

REPUBLIC OF ALBANIA  
THE COUNCIL OF MINISTERS

A draft

DECREE

No.... Dated.....1999

THE CRITERIA AND COMPENTENCIES IN THE FIELDS OF STANDARDIZATION,  
CERTIFICATION AND ACCREDITATION

Following the Law No. 8464, dated 11.03.1999 "On Standardization", with the proposal of the Ministry of Economic Cooperation and Trade, the Council of Ministers

HAS DECIDED

CHAPTER I

The Criteria and Competencies for Standardization

1. The basic standardization criteria are as follows:

- Approval by consensus
- Ensuring free participation of all interested parties and equality between them
- Transparencies
- Protection of consumers' interests
- An orientation towards the latest levels in science, know-how and technology both in production and services so as to avoid technical barriers to trade
- Unification of test methods for the assessment of conformity

2. Technical Committees (TC's) shall draw up standards. The TC are established by the GDS (General Directorate of Standardization) on the basis of parties' interests. A TC is made up of representatives from ministries and public Institutions, universities, science and research institutions, manufacturers or traders as well as consumers. TC's Chairman is elected by the members of the TC. Each TC appoints its secretary.
3. Standards shall be approved by TC and ratified by GDS' General Director. When deemed necessary, TC's can also approve the adoption of European or International Standards of which only the first page shall be translated, or such standards can also be approved without a translated version.
4. TC's performs their function according to internal regulations, which are approved by GDS. Depending on the workload for developing a standard, TC can delegate assignments to technical sub-committees, work groups (WG's) or special teams.
5. As concerns new products, TC's shall develop experimental

standards. As a general rule, an experimental standard can remain valid up to three years following its approval, and at the end of such period, if necessary, it can be converted into a standard.

6. As concerns the transitory period as provided by the Law, the GDS, in its information journal, shall publish denomination and reference numbers of mandatory standards, which shall retain this status until 1<sup>st</sup> May 2002. To this end, the GDS shall cooperate with interested ministries with the aim at reducing the number of mandatory standards.

## CHAPTER II

### Certification

7. The basic certification criteria are as follows:

- impartiality of certification bodies
- transparency of process
- voluntary choice of its application

8. Certification procedure shall be carried out according to rules established in European Standards and adopted as Albanian Standards on the bases of guidelines issued by International Organization for Standardization, ISO, and the GDS' certification regulations.

9. Only for products dealing with life and health security and the protection of environment, the Ministries, according to technical regulations in force, determine those products that are subject to compulsory certification, tests, measuring or inspection. These rules are the same for domestic subjects and foreign ones. Ministries may allow market access for products, which are certified, approved, measured or inspected by foreign bodies, if bilateral or multilateral agreements exist for this. Wherever it is necessary to obtain samples for testing, the procedure that applies is the same for domestic subjects and foreign ones. As concerns products considered being of low-level risk, they are allowed to circulate across the market without having to put them through certification process but only by carrying out a verification of their accompanying documents.

10. Concerning the controlling of technical activity for certification, a Steering Committee it's created, comprised of 5-7 members. The composition of this committee is made up of representatives from ministries, chambers of commerce and industry, and consumer's associations and standards. The election of members shall be proposed by the certification department and approved by the GDS' Director for a three-year period. Committee's activities are regulated through internal regulations governing its proper function.

11. The costs for carrying out certification shall be determined by the GDS in cooperation with the Ministry of Finances. They are the same for domestic subjects and foreign ones. Product's manufacturer or importer shall cover these costs.

## CHAPTER III

### Accreditation

12. The basic criteria for accreditation are as follows:

- Impartiality of accreditation bodies

- Transparency
- It's voluntary choice

13. The accreditation process shall be carried out according to accreditation European Standards of EN 45000 series adopted as Albanian Standards, (ISO) International Organization for Standardization's guidelines, and the GDS's accreditation regulations.

14. The accreditation department at GDS is recognized as the national body for accreditation. This body gives accreditation, upon request, to the following organizations:

- testing laboratories
- calibrating laboratories
- products certification bodies
- quality systems certification bodies
- personnel certification bodies
- inspection bodies

15. In order for domestic laboratories to get prepared for being accredited, a time of two years is allowed to them. Foreign accreditation bodies can accredit domestic laboratories as well, which for themselves have been accredited by their national organizations that, on their part, are members of international or European Accreditation Organizations.

16. Concerning the regulation of technical activity for certification, there is the Council of Accreditation, comprised of 5-7 members. The composition of this council is made up of representatives from ministries, chambers of commerce and industry, universities, metrology, and standards. Members shall be proposed by the accreditation department and approved by GDS' Director for a three-year period. Council's activities shall be regulated through internal regulations governing its proper function.

17. The costs for carrying out accreditation shall be determined by GDS in cooperation with the Ministry of Finances. They are the same for domestic subjects and foreign ones. Subjects that ask for shall meet accreditation costs.

## CHAPTER IV

### Final Provisions

18. All juridical and legal persons can be associates with the GDS according to their interests. Conditions shall be defined through an agreement between parties.

19. The GDS can bring an income by performing the following services to third parties, such as:

- Selling of Albanian and foreign standards and other technical materials
- accreditation
- certification
- technical consultations about standards, accreditation and certification
- provision of information about standards, accreditation and certification
- membership dues from associates

20. As for the transitory period up to three years, the products covered by mandatory standards will be kept under continuous inspection, bearing in mind that products, whose indications of life and health security and of protection of environment are not lower than the level of Albanian mandatory standards, shall be allowed to be put on the market. Ministries

and the GDS will be in charge of carrying out the inspection. At the end of this period, relevant ministries will discharge inspection responsibilities.

21. Imported products remaining with mandatory standards fall into the following groups:

Machinery and equipment

Boilers

Electrical power-driven machines

Metal-cutting and woodworking machines

Medical devices

Food processing machines

Consumer articles

Cosmetic items

Synthetically-composed detergents

Electrical household appliances

Television and video sets

Cars

Toys

Chemical substances used in agriculture

Fertilizers

Insecticides

High-level risk chemicals

This decision enters into force 15 days following its publication in the official journal.

THE PRIME MINISTER

PANDELI MAJKO