat, WTO country members, international organizations in order to provide interested parties and foreign state upon their request with the copies of documents and information on:
  - acting or developed normative legal acts in the area of technical regulation, standards, changes to them and the procedures of conformity assessment of products and services;
  - membership or participation of the Republic of Tajikistan in International Organizations and international agreements on standardization, conformity assessment, bilateral or multilateral accreditation;
  - sources of publication of drafts of developed and adopted normative legal acts in the area of technical regulations, standards and information on them.
2. The information is located in official printed edition of an authorized body and is in information system of public usage in the form of notification. An authorized body determines the form, order of fulfillment and submission of a notification.

## **Section IX. Financing in the Field of Technical Regulation**

#### **Article 44. Financing in the Field of Technical Regulation.**

The following expenditures are financed from the means of the Republican budget:

Creation and implementation of technical regulations development program including performing expertise of draft technical regulations;

Creation and implementation of national standards development program, in case the state is the requester, including performing expertise of draft national standards;

Implementation of the state supervision over the observance of requirements of technical regulations;

Formation and maintenance of the National Information Fund of Technical Regulations and Standards;

Payment of dues to and participation in international (regional) organizations on standardization, metrology and accreditation, the list of which is established by the Government of the Republic of Tajikistan.

#### **Section X. Final and Transitional Provisions**

##### **Article 45. Transitional Provisions**

1. From the date the present Law shall be put in force, pending the introduction into effect of appropriate technical regulations, the requirements to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, established by the current normative legal acts of the Republic of Tajikistan are subject to mandatory compliance only in the part consistent with the purposes identified by the present Law for adoption of technical regulations.

2. Within 6 months from the date the present Law was published, the Government of the Republic of Tajikistan shall adopt the resolutions on following issues:

a) establishing the complete list of products subject to mandatory assessment of conformity to requirements set in compliance with point 2 of Article 6 and point 1 of Article 7 of this Law, that would include the codes of commodity nomenclature of the external economic activity at the level of 10 digits and normative legal acts or standards setting these requirements, which remain effective until technical regulations are adopted, where:

It is not allowed to apply two or more normative legal acts that set the same requirements;

Mandatory assurance of conformity is carried out only in the form of certification or in the form of declaring conformity;

Safety parameters shall be determined for every type of products;

The manufacturer (supplier, seller) is entitled to choose the method of assurance of conformity from the number of the methods provided for the given products;

The Government of the Republic of Tajikistan establishes the schemes of certification for the products on this list, where the applicant has the right to choose the scheme of certification out of the number of schemes provided for the given products;

Only manufacturers or official representatives of a foreign manufacturer shall issue the declaration of conformity;

Only products supplied for circulation on the territory of the Republic of Tajikistan can be subject to mandatory assurance of conformity, and with regard exclusively to those requirements of normative legal acts indicated in this specified resolution of the Government of the Republic of Tajikistan;

Regarding products, which are not on the list approved by the Government of the Republic of Tajikistan, assurance of conformity is allowed exclusively on a voluntary basis;

The list of products subject to mandatory assurance of conformity is specified and detailed yearly;

b) bodies of state supervision and inspection of the safety measures in the area of veterinary science, quarantine of plants, epidemiology, sanitation and ecology shall establish:

- the complete list of objects subject to mandatory assessment of conformity to requirements, set by point 2 of Article 6 and point 1 of Article 7 of the present Law that would include the codes of commodity nomenclature of the external economic activity at the level of 10 digits and normative legal acts setting these requirements;

- conformity assessment procedures and unified forms of issued documents;

c) determining procedures for performing state supervision on behalf of specially authorized state bodies exclusively on the stage of product circulation and in regard to the compliance with the requirements of the specified normative legal acts.

Mentioned resolutions of the Government remain in power until appropriate technical regulations are adopted.

3. Within six months from the date this Law is officially published all state bodies of executive power are obliged to perform revision of all their documents establishing mandatory requirements and introducing conformity assessment with the purpose of elimination of such requirements or their transfer onto voluntary basis of application.

4. Within six months from the date this Law is officially published the Government of the Republic of Tajikistan shall develop and adopt a program for development of technical regulations. In the future, such a program shall be updated annually in compliance with the procedure for the development of technical regulations.

5. The technical regulations establishing mandatory requirements to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal mandatory for application and observance and also mandatory procedures of assurance of conformity shall be adopted within seven years from the date the present Law was put into effect.

Mandatory requirements to products, processes (methods) of manufacture, storage, transportation, sale, operation and disposal, regarding which technical regulations have not been adopted in the specified period, shall be terminated after the expiration of the specified period or obtain voluntary nature.

6. The accreditation documents issued in a determined order to certification bodies and testing laboratories before introduction into action of the present Law, and also the certificates issued before the present Law came into effect, are to be considered valid until the expiration of the term specified in them.

7. All normative legal acts, until bringing them into compliance with the present Law, are applied according to the present Article and in the part consistent with the present Law.

#### **Article 46. Procedure for Putting the Present Law in Force**

1. The present Law comes into effect after six months from the date of its official publication.

2. The Government of the Republic of Tajikistan within six months from the moment of present Law official publication shall:

Ensure adoption of normative legal acts stipulated by present Law;

Make own decisions compliant to the present Law.

3. From the date the present Law becomes effective, the following acts shall be recognized as invalid:

Law of the Republic of Tajikistan “On Certification of goods and services” as of December 13, 1996 #313

Law of the Republic of Tajikistan “On Standardization” as of December 14, 1996 #333;

Law of the Republic of Tajikistan “On changes into the Law of the Republic of Tajikistan “On certification of goods and services” as of May 3, 2002, #24;

The Law of the Republic of Tajikistan “On Changes into the Law of the Republic of Tajikistan “on Standardization” as of May 3, 2002 #25.

**President  
of the Republic of Tajikistan**