

# LAW of UKRAINE

## No. 2408-III

### On Standardization

This Law sets up legal and organizational framework for standardization in Ukraine and is intended to ensure the uniform technical policy in this sphere.

#### Chapter 1. General provisions

##### Article 1. Main terms and their definitions

In this law terms are used in the following meaning:

*standardization* – activity that consists in setting up provisions for general and multiple application with regard to existing or possible tasks with the purpose of reaching an optimal level of order in a certain sphere, which results in an increase of the conformity rate of products, processes and services to their functional destination, removal of trade barriers, and promotion of scientific and technical cooperation;

*international standardization* – standardization, carried out at the international level participation in which is open for relevant bodies of all the countries;

*regional standardization* – standardization, conducted at a corresponding regional level, and participation in which is open for relevant bodies of the countries of a certain geographical or economic area;

– a document that sets up rules, general principles or characteristics of various  
of activity or their results. This term incorporates such notions as "standard," "code of practice,"  
technical specifications;"

USUS –

*national standards* – state standards of Ukraine, established by the central body of the executive power in the sphere of standardization and are accessible to a wide range of users;

*code of practice (collection of the rules)* – a document that contains practical rules or procedures of design, manufacturing, mounting, technical maintenance, use of the equipment, constructions or products. The code of practice may be a standard, a part of a standard or a separate document;

*technical specifications* – a document that sets up technical requirements the products, processes and services must conform to. Technical specifications may be a standard, a part of a standard or a separate document;

*technical regulation* – a normative and legal act, adopted by a state body that sets up technical requirements to products, processes or services directly or through references to standards, or reproduces their contents.

## **Article 2. The scope of the Law**

This Law regulates relations, connected with standardization activity and application of its results, and extends to economic operators notwithstanding the type of ownership and activity types, bodies of executive power as well as public organizations.

This law does not apply to nuclear materials, pharmaceutical products, standards of medical service, accounting, education and other social standards, whose scope is regulated by other laws.

## **Article 3. Legislation of Ukraine in the field of standardization**

Legislation of Ukraine in the field of standardization consists of this law and other normative and legislative acts that regulate relationships in this sphere.

## **Article 4. Objects of standardization**

Objects of standardization are products, processes and services (hereinafter – products), in particular materials, component parts, equipment, systems, their compatibility, rules, procedures, functions, methods or activities.

## **Article 5. Goal and basic principles of the state policy in the field of standardization**

The goal of standardization in Ukraine is to ensure safety for the health and life of persons, animals, plants, as well as property and environment protection, to create conditions for rational use of all kinds of national resources as well as for conformity of objects of standardization to their intended use, to eliminate technical barriers to trade.

The state policy in the field of standardization is based on the following principles:

- ensuring participation of physical persons and legal entities in development of standards and free choice of standard types while producing or supplying products unless otherwise stipulated by legislation;

- openness and transparency of the procedures for development and adoption of standards with consideration of interests of all interested parties, increase of competitiveness of home products;
- accessibility of relevant standards and information to users;
- conformity of standards to legislation;
- adaptation to modern achievements of science and technology taking into account the state of the national economy;
- priority of direct introduction in Ukraine of international and regional standards;
- compliance with international and European standardization rules and procedures;

setting up rules for development, approval, adoption, revision, amendment and withdrawal of the national standards, their designation, classification according to the types and other criteria, their encoding and registration;

taking measures to perform liabilities, stipulated by membership in international (regional) standardization organizations;

cooperation with relevant bodies of other countries in the field of standardization;

elaboration of the work program on standardization, coordination of its implementation;

making decisions on the establishment and termination of activities of technical committees for standardization, determining their authorities and the procedure of establishment;

creation and upholding of the national archive of normative documents and the national information center of the International information network ISONET WTO;

providing information services in the field of standardization.

The central body of executive power in the field of standardization can have other functions and authorities according to laws of Ukraine.

The central body of executive power in the field of standardization shall submit proposals to the Cabinet of Ministers of Ukraine on delegating authorities related to organization of development, approval, adoption, revision and amending of the national standards in the field of construction and

adoption of an international, regional or other standard as a national standard;

expertise of the draft technical regulations and other normative documents in the field of technical regulation;

standardization work programs.

The Council has the right to:

obtain from bodies of executive power information and materials on the issues within its scope of work;

if necessary involve specialists of executive power bodies, scientific and research institutions and organizations in the work of the Council according to the established procedure;

submit proposals to corresponding executive power bodies and local governments on the issues being in its competence.

#### **Article 9. Technical committees for standardization**

The central body of executive power in the field of standardization establishes technical committees that shall be entrusted with the functions of development, consideration and agreement of international (regional) and national standards.

Technical committees for standardization are formed on the principle of representation of all interested parties. Authorized representatives of government agencies, local governments, entrepreneurs and their associations, scientific and engineer fellowships (unions), consumer associations and other public organizations, eminent scientists and professionals can participate in the activities of the technical committees for standardization on the voluntary basis.

Organizational supply of technical committees' activities is conducted by their secretariats.

Provisions on technical committees are adopted by the central body of executive power in the field of standardization.

Technical committees may have generating profit from their activities as their goal.

#### **Article 10. Other bodies that deal with standardization**

Central bodies of executive power, the Supreme Council of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, local bodies of executive power and local governments, entrepreneurs and their associations, and corresponding public organizations have the right to organize and conduct standardization activities in the fields within their scope and within authorities, established by law and with regard to their business and professional interests, including:

development, approval, adoption, revision, change of a



Annually the central body of executive power in the field of standardization elaborates the work program (hereafter-program) for standardization activities. The program is formed taking into account state priorities, proposals of the technical committees for standardization and other subjects of standardization, involved in elaboration. The program contains a list of national standards that have

amendment or repeal of standards to the central body of executive power in the field of standardization by the results of examination.

Revision, in the result of which a new national standard is developed, or amendments made to the existing standard, is carried out in compliance to the procedure established for standard development.

Termination of a national standard is conducted by the central body of executive power in the field of standardization in case the product regulated by the given standard is phased out, and in case of development, approval or adoption of another standard instead of the existing one on request of a corresponding technical standardization committee or other subject of standardization in compliance with this Law.

Information on changes, text of changes to national standards is published in the official edition of the central body of executive power in the field of standardization not later than 90 days before they enter into effect.

## **Article 12. Procedure of standards application**

Standards are applied on voluntary basis, unless otherwise stipulated by legislation.

Standards are applied either directly or through references to them in other documents.

Application of standards or their certain provisions can become mandatory:

for all entrepreneurs, if this is stipulated in technical regulations or other normative and legislative acts;

for parties under agreement (contract) on the design, manufacturing or supply of a product, if standards are referred to in this agreement (contract);

for a producer or supplier of a product if he filled in the declaration of conformity of product to certain standards or used designation of those standards in product's marking;

for a producer or supplier of product if his product has been certified with regard to the requirements of those standards.

International (regional) standards and standards of other countries, if their provisions do not contradict to legislation, can be applied in Ukraine according to the established procedure through references to them in national standards and other standards.

Standards that have been applied during the manufacturing of a product shall be kept for 10 years after the manufacturing of the last item of the product.

## **Article 13. Application of standards in technical regulations and other normative and legislative acts**

Technical regulations and other normative and legislative acts set up mandatory requirements for:





The description and the rules of application of the national mark of conformity of products to national

The central body of executive power in the field of standardization provides information to domestic as well as foreign users through the main information archive of normative documents and the National information center of the International information network ISONET WTO.

To provide information to users the central body of executive power in the field of standardization forms the catalogue of normative documents in the field of standardization on the national level and sets up rules for its creation and upholding.

Standardization subject, responsible for the development and adoption of standards that are likely to create technical barriers to trade, provides relevant information to the central body of executive power in the field of standardization, which transfers this information to users through the information network ISONET WTO within the terms, established by the “Code of Good Practice”.

## **Chapter 5. International cooperation**

### **Article 17. International cooperation in the field of standardization**

The central body of executive power in the field of standardization according to the legislation

The customers of standards works, financed through the state budget, are the central bodies of executive power, responsible for technical regulation in certain spheres of activity in accordance with legislation.

Orders of standardization works at the expense of the State budget of Ukraine, including the state defense order are conducted without any trades (tenders).

#### **Article 19. Use of funds, received from sales of standards**

Funds received from sales of national, regional and international standards are allocated exclusively for fulfillment of standardization works and development of scientific and technical base.

#### **Chapter 7. Final provisions**

This law becomes effective on the day of its publication.

2. The Cabinet of Ministers shall be liable to do the following within a year after this Law enters into force:

submit to the Verkhovna Rada of Ukraine draft laws on bringing the laws of Ukraine into line with this Law;

adopt normative and legislative acts, arising of this Law;

ensure bringing of its normative and regulatory acts, as well as those of ministries and other central bodies of executive power into line with the norms hereof;

determine the procedure and terms of validity of branch-wise standards or other normative documents of the former USSR regarded as such standards.

3. State and other standards remain valid before they are terminated, or corresponding standards are adopted in compliance with requirements of this Law.

4. Requirements of state and other standards, mandatory for implementation remain valid before corresponding technical regulations and other normative and legislative acts regulating these issues are adopted.

5. Before legislation is brought into line with this Law, legislative and other normative and legislative acts shall be applied to the extent that does not contradict to this Law.

**President of Ukraine**

**L. KUCHMA**

**Kyiv  
May 17, 2001  
N 2408-III**