

Official translation

LAW ON STANDARDISATION

11 April 2000 No. VIII-1618

CHAPTER ONE
GENERAL PROVISIONS

Article 1. The Scope and the Purpose of the Law

1. The Law establishes the basic objectives and principles of national standardisation,

3) national standard is a standard adopted by a National Standardisation Body and made available to the public.

4. “Standardisation 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 Standardisation Body” means the only institution recognised on the national level possessing the right to be a member of a relevant international or regional (European) standardisation organisation.

6. “Standards programme” means a work programme of a standardisation body listing the subjects on which standardisation work is being carried out.

7. “Technical regulation” means a legal act which provides for technical requirements, either directly or by referring to incorporating the content of a standard, technical specification or code of practice, or which contains the text of the above-listed documents .

8. “Technical specification” means a document which prescribes technical requirements the observance of which is compulsory in the case of 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 which recommends practices and procedures for the design, manufacture, installation, technical maintenance or use 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 which states that one way to meet the relevant requirements of a technical regulation is to comply with the standards referred to.

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

OBJECTIVES AND PRINCIPLES OF THE LITHUANIAN NATIONAL STANDARDISATION

Article 3. Objectives of the Lithuanian National Standardisation

The objectives of the Lithuanian national standardisation are:

- 1) protecting the health and life of the people and animals, also the environment material wealth, consumers' interests and ensuring their safety;
- 2) creating conditions for free movement of goods and services;
- 3) improving the quality of products and services 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. Basic Principles of the Lithuanian National Standardisation

The basic principles of the Lithuanian national standardisation are as follows:

- 1) participation of all interested entities, i.e. producers and service providers, state and municipal institutions, research and development institutions, consumer, public, professional and other organisations (hereinafter referred to as the interested parties) in the process of standardisation on a voluntary and equal rights basis;
- 2) drafting and adoption of the standards by consensus;
- 3) voluntary application of the standards;
- 4) transparency and availability to the public of the standards;
- 5) application of the principle of parity of the international and European standardisation;
- 6) meeting the needs of the national economy and the public;
- 7) application of modern scientific and technological innovations;
- 8) consistent establishment of the national standards' fund.

CHAPTER THREE

LITHUANIAN STANDARDS, THEIR DRAFTING, APPLICATION, ACCUMULATION AND DISTRIBUTION

Article 5. Lithuanian Standard

1. A Lithuanian standard is a standard adopted by the Lithuanian National Standardisation Body (hereinafter referred to as the National Standardisation Body) and meant for the public. A harmonised Lithuanian standard shall be a harmonised European standard drafted and adopted by a European Standardisation Body on the instruction of the European Commission and transposed as a Lithuanian standard.

2. Lithuanian standards must be in conformity with the legislation of the Republic of Lithuania.

3. A Lithuanian standard shall be identified by the abbreviation "LST" followed by a number. An international or European standard transposed as a Lithuanian standard may be identified by the abbreviation, which has the following elements: the abbreviation "LST" followed by the abbreviation of the international or European standard transposed as a Lithuanian standard and a relevant number.

4. The abbreviation "LST" of a Lithuanian standard and a number may not be used for the identification of any other publication.

5. Publications of the National Standardisation Body and their collections may be marked by the copyright notice in the manner prescribed by laws. The making of copies, reproduction, reprinting and distribution of the aforementioned publications or the parts thereof in any means or form (electronic, mechanical, including photocopying, microfilming, Internet, etc.) without the written consent of the National Standardisation Body shall be prohibited.

6. Lithuanian standards shall be drafted in the state language. Standards and other publications of international and European standardisation organisations transposed into the Lithuanian standards system may be in one of the official languages of those organisations until the official translation into the Lithuanian language is made.

7. Standards of international and European standardisation organisations shall be transposed into the Lithuanian standards system in the manner prescribed by the National Standardisation Body.

Article 6. Drafting of the Standards and Publishing of the Information Related thereto

1. Lithuanian standards shall be drafted according to the standards programme which shall be prepared and approved in the manner prescribed by the National Standardisation Body. Information about the standards programme shall be published in the periodical of the National Standardisation Body.

2. Proposals regarding the standards programme may be submitted by all interested parties. In preparing the standards programme, priority shall be given to the transposition of the harmonised and other European and international standards.

3. In the absence of the relevant European and international standards, the Lithuanian standards shall be drafted in accordance with the provisions of the legal acts regulating the procedure for the provision of information about the standards.

4. The National Standardisation Body shall give priority to the preparation of the drafts of the Lithuanian standards ordered by the state institutions.

5. The procedure for drafting and adoption of the Lithuanian standards shall be established by the National Standardisation Body. The drafts of the Lithuanian standards shall be drawn up and approved by agreement (consensus) by the technical committees of the National Standardisation Body (hereinafter referred to as the technical committees), in which representatives of all interested parties shall participate on a voluntary and equal rights basis in the manner prescribed by the National Standardisation Body. In the absence of the technical committee in any sphere, the National Standardisation Body may grant authorisation to prepare the draft of the Lithuanian standard to the provisional working group formed in the manner prescribed by the National Standardisation Body. The provisional working group shall draft and approve the Lithuanian standards according to the procedure adhered to by the technical committees.

6. The drafting of the Lithuanian standards shall be considered comparable to creative activities. The Lithuanian standards may be drafted under commission contracts.

7. Authors of the drafted Lithuanian standards shall assign the author's economic rights to the draft standards to the National Standardisation Body in the manner prescribed by laws, other legislation and contracts concluded with the authors.

8. The Lithuanian standards shall be published and revised in the manner prescribed by the National Standardisation Body.

9. The National Standardisation Body shall publish the information about the publicly discussed and published Lithuanian standards in its periodical.

Article 7. Application of the Standards

1. The Lithuanian standards shall be -4 Tog to the00 TD .0011

manner prescribed by laws their products or services to be in conformity with the Lithuanian standards.

3. The National Standardisation Body shall establish the procedure for the application in the Republic of Lithuania of the standards and other publications of international, European and other regional standardisation organisations as well as standards of the foreign states. The standards applied in the Republic of Lithuania must be in conformity with the legal acts of the Republic of Lithuania.

4. The National Standardisation Body shall declare as invalid the standards which were in effect in the Republic of Lithuania.

Article 8. Building up the Fund of Publications and Distribution of Publications

1. The National Standardisation Body shall develop and upgrade the fund of publications and distribution of publications.

2) shall appoint, in the manner prescribed by the National Standardisation Body, their respective representatives to technical committees corresponding to the type of activities they engage in;

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

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

5) dealing with standardisation-related issues important to the type of activities they engage in, shall maintain contacts with the National Standardisation Body.

CHAPTER FOUR

RELATION BETWEEN STANDARDS AND TECHNICAL REGULATIONS

Article 10. Standards and Technical Regulations

1. Technical regulations shall be drafted by public authorities according to 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), the technical regulation may contain only a reference to the Lithuanian standard (standards).

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

4. The purpose of technical regulations and relevant Lithuanian standards shall be the creation of conditions which would guarantee that the products placed on the market, when used and handled in accordance with the product requirements, as well as the services provided would be safe, not harmful to people and animals' health and life, to the consumers, the environment and material wealth. The aforementioned conditions are considered to have been created in the following cases:

1) where it is declared in the manner prescribed by legislation that a product or service meets the requirements of a technical regulation and the product is marked in the manner prescribed by legislation; or, where a technical regulation provides for the compulsory product conformity assessment procedures – upon the presentation of the documents confirming conformity assessment;

2) where it is declared in the manner prescribed by legislation that a product or service conforms to the Lithuanian standard related to the 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 to which the technical regulation contains a reference;

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

4) if the producer of his own free will chooses a case other than the one specified in subparagraph 2 or 3 of paragraph 4 of this article, corresponding to the contemporary level of science and technology, it will be proved in the manner prescribed by legislation that a product produced or a service provided in accordance with the said decision conforms to a technical regulation, or, in the absence of such, that the product or a service is safe and not harmful to the health and life of people and animals, the environment, material wealth and consumers.

5. Where it is declared in the manner prescribed by legislation that a product or service conforms to the harmonised Lithuanian standard (standards), it shall be considered that the product or service conforms to the technical regulation to which the harmonised Lithuanian standard (standards) is related.

CHAPTER FIVE NATIONAL STANDARDISATION BODY

Article 11. The Status of the National Standardisation Body

1. The National Standardisation Body is an association established according to the procedure set forth by this Law and other laws. The association is a non-profit organisation and its name is the Lithuanian Standardisation Association. It shall be prohibited from engaging in commercial activities.

2. The Lithuanian Standardisation Association shall be a voluntary union of the entities listed in paragraph 1 of Article 13 of this Law performing the function of public administration – implementing this Law and upgrading and developing national standardisation in the Republic of Lithuania.

3. The purpose of activities, basic functions and objectives of the Lithuanian Standardisation Association must be related to the sphere of activities or needs of the Association members and must be specified in the statute of the Association.

4. The Lithuanian Standardisation Association shall enjoy freedom of action,

and resolutions of the Government of the Republic of Lithuania, whereas in its activities it

function in accordance with the laws applicable to enterprises and organisations of the appropriate type, perform other functions prescribed by the Association Statute.

Article 13. Members of the National Standardisation Association

1. State and municipal institutions of the Republic of Lithuania, legal persons of the

Article 14. Establishment of the Lithuanian Standardisation Association

1. The Lithuanian Standardisation Association shall be established on the initiative of the Lithuanian Standardisation Department and entities listed in paragraph 1 of Article 13 of this Law.

2. The initiators of establishment of the Lithuanian Standardisation Association must convene the constituent assembly at which the persons listed in paragraph 1 of Article 13 of this Law or their authorised representatives who have declared in writing their desire to become members of the Lithuanian Standardisation Association which is being established, shall have the right to vote. The constituent assembly shall adopt a resolution on the establishment of the Lithuanian Standardisation Association, its Statute and shall elect a collegial body of management – the Standardisation Council.

3. The constituent assembly shall have the rights of the general meeting of members.

Article 15. Management of the Lithuanian Standardisation Association

1. The managing bodies of the Lithuanian Standardisation Association shall be:

- 1) the general meeting of the members of the Lithuanian Standardisation Association;
- 2) the Standardisation Council;
- 3) the administration of the Lithuanian Standardisation Association.

Article 16. General Assembly of the Lithuanian Standardisation Association

1. The supreme managing body of the Lithuanian Standardisation Association shall be the General Assembly. It is the general meeting of the representatives of the Lithuanian Standardisation Association members. The procedure for convening the General Assembly and for adopting decisions as well as the procedure of their coming into force shall be set out in the Association Statute. Every member of the Lithuanian Standardisation Association shall have one decisive vote at the General Assembly.

2. The General Assembly shall fulfil the following functions:

- 1) adopt, amend and supplement the Association Statute;
- 2) elect and dismiss the president, vice-presidents and the auditing commission of the Lithuanian Standardisation Association;
- 3) elect from among their members the Standardisation Council and adopt decisions on the formation and activities of the Lithuanian Standardisation Association commissions;

4) approve the reports of the standardisation Council, commissions, the administration, auditing commission as well as reports prescribed by the Association Statute;

5) determine the strategy and trends of activities of the Lithuanian Standardisation Association;

6) approve the budget of the Lithuanian Standardisation Association;

7) fix the amount of initial contributions and membership fee and set forth the payment procedure;

8) establish media undertakings, enterprises and organisations, liquidate the Lithuanian Standardisation Association;

9) fulfil other functions specified in the Association Statute.

Article 17. Standardisation Council of the Lithuanian Standardisation Association

1. The Standardisation Council is the managing body directing the activities of the Lithuanian Standardisation Association in the period between the General Assemblies. The procedure for convening the Standardisation Council, for adopting decisions as well as the procedure of their coming into force shall be laid down in the Association Statute. The president of the Lithuanian Standardisation Association shall preside over the General Assembly and meetings of the Standardisation Council.

2. The number of the Standardisation Council members shall be fixed in the Association Statute. The Standardisation Council shall consist of the Association president, vice-presidents, director general and not less than 12-15 members. One-third of the members shall be representatives of state and municipal institutions having an interest in standardisation, delegated by state and municipal institutions. Other members of the Standardisation Council shall be elected in the manner and for the term established in the Association Statute.

3. The Standardisation Council shall perform the following functions:

1) submit drafts of amendments and proposals to the Association Statute to the General Assembly ;

2) implement the policy of activities of the Lithuanian Standardisation Association pursuant to the resolutions of the General Assembly ;

3) approve the standards programmes of the Lithuanian Standardisation Association;

4) approve the general working regulations of the technical committees;

- 5) approve the established technical conditions and their regulations and abolish the same;
- 6) fulfil other functions prescribed by the Association Statute.

Article 18. Administration of the Lithuanian Standardisation Association

1. The implementation of the pressing tasks of the Lithuanian Standardisation Association shall be organised and carried out by the administration which functions in compliance with laws, the Association Statute, its own working regulations, division regulations and job descriptions, resolutions adopted by the managing bodies of the Lithuanian Standardisation Association and orders issued by the director general.

2. The administration shall be headed by the director general, whose competence and functions shall be specified in the Association Statute. The director general and the chief financier (accountant) shall be appointed on the basis of employment contracts and dismissed by the Standardisation Council which shall also set their basic salaries. The director general shall attend the General Assembly and meetings of the Standardisation Council with the right of deliberative vote.

3. The director general shall:

- 1) head the directorate;
 - 2) be responsible for the work of the administration, budget performance and implementation of the General Assembly resolutions and decisions of the Standardisation Council;
 - 3) conclude transactions in the name of the Lithuanian Standardisation Association within the scope of powers granted to him by the Standardisation Council;
 - 4) be accountable for his activities to the Standardisation Council;
 - 5) recruit and dismiss the administrative staff, draw up the staff list and fix the official salaries of the staff;
 - 6) fulfil other functions specified in the Association Statute.
4. The president of the Lithuanian Standardisation Association and the director general shall represent the Lithuanian Standardisation Association in various institutions and shall conclude contracts.
5. The president, vice-president and administrative staff shall be remunerated for their work with the funds of the Lithuanian Standardisation Association.

Article 19. Technical Committees of the Lithuanian Standardisation Association

1. The Lithuanian Standardisation Association shall set up technical committees in which all interested parties specified in paragraph 1 of Article 4 of this Law shall participate on a voluntary basis and with equal rights. Technical committees may have separate registered offices and secretariats. A technical committee shall not have the status of a legal person and in its activities shall use the name of the Lithuanian Standardisation Association as a legal person.

2. State and municipal institutions may transfer fixed assets, except for real property, and short-term tangible property to the Lithuanian Standardisation Association as the initial contribution.

3. Upon the liquidation of the Lithuanian Standardisation Association and after a settlement with creditors has been effected, property transferred to the Lithuanian Standardisation Association as the initial contribution shall be returned to the legal persons who were the transferors.

4. The state-owned real property may be transferred to the Lithuanian Standardisation Association under a loan for use agreement. The Lithuanian Standardisation Association may transfer in the manner laid down by law the real property used by it under a loan for use agreement for the use of the legal persons founded by it.

Article 22. Sources of Funds of the Lithuanian Standardisation Association

1. The sources of funds of the Lithuanian Standardisation Association shall be as follows:

1) initial contributions of the members, membership fees and special-purpose contributions for carrying out works related to standardisation;

2) targeted allocations from the State Budget to finance the programmes supported by the State, which are listed in Article 23 of this Law and state funds transferred by other allocations managers for the performance of works connected with the programmes implemented by them;

3) funds of contracting authorities for the drafting of the Lithuanian standards and performance of other works related to standardisation;

4) funds and property transferred without consideration by natural and legal persons;

5) profit of the enterprises founded by the Association;

6) income from the distributed standards and other publications;

7) funds received through sponsorship or as a donation or inherited by will;

8) other legally acquired funds.

2. An estimate of expenditure shall be drawn up for the use of the funds received from the State Budget, and these funds shall be kept in a separate account.

3. Funds received through sponsorship or inherited by will shall be used for carrying out activities provided for in the Association Statute on the instruction of the sponsor or the testator and shall be kept in a separate account.

Article 23. Targeted Allocations from the State Budget

Targeted allocations from the State Budget shall be made for the following purposes provided for in the programmes supported by the State:

- 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 transposed as the Lithuanian standards;
- 2) payment of fees of membership in international and European standardisation organisations and participation in the activities of the said organisations;
- 3) provision of information on Lithuania's 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 processing of the terms used in the Lithuanian standards;
- 6) performance of other tasks related to standardisation provided for in the programmes supported by the State.

Article 24. Control of Financial Activities of the Lithuanian Standardisation Association

1. Financial activities of the Lithuanian Standardisation Association shall be audited at least once a year by the auditing commission.
2. Members of the Standardisation Council and administration staff may not be on the auditing commission.
3. The procedure for controlling the financial activities of the Lithuanian Standardisation Association shall be set out in the Association Statute.
4. The right to inspect the use of funds received from the State shall be vested in the institution of State Control.

Article 25. Supervision of Legality of the Activities of the Lithuanian Standardisation Association

1. The legality of activities of the Lithuanian Standardisation Association shall be supervised by the institution authorised by the Government (hereinafter referred to as the authorised institution).

2. The Lithuanian Standardisation Association must submit to the authorised institution the annual account in the form established by the Standardisation Council.

3. The authorised institution shall have the right to have its own representative in the Standardisation Council.

4. The authorised institution shall represent the Government of the Republic of Lithuania in international and regional institutions dealing with standardisation issues at government level.

5. The authorised institution shall submit to the Government of the Republic of Lithuania drafts of the legal acts prepared in the field of standardisation, the drafting of which shall be initiated by the Lithuanian Standardisation Association.

Article 26. Liquidation of the Lithuanian Standardisation Association

The Lithuanian Standardisation Association shall be liquidated according to the association liquidation procedure specified in the laws of the Republic of Lithuania and the Association Statute.

CHAPTER SIX

FINAL PROVISIONS

Article 27. Liability for Violations of the Law on Standardisation

Natural and legal persons shall be liable for the violation of this Law in the manner prescribed by the laws of the Republic of Lithuania.

Article 28. Succession to the Rights of the Lithuanian Standardisation Department

1. Before the establishment and registration in the manner prescribed by law of the Lithuanian Standardisation Association, the functions of the National Standardisation Body shall be performed by the Lithuanian Standardisation Department.

2. Upon the establishment and registration in the manner prescribed by law of the Lithuanian Standardisation Association, the Lithuanian Standardisation Department shall be liquidated according to the procedure established by the Law on the Institutions Maintained from the State Budget.

3. Following the liquidation of the Lithuanian Standardisation Department:

