

LAW OF UKRAINE

On Amendments to the Law of Ukraine "On Standards, Technical Regulations and Conformity Assessment Procedures"

The Supreme Rada of Ukraine hereby r e s o l v e s:

To amend the Law of Ukraine “On Standards, Technical Regulations and Conformity Assessment Procedures” (as restated by the Law of Ukraine of 1 December 2005 under No. 2809-IV) as follows:

1. In Article 5:

To restate Part 2 as follows:

“National standards, technical regulations and conformity assessment procedures shall be developed on the basis of:

International standards if they are accepted or are in the final stage of being developed, except for cases when they are ineffective or inappropriate due to the insufficient level of protection or basic climatic and geographical conditions, technological problems or specifics of the country, conditions and essential technological problems;

Regional standards, only in the event that the international standards may not be used due to the reasons described in the preceding paragraph;

Standards, technical regulations and conformity assessment procedures or relevant parts thereof belonging to the countries, which are members of relevant international or regional organizations or with which Ukraine has concluded relevant international agreements (agreements for mutual recognition, development and application of standards, technical regulations and conformity assessment procedures); or

Scientific achievements, knowledge and practice.”

2. In Article 8:

To restate Part 2 as follows:

“Proposals as to developing a national standard shall be considered by an applicable technical committee, taking into account the standardization priorities. In approving a decision on the proposal as to developing the national standard, the applicable technical committee must take into consideration the effective international or regional standards or standards as are in the final stage of being developed, as well as specifics of the

country, relevant information, geographic and climatic characteristics of the country and the level of its economic development. In such case, preference in use should be granted to an effective intentional standard or *to an international standard that is in the final stage of being developed. Other standards, except for international standards, may be used only in the event that using an international standard or a part thereof would be ineffective or unsuitable due to such reasons as, inter alia, needs of national security; prevention of fraudulent actions; protection of human, animal or plant life and health, as well as protection of the environment; essential climatic or other geographic factors; essential technological or infrastructural problems.*”

3. In Article 29:

To supplement this Article with the following Part 2:

In the event that relevant directives or recommendations, which have been issued by international bodies of standardization, are already in existence or their development is being completed, conformity assessment bodies must use them or their relevant parts as a basis for their conformity assessment procedures, except for cases when complying with such directives or recommendations would be ineffective or inappropriate due to such reasons as, *inter alia*, needs of national security; prevention of fraudulent actions; protection of human, animal or plant life and health, as well as protection of the environment; essential climatic or other geographic factors; essential technological or infrastructural problems, or due to specific features, conditions or the established system that are characteristic for Ukraine. In such cases, upon a request the conformity assessment bodies must provide an explanation why the international rules or recommendations are not used.

This Law shall enter into force as from the date of promulgation hereof.

31.05.2007
President of Ukraine
No 1107 - V

V. Yushchenko