

**Law of the Republic of Kazakhstan
«Standardization»**

The present Law shall establish legal basis for standardization and determine measures of state protection of consumers' and state's interests by way of development and application of normative documents on standardization.

**Chapter 1
General Provisions**

Article 1. Legislation on Standardization.

1. Legislation on standardization shall be regulated by the present Law and other normative acts of the Republic of Kazakhstan.
2. If by international treaties ratified by the RK other rules are established rather than those that are contained in this Law, then the rules of international treaties shall be applicable, except for the cases when it follows from the treaty that for its application, issuing of a Law of RK is required.

Article 2. Area of Application of the Law

This Law shall extend to the bodies of the state management, as well as legal entities and physical persons, implementing economic or other activity within the territory of the RK.

Article 3. Basic Terms and Concepts

The following terms and concepts are applied for the purposes of this Law:

1. Interchangeability - suitability of one item of products to use instead of another product with the purpose of fulfillment of one and the same requirements;
2. State standardization - standardization which is implemented at the level of one country;
3. State classifier of technical and economic information (TEI)- a document, which presents itself a systematized lists of codes and appellations of classified groups of technical and economic information of objects of technical and economical information of products (processes, services);
4. State supervision over compliance with mandatory requirements of normative documents- an activity of the state body on standardization, metrology and certification and its subordinate subdivision, other state bodies, authorized by current legislation, that shall be aimed at revealing, elimination, eradication of the violation of these requirements.
5. State body on standardization, metrology and certification - a body of state management in the area of standardization, metrology and certification, which is authorized to represent the Republic of Kazakhstan in international or regional organizations on standardization, metrology and certification.
6. State Register- an official list (either paper or electronic one), which contains the information about objects, participants of works as well as the documents in the area of standardization.
7. State standard - a standard which has been adopted by the state body on standardization, metrology and certification and is available to the wide circle of consumers.

8. Intergovernmental standardization - standardization of objects of intergovernmental interest;
9. Intergovernmental standard - a document adopted by the states, which have joined the agreement on implementation of the coordinated policy in the area of standardization, metrology and certification and applied by them directly.
10. International organization on standardization - organization on standardization, membership therein is open for the appropriate state (national) body on standardization, metrology and certification of each country;
11. International standardization - standardization, participation therein is open for the appropriate bodies of all countries
12. International standard - a standard, adopted by an international organization on standardization and which is available to the wide circle of consumers;
13. Normative document on standardization - a document, which sets forth the rules, general principles, characteristics and norms, related to different types of activities in the area of standardization, metrology and certification or their results and which shall be available to the wide circle of consumers (users).
14. Norms- a document, containing technical norms of works subject to compulsory observance;
15. Area of standardization- an aggregation of interrelated objects of standardization;
16. State Management Body- a body, which establishes characteristics of products or related processes and methods of production thereof within its authority, that are subject to mandatory observation;
17. Basic standard - a document, which has wide area of extend or contains general provisions on certain area;
18. Regional organization on standardization - organization on standardization, membership therein open for the appropriate state (national) body on standardization, metrology and certification of each country of only one geographical, political or economic region;
19. Regional standardization - standardization participation therein is open for the appropriate bodies of only one geographical region, political or economical region of the world;
20. Regional standard - a standard, adopted by regional organization on standardization and which is available to the wide circle of consumers;
21. Standardization system- an aggregation of all participants of standardization, as well as normative documents, establishing the requirements to the products (processes, services);
22. Compatibility- suitability of products (processes, services) with respect to joint utilization, which does not cause undesirable interactions under certain conditions in terms of meeting the established requirements;
23. Standard - a document approved by the competent body, which establishes rules for general and multiple use, general principals and characteristics, related to different types of activity or results thereof . ;
24. Standardization - an activity which is aimed at achievement of an optimal degree of regulation in a certain area through the establishment of rules and regulations for universal and multiple application with regard to actually existing or potential tasks;
25. Technical conditions- a normative document, establishing technical requirements to the specific type of products (models, marks) or several types of products which shall regulate the relations between a supplier (manufacturer and developer) and a consumer of the products;
26. Technical Committee on Standardization- a working body on standardization, established in a certain sphere of economy on the basis of interested legal entities in order to develop state standards and carry out works at interindustrial level.
27. Technical regulation - a normative document, which establish mandatory requirements either directly or by way of reference to the standard or the rules, either by way of incorporation of the content of these documents. It can include or exclusively contain the requirements with respect to terminology, signs, packing, or marking to the extent they are applicable to goods, process or method of production.

28. Firm standard- a document, establishing the requirements to the concrete types of products (processes, services), developed by one legal entity or physical person and being applied only by the given legal entity or a physical person;

1. Article 4. Objectives of Standardization

The main objectives of standardization shall be as follows:

- to establish norms, rules and characteristics (hereinafter - requirements) to products, (processes and services);
- to ensure safety of products, (processes and services) for life, health of people, property, environment;
- to eliminate technical barriers in trade, provide competitiveness of products at domestic and foreign markets;
- to provide technical and informational compatibility and interchangeability of products;
- to provide singularity of measurement;
- to save and use rationally all types of resources;
- to ensure defence as well as mobilization capacity of the country;
- to provide safety of economic entities with consideration of the risk of occurrence of natural and technogenic catastrophes and other emergency situations;
- to protect consumers' interests in issues related to quality of products (processes and services).

Article 5. Objects of Standardization

Objects of standardization and certification shall be as follows: products, processes, services, which have the prospective for multiple retrieval and (or) use..

Article 6. Management of Works on Standardization

The management of works on standardization and certification shall be performed by the state body on standardization, metrology and certification.

The State body on standardization, metrology and certification shall:

- formulate and implement state policy in the area of standardization;
- coordinate the activity of central and local executive bodies and legal entities and physical persons in this area;
- participate in works on intergovernmental and international (regional) standardization;
- organize state supervision over observance of mandatory requirements of normative documents on standardization;
- establish state standardization system;
- organize professional training and re-training of personnel in the area of standardization;
- establish procedure for application of international, regional, national standards, rules, norms and recommendations on standardization;
- interact with legal entities and physical persons, technical committees on standardization.

The State Body on standardization, metrology and certification shall establish general organizational and technical procedures in state standards, rules and recommendations of the state standardization system to carry out works on standardization, as well as the forms

and methods of interacting of economy subjects, legal entities and physical persons between themselves and the state management bodies.

The State management bodies of Republic of Kazakhstan shall participate in works on standardization within the limit of their competence.

Legal entities and physical persons shall organize and perform their activity on standardization in accordance with the provisions of the this Law, other legislative acts of Republic of Kazakhstan, which regulate the relations in the area of standardization, and within their competence, create relevant subdivisions (services) on standardization, including technical committees on standardization to perform these works.

Article 7. International Cooperation in the Area of Standardization

The State body on Standardization, Metrology and Certification shall represent the Republic of Kazakhstan in international (regional) organizations on standardization within the limit of its competence..

CHAPTER II. State System of Standardization

Article 8 . State System of Standardization

The State system of standardization shall ensure implementation of a single scientific-technical policy in the area of standardization, establish basic provisions and rules of standardization, principles and structure of the system, requirements to normative documents to be applied in the territory of RK, as well as procedures for their development, coordination, approval, registration, and the procedure for performing state supervision over compliance with obligatory requirements of normative documents on standardization.

The state system of standardization of RK shall be open for other interested countries for membership.

The Organizational structure of State system of standardization shall be formed of:

- the State Body on Standardization, Metrology and Certification and its subordinate subdivisions;
- other central and local executive bodies of Republic of Kazakhstan within the limit of their competency in the area of standardization;
- legal entities and natural persons, including technical committees on standardization working in the area of standardization.

Article 9 . Normative Documents on Standardization, and Requirements to Them

1. The following shall be referred to as the current normative documents on standardization in the State system of standardization of the RK:

- 1) state standards of the Republic of Kazakhstan -ST RK (hereinafter - state standards);
- 2) state classifiers of the technical and economic information (hereinafter - state classifiers TEI)
- 3) intergovernmental standards- GOST, classifiers TEI,norms and recommendations;
- 4) international (regional and national standards) as well as norms, rules, instructions, regulations, methodological instructions, recommendations on standardization which are applied pursuant to the established procedure;

- 5) standards of scientific and technical, engineering societies and other public associations;
 - 6) norms, recommendations;
 - 7) firm standards;
 - 8) technical conditions;
2. Requirements, which are being established by the normative documents on standardization shall be based on modern achievements of standards science, engineering and technology, the requirements of international (regional), rules, norms and recommendations on standardization, national standards of foreign countries, taking into the account the conditions of utilization of products, performance of processes and services, and labor regimes and conditions shall not contradict the technical regulations used in the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan.

In drafting normative documents, both international technical regulations and standards or their final drafts shall be applied as a basis for development of the normative documents of the Republic of Kazakhstan, except for the cases when they do not meet the requirements applied in terms of safety for life and health of people, environment and technical standards used in the Republic of Kazakhstan.

Where at the stage of development of the draft of a normative document, international standards are not available, annotation (information) thereto shall be published in the mass media and specialized editions of the State Body on Standardization, Metrology and Certification for the purposes of discussions thereof by the interested state management bodies, as well as legal entities and physical persons. The procedure for consideration thereof and terms for commenting and preparation of proposals on the drafts normative documents shall be established by the state system of standardization.

3. Normative documents on standardization for products (services), subject to obligatory certification, shall contain requirements according to which obligatory certification is to be performed, methods of control over compliance with these requirements, rules of marking and packing of the products, requirements to information on certification included into the accompanying documentation.
4. Normative documents on standardization shall not be a technical barrier in production and in trade with other countries.

Indicators of intent and technical compatibility of concrete types and groups of products shall be established while development (designing) and setting up of production in accordance with current norms and the requirements, adopted within the territory of the republic, unless otherwise is provided by an agreement (contract) on delivery thereof.

4. Normative documents on standardization, amendments thereof as well as decisions on their cancellation shall be subject to approval and mandatory registration with the State Register of the Standardization System by the State Body on Standardization or its subordinate organizations.

Normative documents on standardization that have not been approved and registered with the State Standardization System pursuant to the statutory procedure shall be invalid and shall not be subject to application.

Registration of normative documents shall be annulled pursuant to the established procedure, if the norms and the requirements thereof either does not apply within the territory of the republic or if the rules of international trade are changed.

5. State standards and TEI classifiers, as well as normative documents, approved by state bodies in accordance with their competence shall not be copyrightable subject matter.

Article 10. State Standards, State Classifiers of Technical and Economic Information (TEI) .

6. State standards shall be developed for products (processes and services) norms and requirements of organizational and general technical character, which have interindustrial significance and prospects of multiple reproduction and/or use and shall not contradict the legislation of REPUBLIC OF KAZAKHSTAN, requirements of international and intergovernmental standards used in the Republic of Kazakhstan.
7. The requirements to the content of the state standards, their scope areas of their application, and dates of enactment shall be established by the State body of standardization, metrology and certification.
3. The requirements, established by the state standards to provide safety of products (processes and services) to life, health, property, environment, as well as the requirements in order to ensure technical and information compatibility, interchangeability of products, singularity of control methods and singularity marking as well as another requirements, being established by the legislation of the Republic of Kazakhstan of the republic shall be mandatory for observation by state management bodies, legal entities and physical persons despite of the forms of ownership.

Compliance of products (processes and services) with the mandatory requirements of state standards shall be determined pursuant to the procedure, established by the current legislation of the Republic of Kazakhstan.

Other requirements of the state standards with respect to products (processes and services) shall be subject to obligatory observance by legal entities and natural persons in accordance with an agreement or technical documentation of a manufacturer (supplier) of products, or a performer of processes or services.

Compliance of products (processes, services) with these requirements may be confirmed by a manufacturer's declaration or a third party.

4. State standards of the RK and state technical and economic information classifiers (TEI) shall be developed by the state management bodies, interested legal entities and technical committees on standardization pursuant to the procedure, established by the State Body on Standardization, Metrology and Certification.
5. Basic state standards of organizational-methodical nature shall be developed either by the State Body on Standardization, Metrology and Certification or upon the request thereof by State Management Bodies of the RK.
6. Representatives of drafters, manufacturers, consumers of products, scientific-&-technical and engineering societies, consumers' societies, as well as leading scientists and specialists of the state body on standardization, metrology and certification and its subdivisions, leading scientists and specialists shall be attracted for the development of state standards and state TEI classifiers.

7. Procedure for development, review, approval, state registration, effectiveness, use of the state standards and state classifiers TEI shall be established by the State body on standardization, metrology and certification.
8. State standards and state classifiers TEI, not registered with the State Register of the State System of Standardization shall not be applicable.

Article 11. Standards of scientific and technical, and engineer societies and other public associations (organizations).

1. Standards of scientific and technical, and engineer societies and other public associations(organizations) shall be developed and applied in order to promote dynamically the knowledge and results of fundamental researches and developments, which have been obtained.
2. Standards of scientific and technical, and engineer societies and other public associations shall not violate the mandatory requirements of state standards.
3. Standards of scientific and technical, and engineer societies and other public associations shall be approved and registered pursuant to the procedure, established by the Body on Standardization, Metrology and Certification.

Article 12. Recommendations

1. Recommendations shall regulate the procedure for organization and implementation of any type of activity and contain the provisions with advises or instructions in the area of standardization, metrology and certification
2. Requirements to formulation, content and the manner of setting forth the rules and recommendations on standardization as well as procedure for their development, approval, registration and application shall be established by the State Body on Standardization, Metrology and Certification.
3. Recommendations, which have not been registered with the State Register of Standardization System shall not be applied.

Article 13 . Firm standards

1. Firm standards may be developed and approved by legal entities and physical persons with respect to the objects, established in Article 5 of this Law.
2. Procedure for development, approval and introduction in the force as well as cancellation of firm standards shall be established by a drafter independently.
3. Firm standards shall not contradict the mandatory requirement of standards and technical regulations, adopted in the Republic of Kazakhstan.
4. Legal entities and physical persons that have approved such standards shall be held liable for non-observation of the established requirements.
5. Firm standards for the products (services) shall be subject to the registration in accordance with the requirements of the state standardization system within one month after approval thereof.

Article 14 . Technical conditions

1. Technical conditions shall establish the requirements to concrete products (models, marks, appellations).
2. Requirements of technical conditions shall not contradict technical regulations and mandatory requirements of standards and, adopted in the RK.

3. Technical conditions shall be developed and approved by legal entities and physical persons.
4. Technical conditions, amendments to them, as well as decisions regarding their cancellation shall be subject to mandatory registration with the State Register by the State Body on Standardization, Metrology and Certification or its subordinate subdivisions.
5. Technical conditions and amendments to them, which have not been registered with the State Register of State Standardization System shall be void.
6. Procedure for development, coordination, approval and registration of technical conditions shall be established by the State Body on Standardization, Metrology and Certification.

Article 15 Application of Normative Documents

1. Development, manufacture, realization (supply, sale), use (exploitation), storage, transportation and utilization of the product, implementation of work and rendering of services without normative documents established by the present Law, and with violations of the mandatory requirements of normative documents shall be prohibited.

Application of a state and intergovernmental standard, which contains recommended requirements shall become mandatory, if there are references to thereof in technical regulations, applied in the republic and which contain the requirements, norms and rules of technical character.

The following shall be referred to technical regulations:

- normative acts adopted in accordance with TBT Agreement of the World Trade Organization (WTO);
- norms and rules, established by State Management Bodies in accordance with this Law;
- state and intergovernmental standards in the part of the mandatory requirements, contained in them, which are authorized to establish mandatory requirements (construction, sanitary and veterinary norms and procedures, as well as pharmacopoeia articles, norms and rules for fire safety and emergency situations, mining supervision, nuclear, environmental and radioactive safety, traffic safety and safety while transportation by all kinds of moto vehicle etc), as well as intergovernmental and state standards in the part of mandatory requirements.

Procedure for development, co-ordination, approval, review, cancellation and application of technical regulations shall be established by the body, which approved thereof.

2. Normative documents on standardization shall be applied by the state management bodies, legal entities or physical persons at the stages of development, preparation of products for production processes, as well as at the stage of its' manufacturing and realization (supply, sales), use (exploitation), transportation and utilization, while performing works and rendering services.

A Client and contractor shall be obliged to incorporate in an agreement a provision regarding a compliance of products, provided works and services to the mandatory requirements of state standards.

The Contract (Agreement) shall define necessity for application of normative documents on standardization with respect to products (services), manufactured (rendered) within the territory of the republic with the purpose of its' export, except for the cases, determined by the legislation of the republic.

Interstate standards normative document,(standards, norms, rules and recommendations etc.) shall be applied in accordance with the procedures, adopted by intergovernmental body on standardization, metrology and certification (MGS), where the RK is a member thereof. Intergovernmental normative documents shall be introduced into force by a resolution of the State Body on Standardization, Metrology and Certification.

3. Legal entities and natural persons shall be granted with a right to directly apply international, regional and national standards, as well as technical regulations of foreign countries in the procedure established by the State body on standardization, metrology and certification.

Products (processes, services) which are being exported and manufactured (performed, rendered) in the RK in accordance with documentation of foreign firms and the terms and conditions of contracts with foreign firms shall not have lower indices in terms of the mandatory requirements of the Republic of Kazakhstan for similar products with regard to safety requirements for life, health, property of citizens and environment

Confirmation of conformity of the products(processes, services), being imported to the mandatory requirements shall be carried out pursuant to the procedure, established by the current legislation.

Article 16 . Planning of Works on Standardization.

1. The State Body on Standardization, Metrology and Certification shall perform an organizational and methodological guidance by way of planning standardization works in the republic.
2. Procedure and forms for planing the works on intergovernmental standardization shall be performed in accordance with standards and rules of intergovernmental standardization.
3. Programs of the state standardization shall be developed on the basis of proposals of central and local executive bodies, legal entities of Republic of Kazakhstan, and shall be approved by the State Body of Standardization, Metrology and Certification.
4. When planning the works on standardization, the priority directions of development of economy branches shall be taken into account.

CHAPTER III. Information On Normative Documents

Article 17 . Information on Normative Documents

1. Official information on state standards, intergovernmental standards, that are being developed and adopted, state TEI classifiers, technical regulations, as well as technical and scientific standards, standards of engineering societies and other public associations, rules and recommendations on standardization, other normative documents regulating mandatory norms and requirements, and the documents shall be accessible for users, including foreign ones, in part where they do not represent a state secret or any other secret protected by law.
2. The State Body on Standardization, Metrology and Certification shall:
 - 1) organize publication of official information on state standards and intergovernmental standards, TEI classifiers, international (regional) standards, rules, norms and recommendations on standardization, national standards of other states, and information on

- international treaties in the field of standardization, metrology and certification, and rules of application thereof as well as the programs on development of standards;
- 2) organize and coordinate the work of the State Fund of Standards of the Republic of Kazakhstan; maintain a single information-bibliographic data base of the state standards and intergovernmental standards and TEI classifiers, and international (regional) standards, technical regulations rules, norms, recommendations on standardization, national standards of foreign countries.
 3. The State body on standardization, metrology and certification, the state executive bodies and state enterprises appropriately authorized thereby shall carry out works on processing of the information and issuing of normative documents, catalogues and shall provide users with them on the contractual basis.
 4. State information center on standards shall be established in the system of the State Body on Standardization, Metrology and Certification for interacting with WTO Secretariat and countries-WTO members in terms of providing notifications, relevant documentation and information related to standards and certification procedures pursuant to the procedure established by the WTO.
 5. State administration bodies, which within their competence, who approved technical regulations normative documents on standardization, as well as legal entities and physical persons, who approved the normative documents on standardization shall form and maintain information funds of these documents and shall provide users with the information therein and with the documents itself pursuant to the established procedure.
- Official information on approval and one copy of each document shall be forwarded to the state body on standardization, metrology and certification for formation of a single information-bibliographic data base.
6. The exclusive right to official publication of the intergovernmental and national standards of foreign countries, state standards and standards of scientific and engineering societies and another public associations shall be enjoyed by the state Body on Standardization, Metrology and Certification.

Official publication of the adopted normative documents on standardization shall be carried out pursuant to the procedure, established by the state standardization system.

CHAPTER IV. State Supervision over Observance of Mandatory Requirements of Normative Documents

Article 18 . State Supervision over Observation of Mandatory Requirements of Normative Documents in the Area of Standardization

1. State supervision over observation of mandatory requirements of normative documents with the purpose of protecting the interests of the state and consumers' rights in regard to the quality of products, their safety for life and health of humans, environment, compatibility and interchangeability shall be conducted by the State Body on Standardization, Metrology and Certification and its subdivisions.
2. State supervision over observance of mandatory requirements in the area of standardization shall be carried out with respect to legal entities and natural persons which are involved in entrepreneurial activity in the territory of the Republic of Kazakhstan, including foreign companies, at the stage of development, preparation of products for production, their

manufacture, realization (supply, sale), use (exploitation), storage, transportation and utilization, and when performing work and rendering services.

3. State supervision in the area of standardization shall be performed in directions providing for the following:
 - control over observation of mandatory requirements of normative documents, specified by the current legislation, including international, interstate standards (regional and national) industry and firm standards of foreign countries applicable in the Republic of Kazakhstan;
 - control over availability of certificates of compliance for the products (services) subject to mandatory certification.
4. Planned control over compliance with mandatory requirements at enterprises-manufacturers of products (processes, services) shall be conducted not more frequent than once in a year.

Planned checks of small business subjects, which staff enumerates not more than 10 people, shall be performed not more frequently than once in 3 years.

5. If concrete complaints and reclamation from consumers have been filed in terms of unsatisfactory quality of products (processes, services) or as requested by the authorized bodies or officials, then unplanned inspection checks can be carried out.
6. Procedure for implementation of the state supervision over compliance with mandatory requirements of normative documents in the area of standardization shall be established by the State Body on Standardization, Metrology and Certification in accordance with the legislation of the Republic of Kazakhstan.

Article 19 . Officials, Carrying out State Supervision over Observation of Mandatory Requirements of Normative Documents

1. Officials carrying state supervision over observation of the mandatory requirements of the normative documents are as follows:
 - 1) Chief state inspector of the RK on supervision over the observation of the mandatory requirements of the normative documents in the area of standardization and measuring instruments - the first Leader of the state body on standardization, metrology and certification;
 - 2) Deputy Chief state inspector - Deputy of the First Leader of the State Body on Standardization, Metrology and Certification;
 - 3) Chief state inspectors of oblast and cities on supervision over the observation of the mandatory requirements of the normative documents in the area of standardization and measuring instruments- leaders of territorial subdivisions under the state body on standardization, metrology and certifications;
 - 4) State inspectors on supervision over observing the mandatory requirements of the normative documents and measuring instruments - Heads of the departments, specialists of all levels of the subdivisions under the state body on standardization, metrology and certification.

2. Officials, who carry out state supervision over the observation of the mandatory requirement of the normative documents shall be certified pursuant to the procedure, established by the State Body on Standardization, Metrology and Certification.

Article 20 . Responsibilities of Officials, Carrying out State Supervision over Observation of Mandatory Requirements of the Normative Documents in the Area of Standardization

Officials, carrying out state supervision over observance of the mandatory requirements of the normative documents shall be obligated to :

- 1) be guided in their activity by the current legislation of the RK;
- 2) prepare acts of checks pursuant to the form, established by the state body on standardization, metrology and certification, that has a legal force and shall be a basis for application of legal measures;
- 3) ensure objectivity of the results of inspections;
- 4) reveal and analyze the reasons of violation of the requirements of the normative documents;
- 5) undertake legal measures on suppression and eradication of sales of products, which do not comply with the mandatory requirements of normative documents in accordance with the current legislation upon submission of statements from consumers;
- 6) issue different types of instructions on the results of state supervision, in accordance with Article 24 of this Law and other current legislative acts.

Article 21. Rights of Officials, Carrying out Inspection and State Supervision over Observation of Mandatory Requirements of Normative Documents in the Area of Standardization

Officials, who carry out state supervision over observing the mandatory requirements of the normative documents shall the right to :

- 1) freely inspect objects in order to perform the imposed duties and functions determined in accordance with this Law to carry out state supervision, where the identification cards (credentials) are available for performance thereof;
- 2) obtain necessary documents and information from physical persons and legal entities to carry out control and supervision;
- 3) use technical means and attract specialists of objects subject to control;
- 4) sample and select samples of products in accordance with current normative documents to check their compliance with the mandatory requirements of normative documents, and costs of such samples and testing (analysis, measuring) shall accrue to the production costs of inspected objects;
- 5) participate in work of commissions on destruction of products and goods which have been recognized as unsuitable for sale and utilization pursuant to the procedure, established by the Government of the RK;

- 6) issue mandatory instructions (orders) on observation of the requirements in the area of standardization to all legal entities and physical persons despite of the form of the ownership;
- 7) apply other statutory remedies in respect of violators of the legislation in the area of standardization, metrology and certification.

Article 22. Guarantees for Activity of Officials, Carrying out State Supervision over Observation of Mandatory Requirements of Normative Documents in the Area of Standardization

Officials, who implement state control and supervision over observation of mandatory requirements of the normative documents in the area of standardization shall be representatives of the state power and shall be protected by the state.

CHAPTER 5. LIABILITY FOR VIOLATION OF THE LEGISLATION ON STANDARDIZATION

Article 23 . Liability of Legal Entities and Physical Persons for Violations of the Legislation on Standardization,

Legal entities and physical persons who engage in entrepreneurial activity without forming a legal entity, shall be held either disciplinarily, materially, administratively, or criminally liable for the violation of the legislation on standardization

Article 24 . Types of Instructions to be Issued Based on Results of State Supervision

1. With the purpose of undertaking concrete legal measures on the results of inspections and state control, and depending on a violation of the requirements of the normative documents, which has been revealed either by the state Body on Standardization, Metrology and Certification and or its subdivisions, the following types of orders shall be issued:
 - 1) on eradication of revealed violations of the requirements of the normative documents;
 - 2) on prohibition of realization (supply, sale), use (exploitation) of the inspected products, as well as performing the works and rendering the services in the cases when: products (works, services) are not in the compliance with the mandatory requirements of the normative documents; normative documentation, registered pursuant to the established procedure is not available; certificates of conformity on products (services) subject to mandatory certification are not available; products have been marked with the Marks of compliance without appropriate authorization;
 - 3) on suspension of manufacturing of products (processes, services), where the fact of violation of the mandatory requirements of the normative documents has been revealed and in cases when there are no necessary production capacities to manufacture the products of appropriate quality.
 - 4) on suspension or annulment of a certificate or the license, the right to apply the Mark of compliance in cases of sales of products, which do not comply with a certificate of conformity; determination of violation of the procedure and rules of certification, as well as forgery of a certificate of compliance.

2. State inspectors, carrying out state supervision, shall have the right to sign orders, specified in sub-points 1 and 2 of point 1 of this Article to be issued with respect to separate inspected lots of products (processes, services) .

Chief inspectors shall be entitled to sign orders, specified in point 2 to be issued with respect to all products (processes and services) of one appellation, as well as orders of sub-points 3 and 4.

Article 25. Orders Issued by Officials, Implementing Supervision over Mandatory Requirements of Normative Documents in the Area of Standardization Subject to Mandatory observation

Orders issued by officials, implementing supervision over observance of mandatory requirements of normative documents in the area of standardization as well as quality of products and stipulated by Article 24 of this Law shall be subject to mandatory performance by all legal entities and physical persons.

CHAPTER VI. SETTLEMENTS OF DISPUTES

Article 26 . Settling of Disputes with Respect to Violations of the Provisions of this Law.

Disputes in part of violations of the provisions of this Law shall be settled pursuant to the procedure established by the Legislation of the Republic of Kazakhstan.

Article 27 . Appeal against Actions of Officials

Actions of officials of the State Body on Standardization, Metrology and Certification and its' subordinate subdivisions can be appealed pursuant to the procedure of seniority.

Such appeal shall not suspend implementation of adopted instructions.

CHAPTER VII. Financing of Works on Standardization

Article 28 . Financing of Works on State Standardization, State Control and Supervision

1. The following shall be financed out of the state budget:

- 1) costs for maintenance of the State Body on Standardization, Metrology and Certification;
- 2) carrying out of state supervision over compliance with mandatory requirements of normative documents in the area of standardization;
- 3) programs of the Government of the RK in the area of Standardization, Metrology and Certification;
- 4) membership fees for participation of the RK in international (regional) and interstate organizations on standardization within the quotas set by Charters and Regulations of these organizations;

2. Works in the system of standardization provided by the present Law and not specified in clause 1 of the present Article, shall be financed on the basis of economic agreement or out of another sources not prohibited by the legislation.

THE PRESIDENT OF THE Republic of Kazakhstan

Astana

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