

EURASIAN ECONOMIC COMMISSION

COUNCIL

DECISION

20 June 2012

48

St. Petersburg

On Regulation on the Procedure for Development, Adoption, Amendment and Cancellation of Technical Regulation of the Customs Union

In accordance with Article 3 of the Treaty on the Eurasian Economic Commission of 18 November 2011 the Council of the Eurasian Economic Commission has decided:

1. To approve the Regulation on the Procedure for the Development, Adoption, Amendment and Cancellation of Technical Regulations of the Customs Union (attached).

2. To repeal:

- subparagraph 3 of paragraph 1 of the Decision of the Customs Union Commission 453 "On the draft documents in the field of technical regulating of the Customs Union" of 18 November 2010;

- paragraph 2 of the Decision of the Customs Union Commission 527 "On regulatory acts of the Commission of the Customs Union in the field of technical regulating" of 28 January, 2011;

- Decision of the Customs Union Commission 606 "On Amendments to the Regulation on the Procedure for the Development, Adoption, Amendment and Cancellation of Technical Regulations of the Customs Union" of 7 April 2011;

- Decision of the Customs Union Commission 752 "On Draft Amendments to the Regulation on the Procedure for the Development, Adoption, Amendment and Cancellation of Technical Regulations of the Customs Union of 16 August 2011."

3. The Collegium of the Eurasian Economic Commission shall bring the Regulation on the Procedure for Formation of Lists of International and Regional (interstate) Standards, and in Case of their Absence - the National (State) Standards, Ensuring Compliance with Technical Regulations of the Customs Union and Necessary for the Conduct Conformity Assessment (Confirmation), approved by the

Decision of the Customs Union Commission 629 of 7 April 2011, in compliance with paragraph 1 of this Decision, taking into account amendments, approved by the Decision of the Collegium of the Eurasian Economic Commission 57 of 31 May 2012.

4. The Decision shall enter into force after expiration of 30 days from the date of its official publication.

Members of the Council of the Eurasian Economic Commission:

|                              |    |                                 |    |                             |
|------------------------------|----|---------------------------------|----|-----------------------------|
| From the Republic of Belarus | of | From the Republic of Kazakhstan | of | From the Russian Federation |
|------------------------------|----|---------------------------------|----|-----------------------------|

S. Rumas

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I. Shuvalov

**Annex**  
**to the Decision of the Council**  
**of the Eurasian Economic Commission**  
**48 of 20 June 2012**

**Regulation on the Procedure for the Development, Adoption, Amendment and  
Cancellation of Technical Regulations of the Customs Union**

1. This Regulation is developed for implementation of the provisions of the Agreement on the Common Principles and



regulation, the list of international, regional and national (state) standards and requirements of other documents (regulati

documents), national technical regulations on the basis of which a draft technical regulation was developed;

- requirements that differ from the provisions of international and regional standards and mandatory requirements in force on the territories of the Parties with a brief rationale for their introduction;

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9. Comments and proposals (opinions) on the draft technical regulation and a set of documents thereto from interested persons of the Member States of the Customs Union and third countries are sent to the Commission.

The Commission shall ensure publication of the received comments and proposals (opinions) on the draft technical regulation and a set of documents thereto on the official website of the Commission upon receipt.

Comments and proposals (opinions) on the draft technical regulation and a set of documents thereto as they become available, but no later than 10 working days after completion of public discussion, are sent to the developer of the draft technical regulation for the preparation of opinion summary by the Commission.

At the conclusion of public discussion the developer of draft technical regulation shall prepare and send to the Commission a draft notification on completion of public discussion of draft technical regul

In revising the draft technical regulation and a set of documents thereto, the developer of draft technical regulation shall ensure a metrological examination of draft technical regulation and a set of documents thereto in authority in the field of ensuring the uniformity of measurement, in accordance with the requirements set



signing of the minutes, ensures finalizing the draft technical regulations and documents specified in Annex 4.

The Commission ensures transmission of the draft technical regulation with the documents specified in Annex 4 to the Parties to carry out domestic approval

The decision to amend the technical regulations is taken on the basis of proposals by Parties or the Commission in consultation with the Parties.

Amendments to the technical regulations are implemented in accordance with the same procedure as the procedure for the development of technical regulations.

The decision to abolish the technical regulations is taken on the basis of proposals by Parties or the Commission in consultation with the Parties.

Cancellation of technical regulations is implemented in accordance with the same procedure as the procedure for the development of technical regulations.

The Commission shall maintain the register of technical regulations. A symbol is assigned to each technical regulation, which consists of the abbreviation "TR CU", serial number and year of adoption.

The Commission ensures formation and storage of a file of technical regulations in the prescribed manner.

**NOTIFICATION on development  
of the draft technical regulation of the Customs Union**

|   |   |  |
|---|---|--|
| 1 | Party responsible for the development of the draft:   |  |
| 2 | Authority of the Party responsible for the development of the draft (the developer of technical regulations): |  |
|   | e of the draft:   |  |
| 4 | Object of technical regulations:  |  |

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**NOTIFICATION on completion of public discussion on draft technical regulations of the Customs Union**

|                |  |  |
|----------------|--|--|
| 1              | Party responsible for the development of the draft (the developer of technical regulations): |  |
| 2              | Authority of the Party responsible for the development of the draft:                         |  |
| 3              | Name of the draft:   |  |
| 4 <sup>1</sup> | Object of technical regulations:   |  |

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**Form of summary review (summary of comments and proposals) on the draft technical regulations of the Customs Union**

**SUMMARY REVIEW ON THE DRAFT OF TECHNICAL REGULATIONS OF THE CUSTOMS UNION**

Name of the draft technical regulation of the Customs Union

|   | Structural element of draft technical regulations | Name of organization that made a comment (letter number and date, if available) | Comment and (or) proposal | Conclusion of the developer of the technical regulation |
|---|---|---|---------------------------|---|
| 1 | 2   | 3   | 4                         | 5   |
|   | 1.  |   |                           |   |
|   | 2.  |   |                           |   |
|   | ...   |   |                           |   |

Guidelines for filling the summary of comments:

1. In column 2 article, paragraph, subparagraph, annex numbers shall be provided.

Summary of comments is compiled on the basis of the comments and proposals in the following sequence:

on the draft technical regulations of the Customs Union as a whole;

on articles, paragraphs, subparagraphs, annexes in the order of presentation of technical regulations of the Customs Union.

The name of the Member State of the Customs Union, as well as the name of the body, organization or other person of the Member State of the Customs Union or a third country which submitted comments and (or) proposals are pointed in the Column 3.

The contents of each comment or proposal are pointed in the Column 4. The same type of remarks shall be grouped together into a common position of summary of comments, listing all relevant bodies, organizations and individuals who submitted those comments or proposals.

Proposals of the developer of technical regulations of the Customs Union, for each given comments or proposals with justification, are pointed in the Column 5.

Suggestions on comments and proposals of interested persons shall be made appropriate with the following wording:

«Adopted» - if comments and (or) proposals are fully adopted.

«Partially adopted» - if comments and (or) proposals are not fully adopted. Justification for rejection of any comments or proposals, and the item number of the new version of the draft technical regulations of the Customs Union, taking into account comments and proposals on a previous version of the draft technical regulations of the Customs Union, shall be presented.

«Noted» - if the developer agrees with the comments and (or) the proposals, but they have no direct relationship to the draft technical regulations of the Customs Union.

«Declined» - if the comments and (or) the proposals are not accepted. Next, the justification of the rejection of comments and (or) proposals is spelled out.

## List of the documents for intrastate approval

1. Draft technical regulation.
2. Explanatory note to the draft technical regulation.
3. Summary review on the draft technical regulation.
4. Conclusion on the metrological examination results of draft technical regulation, or the conclusion that the metrological examination is not required.
5. Draft decision of the Collegium of the Commission on the draft technical regulation of the Customs Union.
6. Draft decision of the Collegium of the Commission on the procedure for entering into force of technical regulation of the Customs Union.
7. Draft decision of the Council of the Commission on adoption of technical regulation of the Customs Union.

