

Draft

Republic of Lithuania

Law on Standardisation

Chapter 1. General Provisions

Article 1. The Scope of Application and the Objective of the Law

1. This Law shall establish basic objectives and principles of national standardisation, the procedure for the drafting and application of the Lithuanian standards, the relation between the standards and technical regulations, basic provisions for the establishment of the Lithuanian Standards Association and the activities thereof, and sources of financing national standardisation.

2. The purpose of the Law shall be to create the conditions for the implementation of the objectives of national standardisation and to adhere to the essential principles of standardisation.

3. This law shall not apply to standardisation in enterprises and the military field.

Article 2. Main definitions

As used in this Law:

1. **“Standardisation”** means activity of establishing, with regard to actual or potential problems, provisions for common and repeated use, aimed at the achievement of the optimum degree of order in a certain field (industry, transport, agriculture, etc.).

2. **“National standardisation”** means standardisation on the specific state level.

3. **“Standard”** means a document drafted by consensus and approved by a recognised standards body, that provides, for common and repeated use, rules, guidelines or characteristics, aimed at the achievement of the optimum degree of order in a certain field:

1) international standard is a standard adopted by an international standards organisation and made available to the public;

2) regional standard is a standard adopted by a regional (European) standards organisation and made available to the public;

3) national standard is a standard adopted by a national standards body and made available to the public.

4. **“Standards Body”** means an institution recognised on the national, European or other regional, as well as international level the main function of which is the drafting and adoption of standards made available to the public.

5. **“National Standards Body”** means the only institution recognised on the national level possessing the right to be a member of a relevant international or regional (European) standards organisation.

6. **“Standards programme”** means a working plan of a standards body listing the types of activities performed by it the field of standardisation.

7. **“Technical regulation”** means a legal act that provides technical requirements, either directly or by referring to or incorporating the content of a standard, technical specification or code of practice.

8. **“Technical specification”** means a document that prescribes technical requirements to be fulfilled by a product, process or service.

9. **“Product”** means the result of activities or processes.

10. **“Process”** means a set of activities which transform (reprocess) inputs into outputs.

11. **“Service”** means the result of a supplier’s internal activities to meet the needs of a customer.

12. **“Code of practice”** means a document that recommends practices and procedures for the design, manufacture, installation, technical maintenance or utilisation of equipment, structures or products.

13. **“Reference to standards (contained in legal acts)”** means a reference to one or several standards to avoid detailed repetition of their provisions.

14. **“Indicative reference (to standards)”** means a reference to standards that states that one way to meet the relevant requirements of a technical regulation is to comply with the standard(s) referred to.

15. **“Exclusive reference to standards”** means a reference to standards that states that the only way to meet the relevant requirements of a technical regulation is to comply with the standard(s) referred to.

Chapter 2

Objectives and Principles of the Lithuanian National Standardisation

Article 3. Objectives of the Lithuanian National Standardisation

The objectives of the Lithuanian national standardisation shall be:

- 1) protecting the health and life of the people and animals, material wealth, consumers’ interests and ensuring their safety;
- 2) ensuring the free movement of goods and services;
- 3) improving the quality of products with the aim of achieving the competitiveness thereof on the domestic and foreign markets;
- 4) representing the interests of the national economy on the international and European standardisation levels;
- 5) ensuring efficient utilisation and conservation of the state resources.

Article 4. Essential Principles of the Lithuanian National Standardisation

The essential principles of the Lithuanian national standardisation shall be:

- 1) participation of all interested subjects, i.e. producers and service providers, state and municipal institutions, research and study institutions, consumer, public, professional and other organisations (hereinafter referred to as the interested parties) in the process of standardisation on a voluntary and equal basis;

- 2) drafting and adoption of the standards by consensus;
- 3) voluntary application of the standards;
- 4) transparency of the standards;
- 5) application of the principle of priority of the international and European standardisation;
- 6) meeting the needs of the national economy and the public;

3. In the absence of the relevant European or international standards Lithuanian standards

organisations and national standards bodies of the foreign states with which the relevant contracts have been signed.

3. The National Standards Body shall publish and distribute periodical publications.

Article 9. Participation of the Authorities and Public Administration Institutions in Drafting and Applying the Standards

In acknowledging the importance, necessity and benefit of voluntary Lithuanian standards to the administration of the state and meeting of the needs of the public, the authorities and public administration institutions:

1) may assign funds from the State Budget to the activities of the National Standards Body in the manner prescribed by laws and other legislation;

2) shall appoint representatives into the respective technical committees corresponding to the type of their activity in the manner prescribed by the National Standards Body;

3) shall submit proposals to the National Standards Body with regard to the Lithuanian standards programmes being prepared and the opinion of the respective authority or public administration institution on the Lithuanian, international and European standards being drafted;

4) shall inform the National Standards Body about the international agreements related to standardisation and all technical regulations being drafted;

5) in dealing with standardisation-related issues important to their type of activity, shall maintain contacts with the National Standards Body.

Chapter 4

The Relation between the Standards and Technical Regulations

Article 10. Standards and Technical Regulations

1. Standards and technical regulations shall be drafted by the authorities and public administration institutions within the field of their competence in the manner prescribed by laws and other legislation.

2. If the technical requirements for a product or service are stipulated by a Lithuanian standard (standards), a technical regulation may contain only a reference to the Lithuanian standard (standards).

3. Indicative and exclusive references contained in a technical regulation shall be made only to the Lithuanian standards.

4. Technical regulations and the relevant Lithuanian standards shall aim to create the conditions ensuring that the products placed on the marked, when used and treated in accordance with the producer's requirements, and the services provided would be safe, not

product conformity assessment procedures – upon the presentation of the documents confirming conformity assessment.

2) if it has been declared in the manner prescribed by legislation that a product or service conforms to a Lithuanian standard related to a technical regulation. A Lithuanian standard shall be considered to be related to a technical regulation if it is a harmonised Lithuanian standard or a Lithuanian standard a technical regulation contains a reference to;

3) in the absence of a relevant technical regulation, if it has been declared in the manner prescribed by legislation that a product or service conforms to a Lithuanian standard.

4) if a producer voluntarily chooses a case other than the one stipulated in point 2 or 3 of paragraph 4 of this Article satisfying the contemporary level of science and technology, it has been proved in the manner prescribed by legislation that a product produced or a service provided in accordance with the mentioned case conforms to a technical regulation, or, in the absence of a technical regulation, if the product or a service is safe and not harmful to the health and life of the people and animals, consumers, environment and material wealth.

5. If it has been declared in the manner prescribed by legislation that a product or service conforms to a harmonised Lithuanian standard (standards), it shall be considered that

Article 15. Management of the Lithuanian Standards Association

1. The managing bodies of the Lithuanian

- 1) drafting of the Lithuanian standards if this type of work is related to the implementation of legislation, or when international and European standards are to be adopted as Lithuanian standards;
- 2) membership fees for the participation in international and European standards organisations and costs for the participation in the activities of the said organisations;
- 3) provision of information on the Lithuanian technical regulations, standards and conformity assessment procedures in the manner prescribed by the Government of the Republic of Lithuania;
- 4) co-ordination of the standardisation work in all spheres of activities, upgrading and development of national standardisation;
- 5) creation, examination and management of the terms used in the Lithuanian standards;
- 6) execution of other activities related to standardisation provided for in the

Article 24. Succession of rights

1. Before the establishment of the Lithuanian Standards Association, the functions of the National Standards Body shall be performed by the Lithuanian Standards Board.

2. Upon the establishment of the Lithuanian Standards Association:

1) the Government of the Republic of Lithuania, with the aim of ensuring public interests in the sphere of standardisation and having regard to the works of the state significance being performed, shall transfer by the right of trust non-residential premises used by the Lithuanian Standards Board and fixed and short-term tangible property possessed by the Lithuanian Standards Board to the Lithuanian Standards Association, as an institution performing the function of public administration, to administer, use and dispose of in the manner prescribed by paragraph 7 of Article 11 of this Law.

2) The Government of the Republic of Lithuania shall give authorisation to the Lithuanian Standards Association to perform the functions of the National Standards Body.

3) The Lithuanian Standards Board shall transfer to the Lithuanian Standards Board its trademark (service mark) registered in the manner prescribed by laws, and shall assign copyright owned by the former on the Lithuanian standards, their collections and publications, as well as obligations imposed on the Lithuanian Standards Board by the founder.

4) The Lithuanian Standards Board shall be liquidated in accordance with the procedure for the reorganisation and liquidation of budgetary institutions established by the