

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

No. 1237 of November 26th, 2004

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

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I. 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 terre Min,Tw[1-.0001 Tw-1.4(ed blic lre7 ()92(7f Nc.33in,Tc)y. T Tw{and in accoCto)azakl

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 standa

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 nonconformity 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

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.