

LAW OF THE REPUBLIC OF TAJIKISTAN ON STANDARDIZATION

(In edition of Law RT on May 3, 2002 N25)

The present Law establishes legal bases of standardization in the Republic of Tajikistan, obligatory for all state controls, and also the enterprises and businessmen (further - subjects of facilities of other organizations and defines measures of the state protection of interests of consumers and the states with use of methods and means of standardization.)

SECTION I. GENERAL PROVISIONS

Article 1. Concept of standardization

Standardization is an activity on an establishment of norms, rules and characteristics (further - the requirements) with a view of maintenance:

Safety of production works and services for a life, health and property, preservation of the environment;

Requirements on compatibility and interchangeability of production;

Qualities of production, works and services to the functional purpose according to a level of development of a science, technics and technologies, competitive ability it in the world market; protection of interests and the rights of consumers;

Defensibility and mobilization readiness of the state.

Article 2. Objects of standardization

Objects of standardization are production, processes and services having prospect of repeated reproduction and use.

Article 3. The legislation of Republic Tajikistan about standardization

The attitude in the field of standardization is adjusted by the Constitution of Republic Tajikistan, the present Law, other acts of the Republic of Tajikistan, the Decrees of the President of the Republic of Tajikistan, the governmental orders of the Republic of Tajikistan, also international the-legal certificates recognized by the Republic of Tajikistan on the given question.

Article 4. International, regional and bilateral scientifically- technical cooperation of the

The Republic of Tajikistan on standardization

The international, regional and bilateral cooperation of the Republic of Tajikistan in the field of standardization is carried out according to decisions of the intergovernmental commissions on the scientific and technical and economic

cooperation, agreements concluded on their basis, contracts, reports on cooperation and the legislation of the Republic of Tajikistan, accepted in execution of obligations of Tajikistan under the specified international documents.

The authorized body of the Government of the Republic of Tajikistan (Law RT on 03.05.2002 N 25) is the state (national) body representing the Republic of Tajikistan in the international, regional organizations on standardization, and also in bilateral attitudes with foreign countries concerning standardization.

Article 5. International contract and agreements

If the international contract or the agreement, establishes other rules, than what contain in the legislation of Republic Tajikistan on standardization applies rules of the international contracts recognized the Republic Tajikistan.

Article 6. The organization of works on standardization

The state system of standardization of the Republic of Tajikistan provides carrying out of uniform technical policy in the field of standardization.

The government standardization in the Republic of Tajikistan, including coordination of activity of the state controls of areas, cities and Regions of Republican Subordination, with public organizations, subjects of economic activities, carries out the authorized body of the Government of the Republic of Tajikistan (Law RT on 03.05.2002r. N25).

The authorized body of the Government of the Republic of Tajikistan also realizes a state policy in the field of standardization, carries out the state supervision and the control over observance of obligatory requirements of normative documents, participates in work on the international standardization, will organize vocational training the staff in the field of standardization, establishes rules of application of the international (regional) standards, rules, norms and recommendations on standardization in territory of the Republic of Tajikistan if other is not established by the international contracts of the Republic of Tajikistan.

Other state controls entering into the state system of standardization of the Republic of Tajikistan participate in work on standardization within the limits of the competence:

In the field of construction, system industry, including designing and designing - Committee on affairs of architecture and construction at the Government of the Republic of Tajikistan;

In the field of regulation of use of natural resources and preservation of the environment from pollution and other harmful influences - the Ministry of wildlife management of Republic Tajikistan;

In the field of production of medical purpose, medical products, in questions of an establishment of substances harmful to the person in production and the worker circumstances Ministry of Health of the Republic of Tajikistan.

The Government standard of RT according to the present Law establishes the general organizational-technical rules of work on standardization, forms and methods of interaction of subjects of economic activities with each other, with the State bodies of management.

The enterprises, businessmen, including public organizations will organize and spend works on standardization according to the present Law.

SECTION II. NORMATIVE DOCUMENTS ON STANDARDIZATIONS AND THEIR APPLICATION

Article 7. Normative documents on standardization and requirements to it

In the Republic of Tajikistan normative documents on standardization of following categories operate:

- The international (regional) standards;
- Interstate standards - IS;
- State standards of the Republic of Tajikistan - ST RT;
- Standards of branches - ST;
- Standards of the enterprises - SE;
- Specifications on the Republic of Tajikistan - SRT.

Qualifiers of the technical and economic information, rule, norm and the recommendation also concern to statutory acts on standardization . The order of development and application of rules, norms and recommendations on standardization is established by the Authorized body of the Government of the Republic of Tajikistan, and qualifiers of the technical and economic information - the State statistical agency at the Government of the Republic of Tajikistan.

The international (regional) standards and national standards of foreign countries, and also the international rules, norms and recommendations are applied according to contracts or agreements with participation of the Republic of Tajikistan.

The order of application of these standards, rules, norms and recommendations in territory of the Republic of Tajikistan is established by the Authorized body of the Governments of the Republic of Tajikistan and other State controls within the limits of their competence.

Manufacture and realization (delivery) of production without statutory acts is not supposed.

Requirements established by statutory acts, should be based on modern achievements of a science, technics, and technology, to consider conditions of use of production, performance of works, rendering of services, a condition and the modes of work providing its protection and should not break the positions established by the legislation of the Republic of Tajikistan.

Statutory acts on standardization on production and the services which are a subject obligatory certification should contain requirements on which obligatory certification is carried out, a quality monitoring on conformity to these requirements, rules of marks of

production and services, requirements to the information on the certification included in the accompanying documentation.

Standards are not object of the copyright.

Article 8. International, interstate and state Standards, branch standards, standards of the

enterprises, specifications, qualifiers technical and economic information

Interstate standards have direct application in territory of the Republic of Tajikistan without their renewal in state standards of the Republic of Tajikistan. State standards, branch standards and specifications are developed on production, works and services and should not contradict the legislation of the Republic of Tajikistan. These documents should contain:

Requirements to production, works and services on their safety for an environment, a life, health and property, the requirement of the safety precautions and industrial sanitary;

Requirements on technical and information compatibility and interchangeability;

The basic consumer (operational) properties of production, quality monitoring, requirements to packing, marks, transportation, storage, application and recycling of production;

The positions providing technical unity by development, manufacture, operation (application) of production and rendering of services;

The rules of registration of the engineering specifications, admissions and landings, the general rules on maintenance of quality production, preservation and rational use of all kinds of resources, terms, definitions, metrological and others common-technical rules and norms.

For maintenance of protection of interests of the Republic of Tajikistan and competitiveness of a domestic production (services) in the state and branch standards in the proved cases preliminary requirements of the prospect, advancing opportunities of traditional technologies are established.

The maintenance of requirements of the state and branch standards, specifications, areas of their distribution, sphere of their action and date of their introduction are defined by the state controls and subjects of economic activities which accept them.

The requirements established in the state, branch standards and specifications for good safety of production, works and services, a life, health, property and preservation of the environment, technical and information compatibility and interchangeability of production, unity of methods of their control, packing are obligatory for subjects of economic activities.

Other requirements of normative documents to production, works and services are a subject to obligatory observance by subjects of economic activities by virtue of the contract or in case about it is underlined in the engineering specifications of the manufacturer (supplier) of production, executor of works and services.

Conformity of production and services to requirements of normative documents can be proved by marking production and services by a sign on conformity. The order of marking and delivery of the rights to marking establishes Tajik-State Standard.

State standards of the Republic of Tajikistan approves Tajik-State Standard (TSS), and also other state controls entering into the State system of standardization, within the limits of the competence.

Qualifiers of the technical and economic information approves and conducts the State statistical agency at the Government of the Republic of Tajikistan.

Standards of the enterprises can be developed and affirm subjects of economic activities independently, proceeding from necessity of their application with a view of maintenance of the requirements specified in article 1 of the present Law.

The state, branch standards and specifications on the Republic of Tajikistan are a subject to the state registration in Tajik-State Standard.

Standards of the enterprises and specifications are developed with the purpose of perfection and production management. Standards of the enterprises and specifications affirm their heads.

The order of development, the statement, the account, change and cancelling of standards are established by the enterprises independently.

Article 9. Application of normative documents on standardization

Normative documents on standardization should be applied by the State controls, subjects of economic activities on stages of development, preparation of manufacture, manufacturing, realization, (application), transportation, storage and recyclings, at performance of works, rendering of services, development of the engineering specifications (design, technological, design, shipping documentation).

The customer and the executor are obliged to include in the contract of a condition about conformity of production, carried out works and rendered services by the obligatory requirement of normative documents.

Necessity of application of normative documents on standardization concerning production (services) of made the Republic of Tajikistan (rendered) in territory with the purpose of export from its territory, is defined by the contract (contract), except for the cases established by the legislation.

Import of production and services on customs territory of the Republic of Tajikistan, and also acknowledgement of their conformity to obligatory requirements of normative documents, one is carried out on the way of, approved by the legislation of the Republic of Tajikistan.

Article 10. The information on normative documents on standardization and their edition. Fund of normative documents

The official information on the developed and approved branch standards, qualifiers of the technical and economic information, and also these documents should be

accessible to users, including for foreign, in that part in which they do not make the state secret.

Tajik State Standard forms fund of normative documents and carries out:

The state storage of standards and branch standards last the state registration;

Purchase and storage of interstate, international (regional) standards, rules, norms and recommendations on standardization and metrology, national standards of foreign countries;

Supply with information.

The state controls which have accepted within the limits of the competence normative documents on standardization, the subjects of the economic activities who have approved normative documents on standardization, form and conduct information funds of these documents, and also provide users with the information on them and documents on a contractual basis.

The exclusive right of official publication of normative documents belongs to the state controls which have accepted these documents.

The exclusive right of official publication of the data containing in the Republican Register of production and services, marked by a sign on conformity of normative documents, belongs Tajik-State Standard.

Article 11. The state control and supervision in the field of standardization and qualities of production

The state control and supervision of observance by subjects of economic activities of obligatory requirements of normative documents over standardization with a view of certification of manufacture, production and services, and also increases of their quality is carried out Tajik State Standard, other authorized state controls within the limits of their competence.

SECTION III. THE PRESENT LAW ON THE RESPONSIBILITY OF INFRINGEMENT OF POSITIONS

Article 12. Criminal, administrative or civil-law are amenability

Legal or physical persons, and also the state bodies are guilty of infringement of positions of the present Law, bear according to the current legislation criminal, administrative, or civil -legal responsibility.

SECTION IV.

FINANCING OF WORKS ON STATE STANDARDIZATIONS TO THE STATE CONTROL AND SUPERVISION, STIMULATION OF APPLICATION OF STATE STANDARDS

Article 13. Financing of works on state standardization, to the state control and supervision

To obligatory state financing are subjects:

Development of standards of the Republic of Tajikistan establishing obligatory requirements according to the legislation of the Republic of Tajikistan, qualifiers of the technical and economic information, preparation and the edition of the official information on them, and also publication of the information on these documents for dispatch to all interested users;

Development and (or) participation in development of the international (regional) standards, rules, norms and recommendations on standardization;

Development of projects on certificates of the legislation of the Republic of Tajikistan on concrete objects of standardization, and also development and maintenance functioning of basic organizational-technical complete sets of standards;

Carrying out of research and other works on the standardization, having nation-wide value;

Carrying out of the state control and supervision of observance of obligatory requirements of normative documents on standardization;

Formation and conducting fund of state standards and branch standards, interstate, (regional) standards, rules, norms and recommendations on standardization of national standards of other countries, and also the State Register of production and the services marked by signs of conformity with the normative document;

Other works on the standardizations defined by the Government of the Republic of Tajikistan.

Source of financing of works on the state standardization, the state control and supervision of observance of requirements of normative documents can be the means received when due hereunder from realization published (republish) of standards, qualifiers technical – economical the information, published (republished) the catalogue of production and the services marked by a sign of conformity to normative documents.

By development of the state programs financed in full or in part from means of the state budget sections of normative maintenance of quality of production (works of services) should be stipulated.

Article 14. Stimulation of application of state standards

The state guarantees economic support and stimulation of subjects of economic activities which make production (work, service) marked by a sign on conformity the normative document, including in the state standard with preliminary requirements of the prospect, advancing opportunities of traditional technologies.

Measures of economic support and stimulation of subjects of the economic activities which are carrying out production (rendering of services) according to article.1 present clause and received licenses for marking of production (services) by a sign on

conformity by the normative document, are defined by way of and on the conditions established by the legislation of the Republic of Tajikistan.

THE PRESIDENT OF REPUBLIC OF TAJIKISTAN
Emomali Rahmon

Dushanbe city, December 14, 1996 N 333

DECISION MAJLISI OLI
REPUBLIC OF TAJIKISTAN

On introduction in action of the Law of the Republic of Tajikistan " On standardization " MAJLISI OLI OF THE REPUBLIC OF TAJIKISTAN validated:

1. To commission the Law of the Republic of Tajikistan " On standardization " since the date of official publication.

2. To the Government of the Republic of Tajikistan:

If necessary to present when due hereunder offers on removal of changes and additions to acts in connection with acceptance of the Law of the Republic of Tajikistan " On standardization to result decisions and orders of the Government of the Republic of Tajikistan according to the present Law.

CHAIRMAN OF MAJLISI OLI
OF THE REPUBLIC OF TAJIKISTAN

S.Rajabov

Dushanbe city, December 14, 1996 N 334