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 (St4 Tw[(intersta3mmis

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 From the Republic of From the Russian Belarus Kazakhstan Federation

S. Rumas . elimbetov 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 Rules of Technical Regulation in the Republic of Belarus, Republic of Kazakhstan and the Russian Federation of 18 November 2010 (hereinafter – the Agreement) in accordance with the Treaty on the Eurasian Economic Commission of 18 November 2011 and the Regulation of the Eurasian Economic Commission of 18 November 2011, and establishes a procedure for the development, adoption, amendment and cancellation of technical regulations of the Customs Union (hereinafter - the Procedure).

For the purposes of this Procedure, the Parties shall mean the Governments of the Member States of the Customs Union.

- 2. Participants of the procedures provided for by this Procedure are:
- Bodies on technical regulation competent national authorities of the Parties, exercising, and (or) coordinating the work on technical regulation;
 - Standardization bodies national bodies of the Parties on standardization;
- Bodies in the field of ensuring the uniformity of measurement the authorized bodies of the Parties in the field of ensuring the uniformity of measurement;
- The developers of drafts technical regulations authorities of the Parties (or) structural branches of the Eurasian Economic Commission (hereinafter the Commission) responsible for elaboration of technical regulations of the Customs Union;
- Bodies involved in the development bodies of the Parties involved in the development and harmonization of draft technical regulations of the Customs Union;
 - The Eurasian Economic Commission:

regulation, the list of international, regional and national (state) standards and requirements of other documents (regulations, directives and guidelines and other documents adopted by international organizations, and in case of their absence regional documents (regulations, directives, decisions, regulations and other documents), national technical regulations

- 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;
- information on the compliance of draft technical regulation with the requirements in the field of ensuring the uniformity of measurements;
- expected term of the introduction of the requirements provided by technical regulation.

The Commission within 5 working days from the date of receipt of materials specified in this paragraph shall send them to the Parties for consideration.

The Commission shall ensure the review of the first version of draft technical regulation and a set of documents thereto at the meeting of Advisory Committee on Technical Regulation, application of sanitary, veterinary and phytosanitary measures under the Collegium of the Eurasian Economic Commission (hereinafter - the Advisory Committee).

According to the results of consideration the Advisory Committee shall take a decision on the possibility, starting date and period of public discussion of draft technical regulation and a set of documents thereto, which is registered in the minutes.

If necessary, the developer of draft technical regulation within the period, established by the Advisory Committee shall complete the draft technical regulation and a set of documents thereto.

8. The Commission shall provide publication of the first version of the draft technical regulation and a set of documents thereto for public discussion on the official website of the Commission.

The period of public discussion of draft technical regulations and a set of documents thereto shall not be less than 60 days from the date of publication of notification on development of draft technical regulation on the official website of the Commission. The date of completion of public discussion is the date of publication of the notification on the completion of public discussion of draft technical regulation on the official website of the Commission.

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 forth by the Commission or provide conclusion that metrological expertise is required. Respond conclusions is formed as a result of metrological examination issued an opinion.

The developer of draft technical regulation also provides a technical editing of the draft technical regulation.

The developer of draft technical regulation shall send the finalized draft technical regulation with a set of documents thereto, minutes of the meeting of the Working Group on their consideration, as well as summary review to the Commission.

At the end of finalizing the draft technical regulation, the developer of the draft technical regulation with standardization bodies of the Parties shall proceed to develop the List of standards that are defined in pa

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

The Commission ensures transmition 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:			
	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:			

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 ¹	Object of technical regulations:	
5	Provisional date of completion of development of the draft:	

Date of the notification:

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¹ To be filled in casethe objects of the technical regulating were changed upon the results of the public discussion of the draft technical regulation.

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 elementName of organization of draft technicalthat made a comment regulations

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.