

Approved by  
the Resolution of the Government  
of the Republic of Kazakhstan

No. 1237 of November 26<sup>th</sup>, 2004

**STATUTE**  
**of the Committee on Technical Regulating and Metrology**  
**of the Ministry of Industry and Trade of the Republic of Kazakhstan**

**1. General provisions**

1. The Committee on Technical Regulating and Metrology of the Ministry of Industry and Trade of the Republic of Kazakhstan (hereinafter referred to as the Committee) is an institution functioning within the power of the Ministry of industry and trade of the Republic of Kazakhstan and in accordance with the legislation of the Republic of Kazakhstan. Its functions include provision of governmental services, special executive and supervision functions, and intersectoral co-ordination of activities in the field of technical regulating and metrology. The Committee has state institutions: territorial subdivisions in oblasts and in the cities of Astana and Almaty (hereinafter, the territorial subdivisions).

2. The Committee carries out its activity in accordance with the Constitution and laws of the Republic of Kazakhstan, acts of the President and the Government of the Republic of Kazakhstan, international treaties of Kazakhstan, other statutory legal acts, as well as the present Statute.

3. The Committee is a legal entity with the organisational legal form of a state institution, it has seals and stamps with its own name in the official language, official letterheads, as well as, according to the legislation, accounts in the Treasury Committee of the Ministry of Finance of the Republic of Kazakhstan.

The Committee participates in civil and legal relations on its own behalf.

The Committee has the right to be a participant in civil-legal relations on behalf of the state whenever duly authorised to be so under the laws.

4. The Government of the Republic of Kazakhstan approves the limit of the Committee's staff number.

5. The legal address of the Committee: "Transport Tower" building, Kabanbay batyr Ave., Astana City, 473000.

6. The Committee's full name: state institution "Committee on Technical Regulating and Metrology of the Ministry of Industry and Trade of the Republic of Kazakhstan'.

The short name - Gosstandard.

7. The present Statute makes the constituent document of the Committee.

8. The Committee's activity shall be financed on the account of the national budget.

The Committee is prohibited from making agreements with business entities on execution of duties being its functions.

When legal acts permit the Committee to carry out a for-profit activity, the income generated due to such activity shall be transferred to the national budget revenues.

## **2. Mission of the Committee**

9. The Committee's mission is to implement the governmental policy and control and supervision authorities in technical regulating and metrology area.

## **3. Main Tasks of the Committee**

10. The main tasks of the Committee are:

1) ensuring safety of products, services, and processes for the human life and health and for the environment, including flora and fauna, and for the national security;

2) prevention of actions misleading the consumer as regards the safety of a product, service;

3) eliminating technical barriers in trade;

4) protecting interests of citizens and economy of the Republic of Kazakhstan against the consequences of inadequate outcomes of measurements ;

5) ensuring the reliability of measurements in fundamental researches and scientific developments;

6) ensuring the reliability of measurements in diagnosing and treatment of diseases, controlling the safety of work and life conditions for people, ensuring the safety of traffic and protection of the environment.

## **4. Functions of the Committee**

11. Based on the assigned tasks the Committee, in accordance with the legislation, fulfils the following:

executive functions:

1) intersectoral management and co-ordination of activity of state bodies, natural and legal persons in the field of technical regulating and metrology;

2) organisation of standards development in the field of technical regulating, harmonised with the statutory legal acts on technical regulating;

3) examination of drafts of state, intersectoral, inter-state scientific-technical and innovation programmes in the field of technical regulating and metrology;

- 4) organisation of keeping the register of state systems of technical regulating and ensuring unity of measurements;
- 5) ensuring reliable accounting of all kinds of material and energy resources;
- 6) licensing the activity of natural and legal persons;
- 7) representing the Republic of Kazakhstan in international and regional organisations in the field of technical regulating and metrology;
- 8) ensuring the functioning of the information centre on technical barriers in trade, sanitary and phytosanitary measures;
- 9) organisation of scientific researches in the field of standardisation, metrology and quality management;
- 10) organisation of approval of translations of statutory documentation on standardisation and metrology into the official (Kazakh) and Russian languages;
- 11) organisation of works on elaboration, publishing and keeping the state cadaster of civil and service weapon and it's ammunition;
- 12) organisation and co-ordination of work on forming and keeping the state fund of statutory legal acts in the field of technical regulating, statutory documents on standardisation and metrology, inter-state, regional, international and national standards of other countries;
- 13) organisation of publishing, re-publishing and distribution of state standards of the Republic of Kazakhstan, inter-state standards, as well as rules and recommendations of international organisations on standardisation, metrology, and accreditation;
- 14) organisation of publishing the information guides with data on the registered statutory documents on standardisation for products and measurement instruments available, on changes of requirements of statutory documents on standardisation and metrology as well as harmonised state standards;
- 15) creation of technical committees on standardisation upon proposals of governmental bodies, natural and legal persons;
- 16) accreditation of legal entities for the right to carry out works on conformity recognition and certification tests, accreditation of legal entities' metrology services for the right to test and make calibration of measurement instruments, attestation of measurement methods;
- 17) carrying out works on recognition of technical competence for the right to make primary tests;
- 18) attestation of specialists as expert-auditors on conformity recognition, standardisation, accreditation, and metrology;
- 19) organisation of works on interlaboratory comparative tests (collatings);

control and supervision functions:

20) state control of activity of accredited certification institutions, measurement and testing laboratories (centres);

21) state metrology supervision of:

- production, condition and use of measurement instruments, application of methods of measurement implementation, standards of measurement units, and observation of metrology rules and norms;
- quantity of goods alienated during commercial transactions;
- quantity of packed goods during packing, sales and importation;

22) state control of the activity of legal and natural persons having licenses for production and repair of measurement instruments.

## **5. Rights of the Committee**

12. To implement the main tasks and fulfil the functions assigned, the Committee has the right to:

1) carry out organisational methodical management and co-ordination of the activity of central and local executive bodies and other organisations with the purpose to ensure functioning of the state system of technical regulating and ensuring the unity of measurement;

2) represent the Republic of Kazakhstan in international and regional organisations in the field of technical regulating and metrology;

3) elaborate statutory acts;

4) obtain from natural and legal persons documents and information necessary for the fulfilment of state control in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

5) visit organisations, irrespective of their form of ownership, and carry out inspection of business entities engaged in entrepreneurial activity, while fulfilling the state control and supervision over the safety and quality of products, condition and application of measurement instruments, as well as state control of the activity of bodies dealing with recognition confirmation and test laboratories (centres);

6) in case if a finished product is found out to fail to comply with the statutory legal acts in the field of technical regulating, organise examination of the unconformity causes at any phase of the product life cycle;

7) make decisions on application of legally determined enforcement measures toward natural and legal persons having the established facts of violation of requirement of the statutory legal acts in the field of technical regulating and/or statutory documents on standardisation and metrology;

8) issue orders on elimination of violation of requirements set by statutory legal acts in the field of technical regulating, or prohibition of sales of products, services, within the period of time determined taking into account the character of violation, in the following cases:

- products or services do not comply with the requirements established by statutory legal acts on technical regulating;

- absence of conformity certificates (their copies), declarations of conformity (their copies) for the products, services subject to compulsory conformity recognition;

- a product or a service is marked with a conformity mark without the right for such a marking;

9) take part in the work of commissions on disposal of products and goods qualified as nonmarketable and unsuitable for consumption;

10) to call to account persons selling products, services not complying with the requirements set forth by statutory legal acts on technical regulating, in accordance with the legislation of the Republic of Kazakhstan;

11) involve specialists from other state bodies and organisations as well as foreign and local experts in joint work in the field of technical regulating and metrology;

12) issue certificates of approval of the types of measurement tools, certificates of goods origin;

13) interact with natural and legal persons, boards of experts on technical regulating under the state bodies and technical committees on standardisation;

14) according to the resolutions of the Government of the Republic of Kazakhstan, to act as an institution of public administration for the republican state enterprises, and own and use the state share in legal entities;

15) to organise seminars, workshops, conferences, exhibitions and other activities on issues within the Committee's competence.

## **6. Property of the Committee**

13. The Committee has an isolated property with the right of operative management.

The property of the Committee is formed on the account of the property transferred to it by the state, as well as other assets the value of which is reflected in the Committee's balance.

14. The Committee's property is the national property.

15. The Committee has no discretion to alienate or otherwise dispose the assigned property and assets, purchased on the account of funds allocated within the budget, until otherwise established by the legal act.

## **7. Organisation of the Committee's activity**

16. The Committee is headed by the chairman, appointed to the position and released from the position by the Government of the Republic of Kazakhstan upon the proposal of the Ministry of Industry and Trade of the Republic of Kazakhstan.

17. The chairman has deputies, appointed to the positions and released from the positions in accordance with the procedure established by the law; the Government of the Republic of Kazakhstan determines the number of deputy chairmen.

18. The chairman according to his position is the Chief State Inspector of the Republic of Kazakhstan on supervision over the observance of compulsory requirements set forth by statutory legal acts and/or statutory documents on standardisation and metrology.

The deputy chairmen according to their position are the Deputy Chief State Inspectors on supervision over the observance of compulsory requirements set forth by statutory legal acts and/or statutory documents on standardisation and metrology.

Heads of territorial subdivisions of the Committee are Chief State Inspectors of corresponding oblasts, cities of Astana and Almaty, on supervision over the observance of compulsory requirements set forth by statutory legal acts and/or statutory documents on standardisation and metrology.

19. The chairman organises and manages the work of the Committee and takes personal responsibility for the execution of the tasks and functions assigned to the Committee.

20. For this purpose the chairman shall:

1) determine the duties and powers of deputy chairmen and heads of structural subdivisions of the Committee;

2) appoint to and release from the positions the employees of the Committee, heads of territorial subdivisions and dependent organisations, in accordance with the legislation;

3) encourage and discipline the Committee's employees, heads of territorial subdivisions and dependent organisations, in accordance with the procedure established by the legislation;

4) sign orders;

5) approve regulations for structural and territorial subdivisions of the Committee;

6) represent the Committee in governmental bodies and other organisations;

7) co-ordinate and control activity of structural and territorial subdivisions and dependent organisations.

21. The decisions made by the Committee shall be arranged as the chairman's orders.

## **8. Reorganisation and Liquidation of the Committee**

22. Reorganisation and liquidation of the Committee shall be carried out in accordance with the legislation of the Republic of Kazakhstan.