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## LAW OF THE REPUBLIC OF BELARUS

*October 24, 2016 No. 437-Z*

### **On the assessment compliance with technical requirements and accreditation of conformity assessment bodies**

Adopted by the House of Representatives on October 3, 2016

Approved by the Council of the Republic on October 6, 2016

Changes and additions:

Law of the Republic of Belarus of December 18, 2019 No. 278-Z (National Legal Internet Portal of the Republic of Belarus, December 31, 2019, 2/2716);

Law of the Republic of Belarus of January 5, 2022 No. 148-Z (National Legal Internet Portal of the Republic of Belarus, 01/11/2022, 2/2868)

This Law is aimed at defining the legal and organizational basis for the assessment compliance with technical requirements (hereinafter, unless otherwise specified - assessment compliance ) and accreditation of assessment bodies compliance (hereinafter referred to as accreditation), ensuring a unified state policy in the field of assessment compliance and accreditation, including taking into account the requirements of the Law of the Republic of Belarus of January 5, 2004 No. 262-Z “On technical regulation and standardization”.

## **CHAPTER 1 GENERAL PROVISIONS**

### **Article 1. Basic terms used in this Law and their definitions**

1. For the purposes of this Law, the following basic terms and their definitions are used:

1.1. accreditation – official recognition by an accreditation body of the competence of a legal entity of the Republic of Belarus or a foreign legal entity in performing conformity assessment work in a certain area of accreditation;

1.2. accredited testing laboratory (center) - a legal entity of the Republic of Belarus or a foreign legal entity accredited to conduct tests in a certain area of accreditation;

1.3. accredited entity - certification body or accredited testing laboratory (center);

1.4. accreditation certificate of the National Accreditation System of the Republic of Belarus (hereinafter referred to as the accreditation certificate) - a document certifying the competence of an accredited entity in performing conformity assessment work in a certain area of accreditation;

1.5. certificate holder – the applicant for certification who received the certificate;

1.6. release of products into circulation - delivery or import of products (including dispatch from the manufacturer's warehouse or shipment without storage) for the purpose of its distribution (sale) in the territory of the Republic of Belarus or another member state of the Eurasian Economic Union in the course of commercial activities on a free or reimbursable basis ;

1.7. declaration - [declaration](#) of conformity of the National Conformity Assessment System of the Republic of Belarus (hereinafter referred to as the declaration of conformity), declaration of conformity with the technical regulations of the Eurasian Economic Union or provided for by [the Treaty](#) on the Eurasian Economic Union of May 29, 2014 (hereinafter referred to as the Treaty on the Eurasian Economic Union), declaration on conformity, drawn up in a unified form (hereinafter referred to as the declaration of conformity in a unified form);

1.8. declaration of conformity - a document in which the manufacturer or a person authorized by the manufacturer or the seller (supplier) certify the compliance of products with the technical requirements contained in the technical regulations of the Republic of Belarus or regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure determined by him, providing for the introduction mandatory confirmation of compliance in connection with the need to take prompt measures of state regulation;

1.9. declaration of conformity - a form of conformity assessment carried out by the manufacturer or a person authorized by the manufacturer or the seller (supplier), which is mandatory and the result of which is documentary certification of product compliance with technical requirements;

1.10. evidentiary materials - documents containing information on the results of tests, research and (or) measurements, as well as documents on conformity assessment and (or) other documents proving the compliance of the object of conformity assessment with technical requirements, and (or) documents confirming, if necessary, the legal status and (or) right of the manufacturer or a person authorized by the manufacturer or seller (supplier) to accept the declaration;

1.11. applicant for accreditation - a legal entity of the Republic of Belarus or a foreign legal entity that has applied [for](#) accreditation. At the same time, the applicant for accreditation, if the required (requested) scope of accreditation includes technical regulations of the Republic of Belarus or regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure determined by him, providing for the introduction of mandatory confirmation of compliance in connection with the need to take operational measures of the state regulation, can only be a legal entity of the Republic of Belarus, and the applicant for accreditation, if the required (requested) scope of accreditation includes technical regulations of the Eurasian Economic Union, can only be a legal entity of the Republic of Belarus or, in the case established by [paragraph 2](#) of Article 54 of this Law, a foreign legal entity a person registered in a member state of the Eurasian Economic Union;

1.12. applicant for testing - a citizen of the Republic of Belarus, a foreign citizen or a stateless person, with the exception of persons who are individual entrepreneurs (hereinafter - an individual), or a legal entity of the Republic of Belarus, a foreign or international legal entity (an organization that is not a legal entity) ( further, unless otherwise specified, a legal entity) or an individual entrepreneur who submitted an application for testing;

1.13. applicant for certification - an individual or legal entity or individual entrepreneur who has applied [for](#) certification of an object of conformity assessment, with the exception of certification of the competence of an individual (hereinafter referred to as the personnel) working for a legal entity or individual entrepreneur on the basis of an employment or civil contract certain works, provision of certain services, or a legal entity or individual entrepreneur who has applied [for](#) certification of personnel competence in performing certain works, providing certain services. At the same time, individuals can be applicants for certification only in cases determined by the President of the Republic of Belarus, or for voluntary certification;

1.14. manufacturer - a legal entity or individual entrepreneur who, on its own behalf, carries out production or production and sale of products and is responsible for its compliance with mandatory technical requirements;

1.15. individual entrepreneur - an individual entrepreneur registered in the Republic of Belarus, or an individual who is a foreign individual entrepreneur;

1.16. testing - a procedure within the framework of conformity assessment or an independent form of conformity assessment, carried out by a testing laboratory (center), the result of which is the determination, according to the established methodology, of one or more quantitative and (or) qualitative characteristics of the properties of a product sample or other object of conformity assessment;

1.17. testing laboratory (center) - a legal entity of the Republic of Belarus, an individual entrepreneur or a foreign legal entity conducting tests;

1.18. the person accepting the declaration is the manufacturer or a person authorized by the manufacturer or the seller (supplier) accepting the declaration. In this case, the person accepting [the declaration](#) of conformity can only be a legal entity of the Republic of Belarus or an individual entrepreneur registered in the Republic of Belarus, and the person accepting the declaration of conformity with the technical regulations of the Eurasian Economic Union or a declaration of conformity in a unified form can only be a legal entity or individual entrepreneur registered in the Republic of Belarus or another member state of the Eurasian Economic Union;

1.18<sup>1</sup>. interlaboratory comparative tests (interlaboratory comparisons) - organization, performance and evaluation of tests of the same or several similar samples in several testing laboratories (centers) by assessing the performance characteristics of these laboratories (centers) in order to verify the qualifications of testing laboratories (centers);

1.19. test methodology - a set of rules and procedures for conducting certain tests, established by an act of legislation, including a technical regulatory legal act, or an international standard, interstate or other regional standard, or an organization standard, other local regulatory legal act of the testing laboratory (center) that is used in **accordance** with paragraphs 2 and 3 of Article 39 of this **Law**;

1.20. scope of accreditation – area (sphere) within the framework **of assessment compliance**, for the implementation of activities in which the competence of the applicant for accreditation or an accredited entity is confirmed or confirmed;

1.21. accreditation body - a state organization determined by the State Committee for Standardization and subordinate to it, conducting accreditation;

1.22. conformity assessment body – certification body or testing laboratory (center);

1.23. body for registration of declarations - a certification body with the corresponding scope of accreditation, as well as an organization authorized by the Council of Ministers of the Republic of Belarus to register [declarations](#) of conformity;

1.24. certification body - a legal entity of the Republic of Belarus or a foreign legal entity accredited to perform certification work and register declarations in a certain area of accreditation;

1.25. conformity assessment – direct or indirect determination of compliance with technical requirements for the object of conformity assessment;

1.26. periodic assessment of the competence of an accredited entity (hereinafter referred to as the periodic assessment of competence) is a procedure within the framework of accreditation, which includes periodic measures to determine the accredited entity's ability to comply with the requirements established in relation to its competence, which is carried out by the accreditation body on a contractual basis in order to ensure the maintenance of confirmed the competence of the accredited entity throughout the entire period of validity of the accreditation [certificate](#);

1.27. periodic assessment of a certified object - a procedure within the framework of certification, including periodic measures to determine the ability of the certificate owner to comply with the technical requirements established in relation to the certified object of conformity assessment, which is carried out by the certification body on a contractual basis in order to ensure that the certificate owner maintains documented compliance of such the object meets the specified technical requirements throughout the entire period of validity of the certificate;

1.28. confirmation of conformity - mandatory certification and declaration of conformity (mandatory confirmation of conformity), as well as voluntary certification (voluntary confirmation of conformity);

1.29. seller (supplier) - a legal entity or individual entrepreneur registered in the Republic of Belarus or another member state of the Eurasian Economic Union, which sells products (including those imported into the territory of the Republic of Belarus or another member state of the Eurasian Economic Union from the third parties) and bear responsibility for non-compliance of products with mandatory technical requirements;

1.30. test report, passport, report or other test document (hereinafter referred to as the test report) is a document containing information about the tests, including a sample of a product, another object of conformity assessment, the applied methods, means and test conditions, their results (conclusion on their results), other necessary information;

1.31. procedure – an established way of carrying out an activity;

1.32. register of the National Accreditation System of the Republic of Belarus - a set of data on issued accreditation [certificates](#), amendments and (or) additions to them, suspension, renewal, cancellation of their validity;

1.33. register of the National Conformity Confirmation System of the Republic of Belarus - a set of data on issued [certificates](#) of conformity of the National Conformity Confirmation System of the Republic of Belarus (hereinafter referred to as the certificate of conformity), [certificates](#) of competence of the National Conformity Confirmation System of the Republic of Belarus (hereinafter referred to as the certificate of competence), amendments to them and (or) additions, suspension, renewal, cancellation, termination of their validity, as well as registered [declarations](#) of conformity, termination of their registration;

1.34. certificate - [a certificate](#) of conformity, [a certificate](#) of competence, a certificate of conformity with the technical regulations of the Eurasian Economic Union or a certificate of conformity provided for by [the Treaty](#) on the Eurasian Economic Union, issued in a unified form (hereinafter referred to as the certificate of conformity in a unified form);

1.35. certificate of competence - a document certifying the compliance of personnel competence in performing certain works, providing certain services with technical requirements;

1.36. certificate of conformity - a document certifying the compliance of the object of conformity assessment, with the exception of the competence of personnel in performing certain works, providing certain services, with technical requirements;

1.37. certification is a form of conformity assessment conducted by a certification body, which can be mandatory (mandatory certification) or voluntary (voluntary certification) in nature and the result of which is documentary certification of the conformity of the object of conformity assessment with technical requirements;

1.38. certified object of conformity assessment – object of conformity assessment in respect of which a certificate has been issued;

1.39. conformity confirmation scheme – a set and sequence of conformity confirmation procedures;

1.40. technical requirements – quantitative and (or) qualitative requirements (verbal and (or) digital indicators, standards, characteristics, rules, methods, classifications, verbal and graphic descriptions) for objects of conformity assessment or objects of accreditation, which are of a technical nature;

1.41. technical accreditation expert - an individual with special knowledge in a certain area of accreditation, appointed (involved) to participate in accreditation by the accreditation body and included by it in the register of technical accreditation experts;

1.42. technical certification expert - an individual with special knowledge in a certain field related to the objects of conformity assessment, appointed (involved) to participate in certification by the certification body;

1.43. person authorized by the manufacturer - a legal entity or individual entrepreneur registered in the Republic of Belarus or another member state of the Eurasian Economic Union, who, on the basis of a civil law agreement with the manufacturer, acts on behalf of this manufacturer when assessing conformity and releasing products (including imported ( imported) into the territory of the Republic of Belarus or another member state of the Eurasian Economic Union from a third party) for circulation, and also bear responsibility for the non-compliance of products with mandatory technical requirements;

1.44. expert-auditor - an individual who meets the requirements for professional competence determined by the State Committee for Standardization, who has certified compliance with these requirements in the manner established by acts of legislation, and has been appointed to perform certification work and register declarations by the certification body;

1.45. accreditation expert - an individual certified by the accreditation body in the manner established by acts of legislation, appointed to carry out accreditation work by the accreditation body and included by it in the register of accreditation experts.

2. The terms “state standard of the Republic of Belarus”, “documents in the field of technical regulation and standardization that are not technical regulatory legal acts”, “interstate standard”, “international standard”, “products”, “work”, “regional standard”, “organization standard”, “technical regulatory legal acts in the field of technical regulation and standardization”, “technical conditions”, “technical code of established practice”, “technical regulations of the Republic of Belarus” and “service” are used in this Law in the meanings determined by [the Law](#) of the Republic of Belarus “On technical regulation and standardization.”

3. The terms “declaration of **conformity** with technical regulations of the Eurasian Economic Union”, “single sign of product circulation on the market of the Eurasian Economic Union”, “certificate **of conformity** with technical regulations of the Eurasian Economic Union”, “technical regulations of the Eurasian Economic Union” and “third party” are used in this **Law** in the meanings defined [by the Treaty](#) on the Eurasian Economic Union.

## **Article 2. Legal regulation of relations in the field **of assessment compliance** and accreditation. Scope of this **Law****

**Evaluation** relationships **compliance** and accreditation are regulated by this **Law** and other acts of legislation, international legal acts that constitute the law of the Eurasian Economic Union (hereinafter referred to as the law of the Eurasian Economic Union), as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union.

**Evaluation** relationships **compliance with** the technical requirements of the technical regulations of the Eurasian Economic Union in the Republic of Belarus is regulated by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, and in cases provided for by this law, or to the extent not regulated by it and not contradicting it, also by this **Law** and other acts of legislation.

3. This **Law** applies when assessing compliance with the technical requirements contained in:

3.1. technical regulations of the Republic of Belarus, as well as regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure established by him, providing for the introduction of mandatory confirmation of compliance in connection with the need to take operational measures of state regulation;

3.2. technical regulations of the Eurasian Economic Union;

3.3. technical codes of practice;

3.4. state standards of the Republic of Belarus;

3.5. technical conditions;

3.6. international standards, interstate and other regional standards, other documents in the field of technical regulation and standardization that are not technical regulatory legal acts;

3.7. acts (documents) specified in the unified [list](#) of products subject to mandatory confirmation of conformity with the issuance of certificates of conformity and declarations of conformity in a unified form, formed in accordance with [the Treaty](#) on the Eurasian Economic Union;

3.8. civil law contracts, including foreign trade ones.

*From the editors of "Business-Info"*

Procedures and other issues for confirming compliance with the technical requirements contained in the documents established in subparagraph. [3.1](#) , [3.3-3.6](#) , [3.8](#) clause 3 of Article 2 of this [Law](#) are defined in [the Rules for Conformity Assessment of the National Conformity Assessment System of the Republic of Belarus](#), approved by Resolution of the State Committee for Standardization of the Republic of Belarus dated July 25, 2017 No. 61 ( [clause 1](#) of the said Rules).

4. This [Law](#) does not apply:

4.1. when determining ( [evaluating](#) ) compliance with technical and other requirements contained in acts (documents) not specified in [paragraph 3](#) of this article;

4.2. when determining ( [assessing](#) ) compliance with technical and other requirements (including [assessment compliance](#) ) in forms not specified in [paragraph 1](#) of Article 12 of this [Law](#) , with the exception of the application of [paragraph 2](#) of Article 12 of this [Law](#) ;

4.3. when carrying out accreditation of bodies, organizations, other persons or objects that is not accreditation within the meaning of this [Law](#) ;

4.4. for certification in the field of civil and experimental aviation.

5. Assessment of the conformity of encrypted and other types of special communications, means of protecting state secrets, security equipment and systems, provision of services for the design, installation, adjustment and maintenance of security equipment and systems, service and civilian weapons and ammunition, weapons, military equipment and other property used for military purposes, processes related to the requirements for weapons, military equipment and other property used for military purposes, processes for performing work and providing military services, software, software, hardware and hardware used to create , processing, storage, transfer and protection of electronic documents and electronic digital signatures, equipment, products and technologies for nuclear energy facilities, unmanned aerial vehicles, provision of services for training, retraining, advanced training of drivers of motor vehicles is carried out in accordance with this Law taking into account the specifics established by legislative acts.

6. Features of certification in the field of environmental protection (ecological certification) and the activities of accredited testing laboratories (centers) in the field of environmental protection may be established by acts of legislation in the field of environmental protection.

7. If an international treaty of the Republic of Belarus establishes rules other than those contained in this [Law](#) , then the rules of the international treaty apply.

**Article 3. Financing in the field [of conformity assessment](#) and accreditation**

Financing in the field of conformity assessment and accreditation is carried out at the expense of the republican and local budgets, including state target budget funds, as well as funds from extra-budgetary centralized investment funds, funds from applicants for accreditation, applicants for certification, persons accepting declarations, applicants for conducting tests, accredited bodies, certificate holders, as well as other non-prohibited sources.

## CHAPTER 2

### STATE REGULATION IN THE FIELD OF CONFORMITY ASSESSMENT AND ACCREDITATION. CONTROL (SUPERVISION) OF COMPLIANCE WITH THE REQUIREMENTS OF LEGISLATION ON CONFORMITY ASSESSMENT RELATING TO MANDATORY CONFIRMATION

#### Article 4. Implementation of state regulation in the field of conformity assessment and accreditation

State regulation in the field of conformity assessment and accreditation is carried out by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the State Committee for Standardization and other government bodies within their competence.

#### Article 5. Powers of the President of the Republic of Belarus in the field of assessment compliance and accreditation

President of the Republic of Belarus in the field of assessment compliance and accreditation determines the unified state policy and exercises other powers provided for by [the Constitution of](#) the Republic of Belarus, this [Law](#) and other legislative acts.

#### Article 6. Powers of the Council of Ministers of the Republic of Belarus in the field of assessment compliance and accreditation

1. Council of Ministers of the Republic of Belarus in the field of conformity assessment and accreditation:

1.1. ensures the implementation of a unified state policy;

1.2. establishes, unless otherwise determined by the President of the Republic of Belarus or the law of the Eurasian Economic Union (in relation to certificates of conformity with the technical regulations of the Eurasian Economic Union, certificates of conformity in a single form, declarations of conformity with the technical regulations of the Eurasian Economic Union, as well as declarations of conformity in a single form):

exhaustive lists of documents (information) submitted in the Republic of Belarus for the issuance of accreditation [certificates](#), certificates, their duplicates, amendments and (or) additions to accreditation certificates, [certificates](#) of conformity and [certificates](#) of competence, registration of declarations, as well as for issuing decisions on the cancellation of certificates accreditation on the initiative of accredited bodies or on the termination of certificates issued in the Republic of Belarus, on the initiative of certificate holders, decisions on termination of registration of declarations registered in the Republic of Belarus, on the initiative of persons accepting declarations;

deadlines for issuing accreditation [certificates](#), certificates, their duplicates in the Republic of Belarus, making changes and (or) additions to accreditation certificates, [certificates](#) of conformity and [certificates](#) of competence, registration of declarations in the Republic of Belarus;

the timing of the issuance in the Republic of Belarus of decisions on the cancellation of accreditation [certificates](#) on the initiative of accredited bodies or on the termination of certificates issued in the Republic of Belarus on the initiative of certificate holders, decisions on the termination of registration of declarations registered in the Republic of Belarus on the initiative of persons accepting declarations;

validity periods in the Republic of Belarus of accreditation [certificates](#) , certificates, registration of declarations;

1.3. establishes the amount of fees charged when issuing accreditation [certificates](#) , certificates, their duplicates, making changes and (or) additions to accreditation certificates, [certificates](#) of conformity and [certificates](#) of competence, registering declarations, or the procedure for determining such a fee;

1.4. if necessary, authorizes a state organization to register declarations, which acts as a body for registering declarations along with certification bodies with the corresponding field of accreditation;

1.5. determines the republican government bodies and other state organizations subordinate to the Council of Ministers of the Republic of Belarus, which carry out cooperation of the Republic of Belarus with international organizations operating in the field of **assessment compliance** and accreditation.

2. The Council of Ministers of the Republic of Belarus exercises other powers in the field **of assessment compliance** and accreditation in **accordance** with [the Constitution](#) of the Republic of Belarus, this **Law** , other **laws** and acts of the President of the Republic of Belarus.

## **Article 7. Powers of the State Committee for Standardization in the field **of assessment compliance** and accreditation**

1. State Committee for Standardization in the Field of Conformity Assessment and Accreditation:

1.1. implements a unified state policy;

1.2. ensures, within its competence, the creation and operation of the National System for Conformity Assessment of the Republic of Belarus and the National Accreditation System of the Republic of Belarus;

1.3. participates in the prescribed manner in the development of draft acts of legislation on conformity assessment and accreditation;

1.4. approves the composition of the Council for Conformity Confirmation of the National Conformity Confirmation System of the Republic of Belarus and the Accreditation Council of the National Accreditation System of the Republic of Belarus, regulations on them;

1.5. approves [the rules](#) for confirming conformity and [the rules](#) for accreditation, regulating procedures and other issues of confirming conformity and accreditation, with the exception of the regulation of issues regulated by regulatory legal acts of the President of the Republic of Belarus, this Law, other laws, regulatory legal acts of the Council of Ministers of the Republic of Belarus and the law of the Eurasian Economic Union;

1.6. approves [the rules](#) for maintaining the register of the National Conformity Assessment System of the Republic of Belarus and the rules for maintaining the register of the National Accreditation System of the Republic of Belarus;

1.7. provides the formation and maintenance of:

[register](#) of the National Conformity Confirmation System of the Republic of Belarus;

register of the National Accreditation System of the Republic of Belarus;

national parts of unified registers of issued and accepted conformity assessment documents formed in accordance with [the Treaty](#) on the Eurasian Economic Union (in terms of certificates of conformity with the technical regulations of the Eurasian Economic Union, certificates of conformity in a single form, declarations of conformity with the technical regulations of the Eurasian Economic Union, as well as declarations on compliance in a unified form) (hereinafter referred to as unified registers of documents on conformity assessment);



the national part of the Unified Register of Conformity Assessment Bodies of the Eurasian Economic Union, formed in accordance with [the Treaty](#) on the Eurasian Economic Union (hereinafter referred to as the Unified Register of Conformity Assessment Bodies);

1.8. determines from among the state organizations subordinate to him the state organization:

acting as an accreditation body;

providing technical support for maintaining [the register](#) of the National Conformity Assessment System of the Republic of Belarus (hereinafter referred to as the organization authorized to maintain the register of the National Conformity Assessment System of the Republic of Belarus);

providing technical support for the formation and maintenance of national parts of unified registers of conformity assessment documents (hereinafter referred to as the organization authorized to maintain unified registers of conformity assessment documents);

acting as an authorized body for coordination and scientific and methodological support of interlaboratory comparative tests (interlaboratory comparisons) and approves [the regulations](#) on it;

1.9. participates, within its competence, in the preparation and consideration of draft decisions and recommendations of the Eurasian Economic Commission, carrying out the procedure for canceling or amending decisions adopted by the Board of the Eurasian Economic Commission, and preparing initiative proposals for consideration at meetings of the Council of the Eurasian Economic Commission and (or) the Board of the Eurasian Economic Commission, interacts with the Ministry of Economy and other government bodies (organizations), other organizations on these issues;

1.10. represents, within its powers, the Republic of Belarus in international organizations operating in the field of conformity assessment and accreditation;

1.11. concludes, within the limits of its powers, international treaties of the Republic of Belarus of an interdepartmental nature;

1.12. determines [the requirements](#) for the professional competence of expert auditors, and also establishes the procedure for certifying compliance with these requirements, with the exception of regulating issues regulated by legislative acts and regulations of the Council of Ministers of the Republic of Belarus;

1.13. determines the requirements for the professional competence of accreditation experts, and also establishes the procedure for certification of accreditation experts, with the exception of regulating issues regulated by legislative acts and regulations of the Council of Ministers of the Republic of Belarus.

2. The State Committee for Standardization exercises other powers in the field of assessment compliance and accreditation in accordance with this Law and other acts of legislation.

## **Article 8. Powers of other state bodies in the field of assessment compliance and accreditation**

1. Other government bodies within their competence in the field of assessment compliance and accreditation:

1.1. participate in the implementation of a unified state policy;

1.2. participate in the prescribed manner in the development of draft acts of legislation on assessment compliance and accreditation;

1.3. promote the formation and development of a network of accredited testing laboratories (centers).

2. Other state bodies exercise, within their competence, other powers in the field of assessment compliance and accreditation in accordance with this Law and other acts of legislation.

## **Article 9. International cooperation in the field of assessment compliance and accreditation**

1. International cooperation in the field of conformity assessment and accreditation is carried out in accordance with legislative acts and international treaties of the Republic of Belarus on the basis of compliance with generally recognized principles and norms of international law.

2. The interests of the Republic of Belarus in international organizations operating in the field of conformity assessment and accreditation are represented by the State Committee for Standardization, other republican government bodies determined by the Council of Ministers of the Republic of Belarus, government organizations subordinate to the Council of Ministers of the Republic of Belarus, as well as other government bodies (organization) within its competence.

## **Article 10. Control (supervision) over compliance with the requirements of the legislation on conformity assessment relating to mandatory confirmation of conformity**

1. Control (supervision) over compliance with the requirements of the legislation on conformity assessment relating to mandatory confirmation of conformity (hereinafter referred to as control (supervision) in the field of conformity assessment) is carried out by the State Committee for Standardization and regional (in the Minsk region and Minsk) state supervision inspections for compliance with the requirements of technical regulations and standards and state metrological supervision of the State Committee for Standardization (hereinafter referred to as the supervisory bodies of Gosstandart) in the forms of random and unscheduled inspections, technical (technological, verification) measures, preventive and precautionary measures in accordance with this Law and others legislative acts. The State Committee for Standardization plans, organizes and coordinates the work of the supervisory bodies of Gosstandart in the implementation of appropriate control (supervision).

2. Control (supervision) in the field of assessment compliance is directly carried out by state inspectors of the supervisory bodies of Gosstandart, certified in the manner established by the State Committee for Standardization (hereinafter referred to as state inspectors).

3. The object of control (supervision) in the field of conformity assessment is the activities of conformity assessment subjects to fulfill the requirements of the legislation on conformity assessment relating to mandatory confirmation of conformity.

4. Inspected subjects and other subjects of control (supervision) within the framework of control (supervision) in the field of conformity assessment are organizations, their separate divisions that have a payer registration number, individual entrepreneurs, individuals engaged in craft activities, activities in the field of agroecotourism, participating in relations regulated by acts of legislation on conformity assessment relating to mandatory confirmation of conformity.

5. When conducting inspections, the supervisory authorities of Gosstandart and state inspectors, within the limits of their competence, have the right:

5.1. involve specialists who are not interested in the results of the inspection and, in agreement with the entities being inspected, use the technical means of these entities;

5.2. carry out, in the manner established by the Council of Ministers of the Republic of Belarus and (or) regulatory legal acts of the State Committee for Standardization, sampling and sampling of products to determine its compliance with technical requirements;

5.3. hand over signature (send by registered mail with acknowledgment of receipt) to the inspected entities or their representatives, mandatory and issued in the manner established by the President of the Republic of Belarus, officials of the supervisory bodies of Gosstandart, authorized in accordance with their competence to consider inspection materials, orders to eliminate violations identified during the inspection;

5.4. in cases of detection of violations of the requirements of legislative acts on conformity assessment relating to mandatory confirmation of conformity, creating a threat to national security, causing harm to the life and health of the population, the environment, in the manner established by the President of the Republic of Belarus, issue:

a proposal to suspend (prohibit) the activities of the inspected entity (its workshops, production sites), construction site, equipment until the violations that served as the basis for the delivery (sending) of the proposal are eliminated;

an order prohibiting the sale of products (performance of work, provision of services) subject to mandatory confirmation of conformity on the territory of the Republic of Belarus until the violations that served as the basis for issuing such an order are eliminated.

6. When conducting monitoring, the supervisory authorities of Gosstandart, state inspectors in cases established by the President of the Republic of Belarus, have the right to present (send) recommendations for eliminating identified violations (deficiencies), and in cases of identifying violations of legislation that pose a threat to national security, causing harm to life and public health, environment - to exercise the powers provided for in [subclause 5.4](#) of clause 5 of this article.

7. Supervisory bodies of Gosstandart and state inspectors exercise other powers provided for by legislative acts.

### **CHAPTER 3 BASIC PROVISIONS ABOUT CONFORMITY ASSESSMENT**

#### **Article 11. Purposes and principles of conformity assessment**

1. The purposes of conformity assessment are:

- 1.1. ensuring the protection of human life, health and heredity, property and environmental protection;
- 1.2. prevention of actions that mislead consumers of products, works and services regarding their purpose, quality and safety;
- 1.3. increasing the competitiveness of products, works and services;
- 1.4. eliminating technical barriers to trade;
- 1.5. ensuring energy efficiency and rational use of resources (resource conservation);
- 1.6. ensuring scientific, technological, information and military security.

2. The principles of conformity assessment are:

- 2.1. harmonization with international and interstate (regional) approaches in the field of conformity assessment;
- 2.2. ensuring the identity of conformity assessment procedures for domestic and foreign objects of conformity assessment;
- 2.3. openness, accessibility and remuneration of conformity assessment procedures.

#### **Article 12. Forms of conformity assessment**

1. Conformity assessment is carried out in the following forms:

1.1. certification;

1.2. declaration of conformity;

1.3. tests, if tests are an independent form of conformity assessment in accordance with the technical regulations of the Eurasian Economic Union.

2. Conformity assessment may be carried out in other forms of assessing compliance with the technical requirements of the technical regulations of the Eurasian Economic Union, established by the technical regulations of the Eurasian Economic Union. Bodies (organizations) authorized to conduct other forms of assessment of compliance with the technical requirements of the technical regulations of the Eurasian Economic Union, the procedures for such forms of conformity assessment are determined by the technical regulations of the Eurasian Economic Union, other law of the Eurasian Economic Union, and legislation.

### **Article 13. Objects of conformity assessment**

1. The objects of conformity assessment are:

1.1. products;

1.2. processes of development, design, survey, production, construction, installation, commissioning, operation (use), storage, transportation (transportation), sales and disposal of products;

1.3. execution of work;

1.4. provision of services;

1.5. control systems (management);

1.6. competence of personnel in performing certain works and providing certain services.

2. Objects of assessment compliance may be other objects in respect of which the acts (documents) specified in paragraph 3 of Article 2 of this Law establish technical requirements, with the exception of the competence of a legal entity of the Republic of Belarus or a foreign legal entity in performing assessment work compliance.

### **Article 14. Subjects of assessment compliance**

1. Subjects of assessment matches are:

1.1. The President of the Republic of Belarus and state bodies carrying out state regulation in the field of conformity assessment;

1.2. Council for Conformity Confirmation of the National Conformity Confirmation System of the Republic of Belarus;

1.3. conformity assessment bodies;

1.4. declaration registration authorities;

1.5. an organization authorized to maintain [the register](#) of the National Conformity Assessment System of the Republic of Belarus;

1.6. an organization authorized to maintain unified registers of conformity assessment documents;

1.7. applicants for certification;

1.8. certificate holders;

- 1.9. persons accepting declarations;
- 1.10. applicants for testing;
- 1.11. manufacturers, persons authorized by manufacturers, sellers (suppliers);
- 1.12. expert auditors;
- 1.13. technical certification experts.

2. Subjects of conformity assessment may be other entities that, in accordance with acts of legislation or international treaties of the Republic of Belarus, are endowed with rights and responsibilities (powers) in the field of conformity assessment and participate in relations in the field of conformity assessment.

## **Article 15. Documents on conformity assessment and other documents in the field of conformity assessment**

1. Conformity assessment documents include:

- 1.1. [certificate](#) of conformity;
- 1.2. [certificate](#) of competence;
- 1.3. [declaration](#) of conformity;
- 1.4. certificate of compliance with technical regulations of the Eurasian Economic Union;
- 1.5. declaration of conformity with technical regulations of the Eurasian Economic Union;
- 1.6. certificate of conformity in a single form;
- 1.7. declaration of conformity in a single form;

1.8. test report, if the test is an independent form of conformity assessment in accordance with the technical regulations of the Eurasian Economic Union.

2. The forms of conformity assessment documents specified in subparagraphs [1.1–1.3](#) of paragraph 1 of this article are established by [the rules](#) for confirming conformity. The forms of conformity assessment documents specified in subparagraphs [1.4–1.7](#) of paragraph 1 of this article are established by the law of the Eurasian Economic Union.

3. Conformity assessment documents specified in [paragraph 1](#) of this article, issued in the Republic of Belarus, as well as test reports that are not conformity assessment documents, issued in the Republic of Belarus, are applied throughout the territory of the Republic of Belarus.

4. Conformity assessment documents specified in [paragraph 1](#) of this article, issued in the Republic of Belarus, as well as test reports that are not conformity assessment documents, issued in the Republic of Belarus, may be used outside the Republic of Belarus in accordance with international treaties of the Republic of Belarus or acts of legislation of foreign states.

[of assessment](#) may be used on the territory of the Republic of Belarus [compliance](#) not specified in [paragraph 1](#) of this article, issued outside the Republic of Belarus, as well as test reports that are not the protocols specified in [subparagraph 1.8](#) of paragraph 1 of this article, issued outside the Republic of Belarus, subject to their recognition in the manner established by [article 16](#) of this [Law](#).

## **Article 16. Recognition of documents in the field [of assessment compliance](#) issued outside the Republic of Belarus**

Valuation documents conformities not specified in paragraph 1 of Article 15 of this Law, issued outside the Republic of Belarus, as well as test reports that are not the protocols specified in subparagraph 1.8 of paragraph 1 of Article 15 of this Law, issued outside the Republic of Belarus, may be recognized in the Republic of Belarus on the basis of legislative acts, regulatory legal acts of the Council of Ministers of the Republic of Belarus, international treaties of the Republic of Belarus, technical regulations of the Eurasian Economic Union (hereinafter referred to as legal acts on recognition) and (or) in the manner established by legal acts on recognition or in accordance with these acts.

*From the editors of "Business-Info"*

[The procedure](#) for recognizing product test reports conducted by European authorized bodies, with its mandatory confirmation of conformity in the Republic of Belarus, was approved by Resolution of the Council of Ministers of the Republic of Belarus dated July 7, 2011 No. 925.

2. If the procedures for the recognition of documents in the field of conformity assessment issued outside the Republic of Belarus are not regulated by legal acts on recognition and these acts do not provide otherwise, then the corresponding procedures are regulated by [the rules](#) for confirming conformity.

#### **Article 17. Product circulation and product conformity assessment. Emergency measures to prevent the release of hazardous products into circulation**

1. Products for which the technical regulations (technical regulations) of the Eurasian Economic Union have come into force are released into circulation on the territory of the Republic of Belarus, provided that they have passed all the necessary conformity assessment procedures established by the technical regulations (technical regulations) of the Eurasian Economic Union.

2. When assessing the conformity of products for which the technical regulations (technical regulations) of the Eurasian Economic Union have not entered into force, acts of legislation or decisions of the Eurasian Economic Commission regarding conformity assessment are applied.

3. To protect the interests of the Republic of Belarus, by decision of the state bodies determined by the President of the Republic of Belarus, constituting the system of state control (supervision) bodies over compliance with the requirements of technical regulations of the Eurasian Economic Union in the field of the consumer market, bodies of the State Control Committee, other state bodies determined by the President of the Republic of Belarus (officials) emergency measures can be taken to prevent the release of hazardous products into circulation. The criteria for recognizing products as dangerous, as well as the composition and procedure for taking such emergency measures, are determined by the President of the Republic of Belarus or in the manner established by him. In this case, the Council of Ministers of the Republic of Belarus or a state body authorized by it, unless otherwise determined by the President of the Republic of Belarus, immediately informs the member states of the Eurasian Economic Union about emergency measures taken in accordance with this paragraph.

### **CHAPTER 4 CONFIRMATION OF COMPLIANCE**

#### **Article 18. Goals and principles of conformity assessment**

1. The purposes of conformity assessment are:

1.1. documentary certification of the conformity of assessment objects compliance with technical requirements;

1.2. other purposes specified in [paragraph 1](#) of Article 11 of this Law.

2. The principles of conformity assessment are:

2.1. independence of certification bodies and bodies for registration of declarations from applicants for certification, certificate holders, persons accepting declarations, manufacturers, persons authorized by manufacturers, sellers (suppliers);

2.2. the inadmissibility of combining by the certification body or the body for registration of declarations the activities of carrying out work on certification and (or) registration of declarations with entrepreneurial activities for the production and (or) sale of products, performance of work, provision of services, if the work is carried out on certification and (or) registration declarations in relation to such objects of conformity assessment are within the scope of accreditation of this certification body or the competence of the body for registration of declarations;

2.3. protection of the property interests of applicants for certification, certificate holders, persons accepting declarations, including by ensuring the confidentiality of information obtained during certification procedures, as well as when registering declarations;

2.4. other principles specified in [paragraph 2](#) of Article 11 of this Law.

## **Article 19. National system of conformity assessment of the Republic of Belarus**

1. The structure of the National Conformity Assessment System of the Republic of Belarus includes:

1.1. State Committee for Standardization;

1.2. Council for Conformity Confirmation of the National Conformity Confirmation System of the Republic of Belarus;

1.3. certification bodies;

1.4. declaration registration authorities;

1.5. an organization authorized to maintain [the register](#) of the National Conformity Assessment System of the Republic of Belarus;

1.6. an organization authorized to maintain unified registers of conformity assessment documents;

1.7. applicants for certification;

1.8. certificate holders;

1.9. persons accepting declarations;

1.10. manufacturers, persons authorized by manufacturers, sellers (suppliers);

1.11. expert auditors;

1.12. technical certification experts.

2. The structure of the National Conformity Assessment System of the Republic of Belarus may include other entities participating in the conformity assessment procedures and determined by [the rules](#) for conformity assessment.

3. The National System for Conformity Assessment of the Republic of Belarus includes regulatory legal acts that define conformity assessment procedures and regulate other issues of conformity assessment.

#### **Article 20. Council for Conformity Confirmation of the National Conformity Confirmation System of the Republic of Belarus**

1. The Council for Conformity Confirmation of the National Conformity Confirmation System of the Republic of Belarus is a collegial advisory body formed to provide assessment of the functioning, monitor the implementation of goals and develop recommendations on the development of the National Conformity Confirmation System of the Republic of Belarus.

2. The composition of the Council for Conformity Assessment of the National Conformity Assessment System of the Republic of Belarus and its regulations are approved by the State Committee for Standardization. The Council for Conformity Confirmation of the National Conformity Confirmation System of the Republic of Belarus, in the manner established by the regulations on it, includes representatives of interested government bodies and other organizations, taking into account their competence.

#### **Article 21. Marks of conformity of the National Conformity Confirmation System of the Republic of Belarus. Unified sign of product circulation on the market of the Eurasian Economic Union**

1. The marks of conformity of the National System of Conformity Assessment of the Republic of Belarus include the mark of conformity with the technical regulations of the Republic of Belarus, as well as other marks of conformity of the National System of Conformity Assessment of the Republic of Belarus, the types of which are determined by [the rules](#) of conformity assessment.

2. The mark of conformity with the technical regulations of the Republic of Belarus is a sign indicating that all conformity assessment procedures established by the technical regulations of the Republic of Belarus are carried out and that the conformity assessment objects marked with it comply with the technical requirements of all technical regulations of the Republic of Belarus that apply to these objects.

3. Other marks of conformity of the National System for Conformity Assessment of the Republic of Belarus - marks indicating that all necessary conformity assessment procedures have been carried out and the compliance of the conformity assessment objects marked with them with technical requirements.

4. The description and procedure for applying the mark of conformity with the technical regulations of the Republic of Belarus are established by the Council of Ministers of the Republic of Belarus. The use of this sign is mandatory.

5. The description and procedure for applying other marks of conformity of the National Conformity Confirmation System of the Republic of Belarus are established by [the rules](#) of conformity assessment. The use of these signs is carried out on a voluntary basis.

6. Products that comply with the technical requirements of the technical regulations of the Eurasian Economic Union, which apply to these products, and have passed the conformity assessment procedures established by the technical regulations of the Eurasian Economic Union, are subject to mandatory marking with a single sign of product circulation on the market of the Eurasian Economic Union.

7. The image and procedure for using a single mark for the circulation of products on the market of the Eurasian Economic Union are established by the law of the Eurasian Economic Union.

#### **Article 22. Register of the National Conformity Confirmation System of the Republic of Belarus. Unified registers of conformity assessment documents**



1. [The register](#) of the National Conformity Assessment System of the Republic of Belarus and the unified registers of conformity assessment documents are official and publicly available sources of information on the results of certification work and registration of declarations, as well as on the actual (current) status (valid, suspended, resumed, canceled, terminated ) documents on conformity assessment and registration of declarations, information about which is included in the relevant registers.

2. Technical support for maintaining [the register](#) of the National Conformity Attestation System of the Republic of Belarus is carried out by an organization authorized to maintain the register of the National Conformity Attestation System of the Republic of Belarus, in accordance with [the rules](#) for maintaining the register of the National Conformity Attestation System of the Republic of Belarus.

3. Technical support for the formation and maintenance of national parts of unified registers of conformity assessment documents is carried out by an organization authorized to maintain unified registers of conformity assessment documents, in accordance with the law of the Eurasian Economic Union.

4. Access to [the register](#) of the National Conformity Assessment System of the Republic of Belarus and the unified registers of conformity assessment documents via the global computer network Internet or in another way is carried out in accordance with [the rules](#) for maintaining the register of the National Conformity Assessment System of the Republic of Belarus and the law of the Eurasian Economic Union.

### **Article 23. Mandatory confirmation of compliance**

1. Mandatory confirmation of conformity is carried out in the form of mandatory certification or declaration of conformity.

2. Objects of conformity assessment are subject to mandatory confirmation of conformity if one of the following grounds exists:

2.1. in relation to products or products and the processes of development, design, survey, production, construction, installation, adjustment, operation (use), storage, transportation (transportation), sales and disposal related to product requirements, the technical requirements of the technical regulations of the Republic of Belarus or technical the regulations of the Eurasian Economic Union and the corresponding technical regulations of the Republic of Belarus or the technical regulations of the Eurasian Economic Union provide for mandatory confirmation of the conformity of these objects of conformity assessment, indicating the form of confirmation of conformity;

2.2. In relation to the object of conformity assessment, mandatory confirmation of conformity has been introduced due to the need to take prompt measures of state regulation.

3. Mandatory confirmation of conformity is carried out to determine the compliance of objects of conformity assessment, subject to mandatory confirmation of conformity, with the technical requirements of the technical regulations of the Republic of Belarus or the technical regulations of the Eurasian Economic Union or the technical requirements contained in the regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with certain their procedure, providing for the introduction of mandatory confirmation of compliance in connection with the need to take prompt measures of state regulation.

4. If products subject to mandatory confirmation of conformity within the framework of the requirements of technical regulations of the Republic of Belarus or normative legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure established by him are also included in the unified list of products subject to mandatory confirmation of conformity with the issuance of certificates of conformity and declarations of conformity in a single form, formed in accordance with [the Treaty](#) on the Eurasian Economic Union, then such products may, at the discretion of the applicant for certification or the person accepting the declaration, in the period before the entry into force of the technical regulations of the Eurasian Economic Union for these products, undergo confirmation of conformity for compliance with the technical requirements contained

in the acts (documents) specified in this unified list. In this case, the products are released into circulation in compliance with the conditions stipulated by [the Treaty](#) on the Eurasian Economic Union.

5. It is prohibited to release products into circulation, perform work, provide services and operate (operate, use) other objects **of assessment compliance**, subject to mandatory confirmation **of conformity**, on the territory of the Republic of Belarus without going through **compliance confirmation procedures or having valid assessment documents compliance** and valid registration of declarations. This prohibition does not apply to cases where, in **accordance** with [paragraph 10](#) of Article 27 and [paragraph 9](#) of Article 31 of this **Law**, products are allowed to be in circulation in respect of which previously issued conformity assessment documents have been canceled (terminated) or the registration of a previously accepted declaration has been terminated.

6. The procedure for confirming the availability of documents on conformity assessment and registration of declarations when circulating products, performing work, providing services and functioning (operation, use) of other objects of conformity assessment is established by legislative acts and the law of the Eurasian Economic Union.

#### **Article 24. Introduction of mandatory confirmation of compliance in connection with the need to take prompt measures of state regulation**

1. Mandatory confirmation of compliance may be introduced by regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure determined by him in connection with the need to take operational measures of state regulation.

2. Mandatory confirmation of conformity, introduced in accordance with [paragraph 1](#) of this article, is valid until the technical regulation (technical regulations) of the Republic of Belarus or the Eurasian Economic Union for the object of conformity assessment comes into force.

#### **Article 25. Voluntary confirmation of compliance**

1. Voluntary confirmation of conformity is carried out in the form of voluntary certification.

2. Voluntary confirmation of conformity can be carried out in relation to any objects of conformity assessment.

3. Voluntary confirmation of conformity is carried out to assess the compliance of objects for assessing compliance with the technical requirements of technical codes of established practice, state standards of the Republic of Belarus, technical conditions, international standards, interstate and other regional standards, other documents in the field of technical regulation and standardization that are not technical regulatory legal acts, civil contracts, including foreign trade ones.

4. Voluntary confirmation of conformity is carried out by the certification body at the initiative of the applicant for certification.

5. During voluntary confirmation of conformity, the applicant for certification independently selects the technical requirements for compliance with which voluntary confirmation of conformity is carried out, and determines the range of indicators controlled during voluntary confirmation of conformity. The nomenclature of these indicators must include safety indicators if they are established by technical regulatory legal acts in the field of technical regulation and standardization for this object of conformity assessment.

#### **Article 26. Conducting mandatory and voluntary certification**

1. Certification is carried out by the certification body within its scope of accreditation on the basis of an [application for certification submitted by the applicant](#) for certification and subject to the conclusion of an

agreement to perform certification work. Requirements for the form and content of the application for certification are established [by the rules](#) for confirming conformity.

2. The specific circle of applicants for certification during mandatory certification as part of the assessment of compliance with the technical requirements of the technical regulations of the Eurasian Economic Union is established by the technical regulations of the Eurasian Economic Union.

3. A specific circle of applicants for certification during mandatory certification as part of the assessment of compliance with the technical requirements of the technical regulations of the Republic of Belarus or the technical requirements contained in the regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure determined by him, providing for the introduction of mandatory confirmation of **conformity** in connection with the need to take operational measures of state regulation, may be limited by the specified acts or [rules](#) for confirming **compliance**, taking into account the specifics of the object **of assessment compliance** within the general circle of applicants for certification determined [by subclause 1.13](#) of clause 1 of Article 1 of this **Law**, unless otherwise established by the President of the Republic of Belarus.

4. If there are several certification bodies with the corresponding scope of accreditation, the applicant for certification has the right to apply to any of them of his choice. At the same time, certification bodies conducting mandatory certification of products as part of assessing compliance with the technical requirements of the technical regulations of the Eurasian Economic Union or as part of confirming compliance with the issuance of a certificate of conformity in a unified form must be included in the Unified Register of Conformity Assessment Bodies.

5. Based on the results of consideration [of the application](#) for certification, the certification body determines the main conditions of the upcoming certification and sends (transmits) information about them to the applicant for certification.

6. If the applicant agrees to carry out certification with the main conditions of the upcoming certification, an agreement is concluded between him and the certification body to perform certification work.

7. Certification, depending on the object of conformity assessment and (or) the conformity assessment [scheme](#), may involve identification of the object of conformity assessment, selection of product samples for testing, testing of products, other objects of conformity assessment, analysis of the state of production, study of a project or type of product, assessment of skill and (or) qualifications of personnel, assessment of the stability of the process of performing certain works, providing certain services, qualification exam for personnel, audit of management systems, making a decision to issue or refuse to issue a certificate, periodic assessment of a certified object, other procedures within the framework of certification .

8. Conformity confirmation [schemes](#) used for certification are established by the relevant technical regulations of the Republic of Belarus, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, and in cases where there are no technical regulations of the Republic of Belarus and technical regulations of the Eurasian Economic Union or if conformity confirmation schemes are not established by the technical regulations of the Republic of Belarus - [the rules](#) for confirming conformity.

***From the editors of "Business-Info"***

In cases where there are no technical regulations or if product certification schemes are not established in the technical regulations of the Republic of Belarus, product certification is carried out according to schemes in accordance with [Appendix 5](#), and certification of work performance and provision of services is carried out according to schemes in accordance with [Appendix 8](#) to the Rules for Conformity Assessment of the National Conformity Assessment System of the Republic of Belarus, approved by Resolution of the State Committee for Standardization of the Republic of Belarus dated July 25, 2017 No. 61.

9. Positive results of certification are certified by a certificate issued by the certification body to the applicant for certification.

10. The certification body refuses to accept an application for issuing a certificate in the event of failure to provide all documents (information) necessary for its issuance, an exhaustive list of which is established by the Council of Ministers of the Republic of Belarus, and in relation to applicants for certification who are individuals - by the President of the Republic of Belarus, as well as other documents, the presentation of which the certification body has the right to require from the interested person in accordance with the Law of the Republic of Belarus of October 28, 2008 No. 433-Z "On the fundamentals of administrative procedures" (in case such documents are required).

11. The certification body refuses to issue a certificate if, based on the results of certification, a non-conformity of the assessed object is determined compliance with technical requirements, compliance with which was confirmed during certification, as well as in other cases of refusal to carry out an administrative procedure provided for by the Law of the Republic of Belarus "On the Fundamentals of Administrative Procedures", other legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

12. During the period of validity of the certificate, a periodic assessment of the certified object is provided, except in cases where such an assessment is not provided for by the conformity assessment scheme or the rules of conformity assessment. The procedure and frequency of periodic assessment of a certified object are established by the rules for confirming compliance. When conducting each periodic assessment of a certified object, a separate contract is concluded for the performance of work to conduct a periodic assessment of the certified object.

13. The provisions provided for in this article apply to mandatory certification of products as part of assessing compliance with the technical requirements of the technical regulations of the Eurasian Economic Union or as part of confirming compliance with the issuance of a certificate of conformity in a single form, unless otherwise established by the technical regulations of the Eurasian Economic Union and other law Eurasian Economic Union.

#### **Article 27. Validity of certificates over time. Actions of certificate holders, certification bodies and government bodies (officials) in relation to issued certificates. Recertification**

1. The certificate comes into force from the date of its registration (assignment of a registration number and making a corresponding entry) by the certification body in the register of the National Conformity Assessment System of the Republic of Belarus or national parts of the unified registers of assessment documents compliance. The certificate is valid for the period specified in the relevant certificate, taking into account the requirements of legislative acts on administrative procedures, unless the certificate has been canceled (terminated) in accordance with paragraphs 3, 5, 8 or 9 of this article, with Article 28 of this Law. In this case, the date of registration of the certificate is indicated in it as the start date of its validity.

2. Changes and (or) additions may be made to the certificate of conformity or certificate of competence during their validity period at the initiative of the certificate holder by the certification body that issued the corresponding certificate in connection with changes in the information specified in the certificate of conformity or certificate of competence.

3. The certificate may be terminated by the certification body that issued the corresponding certificate at the initiative of the certificate owner.

4. The validity of a certificate may be suspended, renewed or canceled (terminated) by decision of the certification body that issued the corresponding certificate, on the grounds specified in Article 28 of this Law.

5. In cases and in the manner established by the President of the Republic of Belarus, the validity of the certificate may be suspended or canceled (terminated) by authorized officials of state bodies that make up the

system of state control (supervision) bodies for compliance with the requirements of technical regulations of the Eurasian Economic Union in the field of the consumer market, bodies State Control Committee, other persons (bodies) determined by the President of the Republic of Belarus.

6. In case of cancellation (termination) of the certificate for any reason, its validity cannot be renewed. In this case, the cancellation (termination) of the certificate does not prevent the submission of a new [application](#) for certification.

7. Before the certificate expires within the time limits determined by [the rules](#) for confirming conformity, the owner of the certificate has the right to apply to the certification body that issued the certificate with [an application](#) for re-certification. Re-certification is carried out taking into account the circumstances (features) determined by the rules for confirming conformity.

8. In cases of liquidation or reorganization, with the exception of transformation, of a legal entity, termination of the activities of an individual entrepreneur or exclusion of an individual entrepreneur from the Unified State [Register](#) of Legal Entities and Individual Entrepreneurs in connection with his death (hereinafter referred to as termination of the activities of an individual entrepreneur), death or declaration of death individuals who were the owner of the certificate, the validity of the certificate is canceled (terminated) by the certification body.

9. In the event of transformation of a legal entity that is the owner of a certificate, changes may be made to [the certificate](#) of conformity or [certificate](#) of competence, and the validity of the certificate of compliance with the technical regulations of the Eurasian Economic Union or the certificate of conformity in a unified form is terminated by the certification body.

10. Products manufactured during the validity period of the certificate issued in respect of it in the prescribed manner, as well as other certified products in cases determined by [the rules](#) for confirming conformity, may be in circulation after cancellation (termination) of the relevant certificate within the limits determined in accordance with acts of legislation or the law of the Eurasian Economic Union of service life, shelf life and (or) shelf life of products, except for cases where the certificate was canceled (terminated) due to non-compliance of the certified object for conformity assessment with technical requirements, compliance with which was confirmed during certification, or canceled (terminated) in cases and in the manner established by the President of the Republic of Belarus and his authorized persons (bodies).

11. Changes and (or) additions to [the certificate](#) of conformity or [certificate](#) of competence are considered made, and the validity of the certificate is considered suspended, renewed or canceled (terminated) from the date of making the corresponding entry in [the register](#) of the National Conformity Assessment System of the Republic of Belarus or national parts of the unified registers of assessment documents compliance.

12. In the event of cancellation of the accreditation [certificate](#) of a certification body, the certificates previously issued by it are valid within the terms for which they were issued, but not more than two years from the date the accreditation body made an entry in the register of the National Accreditation System of the Republic of Belarus on the cancellation of the accreditation certificate . Moreover, the validity of such certificates may be terminated before the specified dates at the initiative of certificate holders by other certification bodies determined by the State Committee for Standardization.

13. The provisions provided for in this article apply to the validity of certificates of conformity with the technical regulations of the Eurasian Economic Union and certificates of conformity in a single form, the actions of the owners of such certificates and certification bodies, unless otherwise established by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union .

**Article 28. Grounds, conditions and procedure for suspension, renewal or cancellation (termination) of a certificate by the certification body, not related to the initiative of the certificate owner, liquidation, reorganization of a legal entity, termination of the**

## **activities of an individual entrepreneur, death, declaration of death of an individual who was the owner certificate**

1. The grounds for suspension or cancellation (termination) of a certificate by a certification body may be the following violations or circumstances identified by the certification body that issued the corresponding certificate that are not related to the initiative of the certificate owner, liquidation, reorganization of a legal entity, termination of the activities of an individual entrepreneur, death , declaring the deceased individual who was the owner of the certificate:

1.1. non-compliance of the certified object for conformity assessment with technical requirements, compliance with which was confirmed during certification;

1.2. change (introduction of new) technical requirements in relation to the certified object of conformity assessment, if as a result the indicators confirmed during certification do not (may not correspond) to such amended (new) technical requirements or if the compliance of the certified object of conformity assessment with the amended (new) technical requirements it was not confirmed during certification;

1.3. change in the design (composition), completeness of the certified object of conformity assessment, which entails (may entail) a change in the indicators confirmed during certification;

1.4. change in the organization and (or) technology of the development, design, survey, production, construction, installation, commissioning, operation (use), storage, transportation (transportation), sales and disposal of products, performance of work, provision of services, operation (operation, use) ) other conformity assessment objects that are directly related to certified conformity assessment objects and entail (may entail) non-compliance of the certified conformity assessment object with the technical requirements confirmed during certification;

1.5. submission by the applicant for certification or the owner of the certificate of unreliable information to the certification body during certification within the framework of the conclusion and execution of an agreement to perform certification work or an agreement to perform work to conduct a periodic assessment of a certified object, if such information concerns the characteristics of the properties of the object of conformity assessment, or influences the possibility of certification, including the possibility of conducting a periodic assessment of the certified object, or the conclusion of the certification body about the compliance or non-conformity of the object for assessing compliance with technical requirements, or is related to other information that is essential for certification, including the periodic assessment of the certified object, by confirmation [rules](#) compliance;

1.6. refusal or evasion of the certificate holder from concluding or executing an agreement to perform work to conduct a periodic assessment of a certified object, except in cases where such an assessment is not provided for by the conformity assessment [scheme](#) or [the rules](#) of conformity assessment.

2. Violations or circumstances specified in [paragraph 1](#) of this article may be identified by the certification body that issued the corresponding certificate in direct interaction with the owner of the certificate as part of the execution of a contract for certification work, the conclusion or execution of a contract for work to carry out periodic assessment of a certified object or based on consideration of the facts set out in applications from citizens, individual entrepreneurs and legal entities, information from government bodies and other government organizations.

3. The decision to suspend the validity of a certificate is made by the certification body that issued the corresponding certificate, if there is one of the grounds specified in [paragraph 1](#) of this article, and provided that the identified violations or circumstances, their causes can be eliminated by the owner of the certificate through the development and implementation corrective actions.

4. The validity of the certificate is suspended by the certification body until the violations or circumstances that served as grounds for suspension of the certificate, their reasons, are eliminated, but not more than six months from the date of the decision to suspend the validity of the relevant certificate.

5. The decision to cancel (terminate) the validity of a certificate is made by the certification body that issued the corresponding certificate, if there is one of the grounds specified in [paragraph 1](#) of this article, and if one of the following conditions is present:

5.1. identified violations or circumstances, their causes cannot be eliminated by the certificate owner through the development and implementation of corrective measures;

5.2. identified violations or circumstances, their causes can be eliminated by the certificate owner through the development and implementation of corrective measures, but the certificate owner has not expressed written consent to eliminate them within thirty days from the date of the decision to suspend the relevant certificate;

5.3. the period of suspension of the relevant certificate has expired and violations or circumstances have been identified, their causes have not been eliminated by the owner of the certificate through the development and implementation of corrective measures agreed with the certification body.

6. In order to renew the validity of the certificate, the certificate owner:

6.1. develops corrective measures to eliminate identified violations or circumstances and their causes;

6.2. coordinates corrective measures with the certification body;

6.3. ensures the implementation of corrective measures within the agreed time frame;

6.4. informs the certification body about the implementation of corrective measures.

7. The certification body analyzes the implementation of corrective measures by the certificate holder and, upon confirmation of the elimination of violations or circumstances that served as grounds for suspension of the certificate, their reasons, makes a decision to renew the validity of the corresponding certificate.

8. The provisions provided for in this article apply to certificates of conformity with the technical regulations of the Eurasian Economic Union and certificates of conformity in a single form, unless otherwise established by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union.

#### **Article 29. The procedure for notifying applicants for certification, holders of certificates by certification bodies about decisions made**

1. Notifications of the certification body regarding the refusal to issue a certificate, the execution of an agreement to perform certification work, the conclusion or execution of an agreement to perform work to conduct a periodic assessment of a certified object, the suspension or cancellation (termination) of a certificate, the cancellation of the accreditation [certificate](#) of this body for certification, are sent by this certification body to the applicant for certification, the owner of the certificate in writing.

2. In the event of a written refusal of the applicant for certification, the owner of the certificate from receiving the notice of the certification body specified in [paragraph 1](#) of this article, or in the event of another documented impossibility of transmitting such a notice (the addressee did not appear to receive a written notice of which there is a message operator (facility) of the postal service, a written notice sent by the certification body to the last known location or place of residence of the addressee known to it and previously indicated by the applicant for certification (certificate owner), was not served due to the absence of the addressee at the specified address, which is available message from the postal operator (facility), etc.) the applicant for certification, the owner of the certificate are considered to be properly notified of the contents of the notice from the date of written refusal to receive the notice or the day specified in the message of the postal operator (facility), or the day when it is impossible transmission of the notice was documented in a different way.

#### **Article 30. Carrying out declaration of conformity. Registration of declarations**

1. Declaration of conformity is carried out by the manufacturer or a person authorized by the manufacturer or the seller (supplier) by accepting a declaration based on evidentiary materials. Requirements for the composition of evidentiary materials are established by the technical regulations of the Republic of Belarus or the technical regulations of the Eurasian Economic Union, and in cases where there are no technical regulations of the Republic of Belarus or technical regulations of the Eurasian Economic Union or if the composition of evidentiary materials is not determined by them, [by the rules](#) for confirming compliance.

2. The specific circle of persons accepting declarations of conformity with the technical regulations of the Eurasian Economic Union is established by the technical regulations of the Eurasian Economic Union.

3. The specific circle of persons accepting [declarations](#) of conformity may be limited by technical regulations of the Republic of Belarus, or regulatory legal acts of the President of the Republic of Belarus or other legal acts in accordance with the procedure established by him, providing for the introduction of mandatory confirmation of [conformity](#) in connection with the need to take operational measures of the state regulation, or [rules](#) for confirming [compliance](#), taking into account the specifics of the object [of assessment conformity](#), [conformity](#) confirmation [schemes](#) used when declaring [conformity](#), within the general circle of persons accepting declarations, defined by [subparagraph 1.18](#) of paragraph 1 of Article 1 of this [Law](#), unless otherwise established by the President of the Republic of Belarus.

4. The person accepting the declaration is responsible for the legality of accepting the declaration, including whether he has the right to accept it, the completeness and reliability of the information contained in it, as well as the basis of the declaration on the necessary evidentiary materials.

5. Conformity confirmation [schemes](#) used when declaring conformity are established by the relevant technical regulations of the Republic of Belarus, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, and in cases where there are no technical regulations of the Republic of Belarus and technical regulations of the Eurasian Economic Union or if confirmation schemes compliance is not established by the technical regulations of the Republic of Belarus - [the rules](#) for confirming conformity.

6. The declaration is subject to registration on the basis [of an application](#) from the person accepting the declaration, with the attachment of documents (information), an exhaustive list of which is established by the Council of Ministers of the Republic of Belarus or the law of the Eurasian Economic Union, in the bodies for registration of declarations. The form of the application for registration of the declaration is established [by the rules](#) for confirming compliance.

***From the editors of "Business-Info"***

In cases where there are no technical regulations or if schemes for declaring conformity are not established in the technical regulations of the Republic of Belarus, declaration of conformity of products is carried out according to schemes in accordance with [Appendix 13](#) to the Rules for Conformity Assessment of the National System for Conformity Assessment of the Republic of Belarus, approved by the resolution of the State Committee for Standardization of the Republic of Belarus dated July 25 .2017 No. 61.

7. The procedure for registering declarations in the part not regulated by this Law, other legislative acts, resolutions of the Council of Ministers of the Republic of Belarus and the law of the Eurasian Economic Union is established by [the rules](#) for confirming compliance.

8. The body for registration of declarations refuses to accept [an application](#) for registration of a declaration of conformity or a declaration of conformity in a unified form in the case of:

8.1. applying for registration of the corresponding declaration with a certification body whose scope of accreditation does not apply to the specified products;



8.2. failure to submit all documents (information) necessary for registration of the relevant declaration, an exhaustive list of which is established by the Council of Ministers of the Republic of Belarus, as well as other documents, the presentation of which he has the right to demand from the interested person in accordance with [the Law](#) of the Republic of Belarus “On the Fundamentals of Administrative Procedures” (in case of request such documents).

9. The body for registration of declarations refuses to register [a declaration](#) of conformity or a declaration of conformity in a single form in the case of:

9.1. failure to comply with the requirements for completing the relevant declaration;

9.2. absence of norms of technical regulations of the Republic of Belarus, or a normative legal act of the President of the Republic of Belarus or another legal act in accordance with the procedure established by him, providing for the introduction of mandatory confirmation of conformity in connection with the need to take operational measures of state regulation, or a unified list of products subject to mandatory confirmation of conformity with issuance of certificates of conformity and declarations of conformity in a single form, formed in accordance with [the Treaty](#) on the Eurasian Economic Union, establishing that the compliance of a certain type of product with technical requirements can be confirmed in the form of a declaration of conformity by adopting the appropriate declaration;

9.3. inconsistency of the person accepting [the declaration](#) of conformity with the provisions of this Law, the technical regulations of the Republic of Belarus, or a regulatory legal act of the President of the Republic of Belarus or another legal act in accordance with the procedure established by him, providing for the introduction of mandatory confirmation of compliance in connection with the need to take operational measures of state regulation, or [rules](#) for confirming conformity, which establish the circle of persons accepting the declaration of conformity;

9.4. in other cases of refusal to carry out an administrative procedure provided for by [the Law of](#) the Republic of Belarus “On the Fundamentals of Administrative Procedures”, other legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

10. The grounds for refusal to register declarations of conformity with the technical regulations of the Eurasian Economic Union are determined by the law of the Eurasian Economic Union.

11. The manufacturer or a person authorized by the manufacturer or the seller (supplier) has the right, instead of declaring the conformity of products, to choose certification of these products, if such a possibility is provided for by the technical regulations of the Republic of Belarus, or a regulatory legal act of the President of the Republic of Belarus or another legal act in accordance with the procedure determined by it, providing for the introduction of mandatory confirmation of conformity in connection with the need to take operational measures of state regulation, or technical regulations of the Eurasian Economic Union.

12. The provisions provided for in this article apply to declarations of conformity with the technical regulations of the Eurasian Economic Union and declarations of conformity in a single form, unless otherwise established by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union.

**Article 31. Effect of declarations (action of registration of declarations) in time. Actions of persons accepting declarations, bodies for registration of declarations and government bodies (officials) in relation to registered declarations**

1. The declaration comes into force from the date of its registration (assignment of a registration number and making a corresponding entry) by the body for registration of declarations in [the register](#) of the National Conformity Assessment System of the Republic of Belarus or national parts of the unified registers of conformity assessment documents. Registration of the declaration is valid for the period specified in the corresponding

registered declaration, taking into account the requirements of the technical regulations of the Republic of Belarus or technical regulations of the Eurasian Economic Union, and in cases where there are no technical regulations of the Republic of Belarus or technical regulations of the Eurasian Economic Union or if the validity periods of declarations are not determined by them, – taking into account the requirements [of the rules](#) for confirming compliance, if the registration of such a declaration (the validity of such a registered declaration) is not terminated early in accordance with paragraphs [2](#), [4–6](#) of this article. In this case, the date of registration of the declaration is indicated in the corresponding declaration.

2. The registration of a declaration may be terminated by the declaration registration authority that registered the relevant declaration, at the initiative of the person accepting the declaration.

3. In the cases established by paragraphs [4](#) and [5](#) of this article or the law of the Eurasian Economic Union, the person accepting the declaration is obliged to contact the declaration registration authority that registered the relevant declaration for termination of its registration.

4. When making changes to the design (composition), completeness of products that affect its safety, changes in technical requirements contained in acts (documents) specified in the registered [declaration](#) of conformity, the person accepting the declaration is obliged to ensure compliance of the product with the established technical requirements (if necessary, have additional evidentiary materials confirming the conformity of the products), and if it is impossible to ensure such compliance, submit an application to the body for registration of declarations to terminate the registration of the declaration of conformity.

5. When identifying non-conformities of products with the technical requirements contained in the acts (documents) specified in the registered [declaration](#) of conformity, the person accepting the declaration, by implementing corrective measures, is obliged to eliminate the identified non-conformities, their causes, and if it is impossible to implement corrective measures, submit to declaration registration authority statement on termination of registration of the declaration of conformity.

6. In cases and in the manner established by the President of the Republic of Belarus, the validity of a registered declaration may be suspended or terminated by authorized officials of state bodies that make up the system of state control (supervision) bodies for compliance with the requirements of technical regulations of the Eurasian Economic Union in the field of the consumer market, bodies of the State Committee control, other persons (bodies) determined by the President of the Republic of Belarus.

7. In the event of cancellation of the accreditation [certificate](#) of the certification body or termination of the powers of the state organization that is the body for registration of declarations, the validity of registration of declarations previously registered by them is retained within the terms for which they were registered. In this case, the registration of the declaration may be terminated before the expiration of such periods at the initiative of the person accepting the declaration, by another certification body or another state organization determined by the State Committee for Standardization.

8. Liquidation, reorganization of a legal entity, termination of the activities of an individual entrepreneur accepting a declaration does not entail the early termination of the declaration accepted by them and the termination of the registration of such a declaration.

9. Products manufactured during the period of validity of the registration of the declaration registered in relation to such products, as well as other products in respect of which the declaration was accepted, in cases determined by [the rules](#) for confirming conformity, may be in circulation after the termination of the registration of the corresponding declaration within certain limits in accordance with acts of legislation or the law of the Eurasian Economic Union, service life, shelf life and (or) shelf life of products, except for cases where the validity of the corresponding registered declaration was terminated in cases and in the manner established by the President of the Republic of Belarus and his authorized persons (bodies).

10. The registration of the declaration is considered terminated from the date of making the corresponding entry in [the register](#) of the National System for Conformity Assessment of the Republic of Belarus or national parts of the unified registers of **assessment documents** **compliance**.

### **Article 32. Contracts for the performance of certification work and for the performance of work to conduct a periodic **assessment** of a certified object**

1. Certification work is carried out on the basis of an agreement for certification work, concluded in **accordance** with the requirements of this **Law**, acts of civil legislation between the certification body and the applicant for certification.

2. The contract for certification work is concluded in writing and contains the following mandatory conditions:

2.1. the subject of the contract, with the exception of the obligations to perform work to conduct a periodic assessment of the certified object;

2.2. deadlines for completing certification work;

2.3. rights and obligations of the parties;

2.4. cost of certification work, terms and procedure for payment;

2.5. liability of the parties for non-fulfillment or improper fulfillment of obligations under this agreement;

2.6. settlement of disputes;

2.7. confidentiality clause;

2.8. contract time;

2.9. other conditions regarding which, at the request of one of the parties, an agreement must be reached.

3. An agreement to carry out work to conduct a periodic **assessment** of a certified object is concluded during a periodic **assessment** of a certified object, except in cases where such **an assessment** is not provided for by the **conformity** assessment [scheme](#) or [the rules](#) for confirming **compliance**, in **accordance** with the requirements of this **Law**, acts of civil legislation between the body for certification and the owner of the certificate. An agreement to carry out work to conduct a periodic **assessment** of a certified object is concluded in writing and must contain a condition on the subject of the agreement, as well as the conditions specified in subparagraphs [2.2–2.9](#) of paragraph 2 of this article.

### **Article 33. Rights and obligations of the certification body during certification**

1. When conducting certification, the certification body has the right:

1.1. carry out certification in its field of accreditation and, if the results of certification are positive, issue [certificates](#) of conformity and [certificates](#) of competence to applicants for certification, and, subject to inclusion of this body in the Unified Register of Conformity Assessment Bodies, certificates of compliance with the technical regulations of the Eurasian Economic Union and certificates of conformity in a single form;

1.2. make changes and (or) additions to [certificates](#) of conformity and [certificates](#) of competence, issue their duplicates at the initiative of certificate holders;

1.3. conduct periodic **assessments** of the certified object, except in cases where such **assessment** is not provided for by the **conformity** assessment [scheme](#) or [the rules of conformity](#) assessment ;

1.4. terminate the validity of [the certificates issued to them](#) at the initiative of the certificate holders or suspend, renew or cancel (terminate) the validity of the certificates issued to them on the grounds and in the manner established by this [Law](#), unless otherwise provided by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union;

1.5. exercise other rights in [accordance](#) with this [Law](#), [rules](#) for confirming [conformity](#), other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, contracts for certification work, contracts for the performance of work to conduct a periodic [assessment](#) of a certified object.

2. When conducting certification, the certification body is obliged to:

2.1. comply with the requirements of [the rules](#) for conformity assessment, other regulatory legal acts of the National System for Conformity Assessment of the Republic of Belarus and the laws of the Eurasian Economic Union relating to certification;

2.2. provide applicants for certification with information about certification procedures;

2.3. in case of negative certification results, notify applicants for certification of decisions made to refuse to issue [certificates](#) within three days from the date such decisions were made by sending them copies of the decisions;

2.4. notify certificate holders about decisions made by him to make changes and (or) additions to [certificates](#) of conformity and [certificates of competence](#) issued by this body, suspension, renewal, cancellation (termination) of certificates within three days from the date of adoption of such decisions;

2.5. notify certificate holders about the early cancellation of the accreditation [certificate](#) of this certification body, indicating the changed validity periods of previously issued certificates and the procedure for terminating the validity of such certificates at the initiative of the certificate holder, taking into account the provisions of [paragraph 12](#) of Article 27 of this Law;

2.6. carry out registration [of certificates](#) of conformity and [certificates](#) of competence in [the register](#) of the National Conformity Confirmation System of the Republic of Belarus in the manner established [by the rules](#) for maintaining the register of the National Conformity Confirmation System of the Republic of Belarus, and registration of certificates of compliance with the technical regulations of the Eurasian Economic Union and certificates of conformity in a unified form in the national parts of the unified registers of documents on conformity assessment in the manner established by the law of the Eurasian Economic Union;

2.7. enter into [the register](#) of the National System for Conformity Assessment of the Republic of Belarus in the manner established [by the rules](#) for maintaining the register of the National System for Conformity Assessment of the Republic of Belarus, and national parts of the unified registers of conformity assessment documents in the manner established by the law of the Eurasian Economic Union, records of changes and (or) additions in [certificates](#) of conformity and [certificates](#) of competence issued to them, suspension, renewal, cancellation (termination) of certificates;

2.8. ensure the identity of the entries entered by him in [the register](#) of the National Conformity Assessment System of the Republic of Belarus and the national parts of the unified registers of conformity assessment documents with the data specified in the corresponding certificates issued to him;

2.9. within its competence, consider the facts set out in received applications from citizens, individual entrepreneurs and legal entities regarding certificate holders, in order to make decisions on the need to conduct a periodic [assessment](#) of the certified object in order to determine the validity of such applications;

2.10. perform other duties in [accordance](#) with this [Law](#), [rules](#) for confirming [conformity](#), other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian

Economic Union, contracts for certification work , contracts for the performance of work to conduct a periodic assessment of a certified object.

#### **Article 34. Rights and obligations of the body for registration of declarations**

1. The body for registration of declarations has the right:

1.1. carry out registration of declarations in its area of accreditation or within the powers granted to it, unless otherwise established by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union;

1.2. terminate the registration of declarations registered by him at the initiative of the persons accepting the declarations;

1.3. exercise other rights in accordance with this Law, [rules](#) for confirming compliance, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union.

2. The body for registration of declarations is obliged to:

2.1. comply with the requirements of [the rules](#) for conformity assessment, other regulatory legal acts of the National System for Conformity Assessment of the Republic of Belarus and the laws of the Eurasian Economic Union relating to the registration of declarations;

2.2. carry out registration [of declarations](#) of conformity in [the register](#) of the National System for Conformity Assessment of the Republic of Belarus in the manner established [by the rules](#) for maintaining the register of the National System for Conformity Assessment of the Republic of Belarus, and registration of declarations of conformity with the technical regulations of the Eurasian Economic Union and declarations of conformity in a unified form in the national parts of unified registers of documents on conformity assessment in the manner established by the law of the Eurasian Economic Union;

2.3. enter into [the register](#) of the National System for **Conformity Assessment** of the Republic of Belarus in the manner established [by the rules](#) for maintaining the register of the National System for **Conformity Assessment** of the Republic of Belarus, and national parts of the unified registers of **assessment documents compliance** , in the manner established by the law of the Eurasian Economic Union, with the record of termination of the registration of declarations registered by it;

2.4. perform other duties in **accordance** with this **Law** , [rules](#) for confirming compliance, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union.

#### **Article 35. Rights and obligations of the applicant for certification, owner of the certificate**

1. The applicant for certification has the right:

1.1. to choose to carry out certification work any certification body with the appropriate scope of accreditation, and in cases of mandatory certification of products for compliance with the technical requirements of the technical regulations of the Eurasian Economic Union, as well as within the framework of confirmation of conformity with the issuance of certificates of conformity in a unified form - subject to the inclusion of a body for certification to the Unified Register of Conformity Assessment Bodies;

1.2. contact the certification body with [an application](#) for certification;

1.3. select any conformity assessment [scheme](#) used for certification from among the schemes provided for this object of conformity assessment, taking into account the conditions of their application;

1.4. conclude an agreement to perform certification work subject to agreement with the basic conditions of the upcoming certification;

1.5. submit an oral or written application to the certification body for the issuance of a certificate;

1.6. appeal to the organization superior to the certification body (if any) and (or) to the accreditation body the decisions and (or) actions (inaction) of the certification body, and in case of disagreement with their decision or failure to receive a response within thirty days - to court;

1.7. exercise other rights in accordance with this Law, [rules](#) for confirming conformity, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, agreement for certification work .

2. The applicant for certification is obliged to:

2.1. comply with the requirements of [the rules](#) for conformity assessment, other regulatory legal acts of the National System for Conformity Assessment of the Republic of Belarus and the laws of the Eurasian Economic Union relating to certification;

2.2. create the necessary conditions for the work of expert auditors and technical certification experts when performing certification work;

2.3. perform other duties in accordance with this Law, [rules](#) for confirming conformity, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, agreement for certification work .

3. The owner [of the certificate](#) has the right:

3.1. contact the certification body with [an application](#) for re-certification;

3.2. submit to the certification body in writing applications for amendments and (or) additions to [the certificate](#) of conformity and [certificate](#) of competence, issuance of a duplicate certificate, termination of the certificate, as well as an oral or written application for the issuance of a certificate for re-certification;

3.3. apply other marks of conformity of the National System of Conformity Assessment of the Republic of Belarus for marking objects of conformity assessment for which there is [a certificate](#) of conformity, in the manner established by [the rules](#) of conformity assessment;

3.4. appeal to the organization superior to the certification body (if any) and (or) to the accreditation body the decisions and (or) actions (inaction) of the certification body, and in case of disagreement with their decision or failure to receive a response within thirty days - to court;

3.5. exercise other rights in **accordance** with this **Law**, [rules](#) for confirming **conformity**, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, agreement for certification work , an agreement for the performance of work to conduct a periodic **assessment** of a certified object.

4. The owner [of the certificate](#) is obliged to:

4.1. provide the certification body with information about its activities that affect (may affect) the certified object of conformity assessment, about the certified object of conformity assessment;

4.2. enter into contracts for the performance of work to conduct a periodic assessment of a certified object in accordance with the frequency of such assessment, except in cases where such assessment is not provided for by the conformity assessment scheme or [the rules](#) of conformity assessment;

4.3. comply with the requirements of [the rules](#) for conformity assessment, other regulatory legal acts of the National System for Conformity Assessment of the Republic of Belarus and the laws of the Eurasian Economic Union relating to certification;

4.4. create the necessary conditions for the work of expert auditors and technical certification experts when executing an agreement to perform certification work, an agreement to perform work to conduct a periodic assessment of a certified object;

4.5. ensure compliance of the certified object of conformity assessment with the technical requirements contained in the acts (documents) specified in the certificate;

4.6. apply the sign of conformity to the technical regulations of the Republic of Belarus for marking conformity assessment objects in respect of which all conformity assessment procedures established by the technical regulations of the Republic of Belarus have been carried out and which comply with the technical requirements of all technical regulations of the Republic of Belarus applicable to these objects, in the manner established by the technical regulations of the Republic of Belarus, and if such a procedure is not established therein, [by the rules](#) for confirming compliance;

4.7. apply a single sign of product circulation on the market of the Eurasian Economic Union to label products that comply with the technical requirements of the technical regulations of the Eurasian Economic Union, which apply to these products, and have passed the conformity assessment procedures established by the technical regulations of the Eurasian Economic Union, in accordance with the law of the Eurasian Economic Union;

4.8. suspend or terminate the release of products into circulation, performance of work, provision of services and operation (operation, use) of other conformity assessment objects if these objects do not comply with the technical requirements contained in the acts (documents) specified in the certificate, or in the case of voluntary certification, apply to the certification body for termination of [the certificate](#) of conformity or [certificate](#) of competence, stop referring to the specified [assessment documents](#) [compliance](#) and not to use other marks [of conformity of the National Conformity Confirmation System of the Republic of Belarus for marking assessment objects](#) [compliance](#), if these objects do not [comply with](#) the technical requirements contained in the acts (documents) specified in the certificate [of conformity](#) or certificate of competence;

4.9. perform other duties in [accordance](#) with this [Law](#), [rules](#) for confirming [conformity](#), other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, agreement for certification work, an agreement for the performance of work to conduct a periodic assessment of a certified object.

## **Article 36. Rights and obligations of the person accepting the declaration**

1. The person accepting the declaration has the right:

1.1. select any conformity assessment [scheme](#) used when declaring conformity from among the schemes provided for this object of conformity assessment, taking into account the conditions of their application;

1.2. determine the specific composition of evidentiary materials in relation to a specific object of conformity assessment, taking into account the chosen conformity assessment scheme and the requirements for the composition of evidentiary materials, determined by the technical regulations of the Republic of Belarus or the technical regulations of the Eurasian Economic Union, and in cases where the technical regulations of the

Republic of Belarus or the technical regulations of the Eurasian Economic Union there are no unions or if the composition of the evidentiary materials is not determined by them - [by the rules](#) for confirming compliance;

1.3. submit a written [application](#) to the declaration registration authority to register the declaration, unless otherwise provided by the technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union;

1.4. submit to the body for registration of declarations in writing an application for termination of the registration of [a declaration](#) of conformity, a notice of termination of the declaration of conformity with the technical regulations of the Eurasian Economic Union, or an application for termination of the declaration of conformity in a single form;

1.5. apply other marks of conformity of the National Conformity Assessment System of the Republic of Belarus for marking products for which there is a registered [declaration](#) of conformity, in the manner established by [the rules](#) for conformity assessment;

1.6. appeal to the organization superior to the declaration registration body (if any) and (or) to the accreditation body, if the declaration registration body is a certification body, decisions and (or) actions (inaction) of the declaration registration body, and in case of their absence, disagreement with their decision or failure to receive a response within thirty days - to the court;

1.7. exercise other rights in accordance with this Law, [rules](#) for confirming compliance, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union.

2. The person accepting the declaration is obliged:

2.1. comply with the requirements [of the rules](#) for conformity assessment, other regulatory legal acts of the National System for Conformity Assessment of the Republic of Belarus and the laws of the Eurasian Economic Union regarding the declaration of conformity and registration of declarations;

2.2. ensure compliance of the products in respect of which the declaration has been accepted and registered with the technical requirements contained in the acts (documents) specified in the declaration;

2.3. apply the sign of conformity to the technical regulations of the Republic of Belarus for marking products in respect of which all conformity assessment procedures established by the technical regulations of the Republic of Belarus have been carried out and which meets the technical requirements of all technical regulations of the Republic of Belarus applicable to these products, in the manner established by the technical regulations of the Republic of Belarus, and in if such a procedure is not established in it, - [by the rules](#) for confirming compliance;

2.4. apply a single mark for the circulation of products on the market of the Eurasian Economic Union for labeling products that [comply with the technical requirements of the technical regulations of the Eurasian Economic Union, which apply to these products, and have passed the assessment](#) procedures established by the technical regulations of the Eurasian Economic Union [compliance](#), in [accordance](#) with the law of the Eurasian Economic Union;

2.5. in the cases provided for in paragraphs [4](#) and [5](#) of Article 31 of this [Law](#) or the law of the Eurasian Economic Union, submit to the body for registration of declarations in writing an application for termination of the registration of [a declaration](#) of conformity, the validity of a declaration of conformity with the technical regulations of the Eurasian Economic Union or the validity of a declaration of conformity according to a single form;

2.6. suspend or terminate the release of products into circulation for which there is a registered declaration, if these products do not meet the technical requirements contained in the acts (documents) specified in the declaration;



2.7. perform other duties in accordance with this Law, [rules](#) for confirming compliance, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union.

## CHAPTER 5 TESTS

### Article 37. Purposes and principles of testing

1. The objectives of the tests are:

1.1. determination of characteristics of the properties of a product sample, other object **of evaluation matches** ;

1.2. ensuring **conformity assessment is carried out** if testing is a procedure within the framework of **conformity assessment** ;

1.3. other purposes specified in [paragraph 1](#) of Article 11 of this **Law** , if the tests are an independent form **of assessment compliance** .

2. The testing principles are:

2.1. reliability of test results, impartiality during testing;

2.2. other principles specified in [paragraph 2](#) of Article 11 of this **Law** , if tests are an independent form **of assessment compliance** .

### Article 38. Test status. Testing

1. Tests are a procedure within the framework of **conformity assessment** , if this is provided for in the **conformity** assessment [scheme](#) used for certification or declaration **of conformity** , or is determined by acts of legislation or the law of the Eurasian Economic Union. Tests are an independent form **of assessment compliance** , if provided for by the technical regulations of the Eurasian Economic Union.

2. Tests are carried out by a testing laboratory (center) on the basis of the applicant's application for testing and subject to the conclusion of an agreement to carry out testing work, except for the case specified in [paragraph 1](#) of Article 40 of this Law.

3. Tests are carried out by an accredited testing laboratory (center) with the appropriate scope of accreditation in cases where this is provided for in the conformity assessment scheme used for certification or declaration of conformity, or is determined by legislative acts or the law of the Eurasian Economic Union.

4. If testing in an accredited testing laboratory (center) is not mandatory, tests can be carried out both by an accredited testing laboratory (center) and by another testing laboratory (center) at the choice of the applicant for testing, unless otherwise provided by legislative acts.

5. If there are several testing laboratories (centers) in which tests can be carried out taking into account the provisions of paragraphs [3](#) and [4](#) of this article, the applicant for testing has the right to apply to any of them of his choice.

6. Accredited testing laboratories (centers) conducting tests of product samples as part of assessing compliance with the technical requirements of the technical regulations of the Eurasian Economic Union or as part of confirming compliance with the issuance of certificates of conformity in a unified form or the adoption of

declarations of conformity in a unified form must be included in the Unified register of conformity assessment bodies.

### **Article 39. Test methods**

1. Tests must be carried out by testing laboratories (centers) in accordance with test methods.

2. The use of certain test methods is mandatory if they are established by legislative acts, including mandatory requirements for compliance with technical regulatory legal acts, or the law of the Eurasian Economic Union.

3. In the absence of test methods that are mandatory for use, testing laboratories (centers) have the right to use test methods established by technical regulatory legal acts in the field of technical regulation and standardization, the requirements of which are voluntary for use, or international standards, interstate and other regional standards, or own testing methods established by the organization's standards and other local regulatory legal acts of the testing laboratory (center).

4. When developing its own test methods, the testing laboratory (center) can use test methods established by international standards, interstate and other regional standards or technical regulations in the field of technical regulation and standardization, the requirements of which are voluntary for use, or published in scientific and other publications, or determined by the manufacturer of the equipment necessary for the preparation and conduct of tests and related measurements (if such measurements are performed).

5. In the case of developing and applying their own test methods, testing laboratories (centers) are obliged to independently confirm the suitability (validation) of such test methods in accordance with the scope of their application by studying test methods and forming a statement (conclusion) about their suitability based on objective evidence.

6. If the own test methods planned for use by the testing laboratory (center) include measurement methods (methods), such methods (methods) are subject to certification in the cases and in the manner established by legislative acts on ensuring the uniformity of measurements and the law of the Eurasian Economic Union.

### **Article 40. Contract for testing work**

1. Testing work is carried out on the basis of a contract for testing work, concluded in accordance with the requirements of this Law, acts of civil legislation between the applicant for testing and the testing laboratory (center). This agreement is not concluded if the tests are carried out by the testing laboratory (center) of the person for whom these tests are being carried out.

2. The contract for testing work is concluded in writing and contains the following mandatory conditions:

2.1. subject of the contract;

2.2. timing of testing;

2.3. rights and obligations of the parties;

2.4. cost of testing, terms and procedure for payment;

2.5. liability of the parties for non-fulfillment or improper fulfillment of obligations under this agreement;

2.6. settlement of disputes;

2.7. confidentiality clause;

2.8. other conditions regarding which, at the request of one of the parties, an agreement must be reached.

## **Article 41. Rights and obligations of the testing laboratory (center)**

1. The testing laboratory (center) has the right:

1.1. carry out testing of product samples and other objects of assessment compliance with technical requirements ;

1.2. issue (draw up) test reports;

1.3. exercise other rights in accordance with this Law, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, an agreement for the performance of testing work.

2. The testing laboratory (center) is obliged to:

2.1. have personnel with sufficient knowledge and skills (qualifications) to conduct tests, equipment necessary for preparing and conducting tests and related measurements (if such measurements are performed), test methods, as well as organizational, technological and other conditions necessary for carrying out tests;

2.2. comply with test procedures;

2.3. ensure the reliability of test results, impartiality during testing;

2.3<sup>1</sup>. participate in interlaboratory comparative tests (interlaboratory comparisons);

2.4. comply with the requirements of regulatory legal acts of the National System for Conformity Assessment of the Republic of Belarus related to testing as a procedure within the framework of conformity assessment;

2.5. perform other duties in accordance with this Law, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, an agreement for the performance of testing work.

## **Article 42. Rights and obligations of the applicant to conduct tests**

1. The applicant for testing has the right:

1.1. apply for testing of product samples and other assessment objects compliance to the testing laboratory (center), taking into account the requirements of paragraphs 3 and 4 of Article 38 of this Law ;

1.2. appeal to a higher organization in relation to the accredited testing laboratory (center) (if there is one) and (or) to the accreditation body the decisions and (or) actions (inaction) of the accredited testing laboratory (center), and in case of disagreement with their decision, or failure to receive a response within thirty days - to the court, and also to appeal to a higher organization in relation to the other testing laboratory (center) (if there is one) of the decisions and (or) actions (inaction) of the other testing laboratory (center), and in the absence of one, disagreement with its decision or failure to receive a response within thirty days - to court;

1.3. exercise other rights in accordance with this Law, other acts of legislation, technical regulations of the Eurasian Economic Union and other law of the Eurasian Economic Union, as well as with international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, an agreement for the performance of testing work.

2. The applicant for testing is obliged to comply with legislative acts, technical regulations of the Eurasian Economic Union and other laws of the Eurasian Economic Union, as well as international treaties of the Republic

of Belarus that do not constitute the law of the Eurasian Economic Union, the terms of the contract for testing work.

## **CHAPTER 6 ACCREDITATION**

### **Article 43. Purposes and principles of accreditation**

1. The purposes of accreditation are:

- 1.1. ensuring the implementation of a unified technical policy in the field of conformity assessment;
- 1.2. ensuring the confidence of applicants for certification, applicants for testing and consumers of products, works and services in the activities of accredited bodies;
- 1.3. creating conditions for mutual recognition of the results of activities of accredited bodies at the international and interstate (regional) level.

2. The principles of accreditation are:

- 2.1. harmonization of legal regulation and approaches in the field of accreditation with international standards;
- 2.2. voluntariness;
- 2.3. openness and accessibility of information about procedures and results of accreditation work;
- 2.4. objectivity, impartiality and competence of the accreditation body, its independence from applicants for accreditation, applicants for certification, applicants for testing, certificate holders, manufacturers, persons authorized by manufacturers, sellers (suppliers), consumers of products, works and services;
- 2.5. ensuring equal conditions regarding accreditation for applicants for accreditation;
- 2.6. ensuring the confidentiality of information received during accreditation;
- 2.7. inadmissibility of restricting competition of accredited bodies;
- 2.8. inadmissibility of combining accreditation activities with conformity assessment activities and (or) with control (supervision), with the exception of periodic assessment of competence;
- 2.9. remuneration for accreditation procedures.

### **Article 44. Objects of accreditation. Scope of accreditation**

1. The object of accreditation is the competence of a legal entity of the Republic of Belarus or a foreign legal entity in performing conformity assessment work in a certain area of accreditation.

2. Requirements for the competence of a legal entity of the Republic of Belarus or a foreign legal entity in performing **assessment work compliance** is determined by the accreditation [rules](#), as well as other regulatory legal acts that are specified in the accreditation rules.

3. The scope of accreditation may be determined by indicating the objects **of assessment compliance** and (or) acts (documents) named in subparagraphs [3.1–3.7](#) of paragraph 3 of Article 2 of this [Law](#), test methods or otherwise in **accordance** with the accreditation [rules](#).

### **Article 45. Subjects of accreditation**

1. Subjects of accreditation are:

1.1. The President of the Republic of Belarus and state bodies carrying out state regulation in the field of accreditation;

1.2. accreditation body;

1.3. Accreditation Council of the National Accreditation System of the Republic of Belarus;

1.4. applicants for accreditation;

1.5. accredited bodies;

1.6. accreditation experts;

1.7. technical accreditation experts;

1.8. technical accreditation committees.

2. Subjects of accreditation may be other entities that, in accordance with acts of legislation or international treaties of the Republic of Belarus, are endowed with rights and responsibilities (powers) in the field of accreditation and participate in relations in the field of accreditation.

#### **Article 46. Accreditation document**

1. The accreditation document is an accreditation [certificate](#), the form of which is established by the accreditation [rules](#). The annex to the accreditation certificate defines the scope of accreditation.

2. The accreditation [certificate](#) is valid throughout the entire territory of the Republic of Belarus.

#### **Article 47. Recognition of accreditation**

A decision to recognize and (or) confirm the competence of a person in performing conformity assessment work, obtained outside the Republic of Belarus outside the National Accreditation System of the Republic of Belarus (foreign accreditation), may be recognized in the Republic of Belarus, as well as accreditation received in the Republic of Belarus in the National accreditation system of the Republic of Belarus, can be recognized outside the Republic of Belarus on the basis of international treaties of the Republic of Belarus.

#### **Article 48. National accreditation system of the Republic of Belarus**

1. The structure of the National Accreditation System of the Republic of Belarus includes:

1.1. State Committee for Standardization;

1.2. accreditation body;

1.3. Accreditation Council of the National Accreditation System of the Republic of Belarus;

1.4. accredited bodies;

1.5. accreditation experts;

1.6. technical accreditation experts;

1.7. technical accreditation committees.

2. The structure of the National Accreditation System of the Republic of Belarus may also include other entities participating in accreditation procedures and determined by the accreditation [rules](#).

3. The National Accreditation System of the Republic of Belarus includes regulatory legal acts that define accreditation procedures and regulate other accreditation issues.

#### **Article 49. Functions of the accreditation body**

1. Accreditation body:

1.1. carries out accreditation, re-accreditation and, if the accreditation results are positive, issues accreditation [certificates](#) to applicants for accreditation ;

1.2. makes changes and (or) additions to accreditation [certificates](#) , issues their duplicates at the initiative of accredited bodies;

1.3. conducts periodic competency assessments;

1.4. cancels the validity of issued accreditation [certificates](#) at the initiative of accredited bodies or suspends, renews or cancels the validity of issued accreditation certificates on the grounds established by [paragraph 7](#) of Article 55 and [Article 56](#) of this Law;

1.5. provides applicants for accreditation with information about accreditation procedures;

1.6. in case of negative accreditation results, notifies applicants for accreditation of decisions made to refuse to issue accreditation [certificates](#) within three days from the date such decisions were made by sending them copies of the decisions;

1.7. notifies accredited bodies of decisions made by him to make changes and (or) additions to accreditation [certificates](#) , suspension, renewal, or cancellation of their validity;

1.8. keeps records of issued accreditation [certificates](#) and accredited bodies through the formation and maintenance of the register of the National Accreditation System of the Republic of Belarus in accordance with [the rules](#) for maintaining the register of the National Accreditation System of the Republic of Belarus;

1.9. forms and maintains the national part of the Unified Register of Conformity Assessment Bodies in the manner established by the law of the Eurasian Economic Union;

1.10. determines the procedure for maintaining the register of accreditation experts and the register of technical accreditation experts, forms and maintains these registers;

1.11. submits to the integrated information system of the Eurasian Economic Union information and documents related to accreditation and specified in [the Treaty](#) on the Eurasian Economic Union;

1.12. makes decisions on requests received from accredited bodies to review decisions made by the accreditation body in relation to these accredited bodies (decisions on appeals), and on complaints from any person about the actions (inaction) of accredited bodies or the accreditation body;

1.13. within its competence, carries out consideration of the facts set out in received applications from citizens, individual entrepreneurs and legal entities in relation to accredited bodies, in order to make decisions on the need to conduct a periodic assessment of competence in order to determine the validity of such applications;

1.14. when applying for accreditation, an applicant who is a foreign legal entity registered in a member state of the Eurasian Economic Union, informs the accreditation body of the corresponding member state of the Eurasian Economic Union, if the required (requested) scope of accreditation includes technical regulations of the Eurasian Economic Union.

2. The accreditation body performs other functions in accordance with this Law, accreditation [rules](#), other acts of legislation, the law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union.

### **Article 50. Accreditation Council of the National Accreditation System of the Republic of Belarus**

1. The Accreditation Council of the National Accreditation System of the Republic of Belarus is a collegial advisory body formed to assess the functioning, monitor the implementation of goals and develop recommendations on the development of the National Accreditation System of the Republic of Belarus.

2. The composition of the Accreditation Council of the National Accreditation System of the Republic of Belarus and its regulations are approved by the State Committee for Standardization. The Accreditation Council of the National Accreditation System of the Republic of Belarus includes, in the manner established by its regulations, representatives of interested government bodies and other organizations, taking into account their competence.

### **Article 51. Technical committees for accreditation**

1. Technical committees for accreditation are working bodies in the field of accreditation and are created by the accreditation body to develop, if necessary, methodological recommendations on issues related to accreditation, as well as to prepare, if necessary, recommendations to the accreditation body regarding the decisions it makes regarding accreditation.

2. Technical accreditation committees are not legal entities.

3. The composition of technical accreditation committees and regulations on them are approved by the accreditation body.

### **Article 52. Accreditation mark**

1. Accreditation mark is a sign indicating that a legal entity of the Republic of Belarus or a foreign legal entity has passed all the necessary accreditation procedures in the National Accreditation System of the Republic of Belarus and that they have a valid accreditation [certificate](#).

2. The description and procedure for applying the accreditation mark are established by the accreditation [rules](#). The use of this mark is on a voluntary basis.

### **Article 53. Register of the National Accreditation System of the Republic of Belarus. Unified Register of Conformity Assessment Bodies**

1. The Register of the National Accreditation System of the Republic of Belarus and the Unified Register of Conformity Assessment Bodies are official and publicly available sources of information on the results of accreditation work and accredited bodies, as well as on the actual (current) status (valid, suspended, renewed, cancelled) of accreditation [certificates](#), information about which is included in the relevant registers.

2. Access to the register of the National Accreditation System of the Republic of Belarus and the Unified Register of Conformity Assessment Bodies via the global computer network Internet or in any other way is carried out in accordance with [the rules](#) for maintaining the register of the National Accreditation System of the Republic of Belarus and the law of the Eurasian Economic Union.

### **Article 54. Carrying out accreditation**

1. Accreditation is carried out by the accreditation body on the basis of the application for accreditation submitted by the applicant [for accreditation](#) and subject to the conclusion of an agreement to perform accreditation work. Requirements for the content of an accreditation application are established by the accreditation [rules](#).

2. An applicant for accreditation, which is a foreign legal entity registered in a member state of the Eurasian Economic Union, has the right to apply to the accreditation body with [an application](#) for accreditation only if the accreditation body of the member state of the Eurasian Economic Union in which it is registered the corresponding foreign legal entity does not carry out accreditation activities in the required area, including the technical regulations of the Eurasian Economic Union.

3. The composition and sequence of accreditation procedures, other issues of accreditation are determined by the accreditation [rules](#), taking into account the requirements of this Law.

4. Positive results of accreditation are certified by an accreditation [certificate](#) issued by the accreditation body to the accredited entity.

5. The accreditation body refuses to accept an application for issuance of an accreditation [certificate](#) in the event of failure to provide all the documents (information) necessary for its issuance, an exhaustive list of which is established by the Council of Ministers of the Republic of Belarus, as well as other documents, the presentation of which it has the right to demand from the interested person in [accordance](#) with [the Law](#) of the Republic of Belarus “On the basics of administrative procedures” (in case such documents are required).

6. The accreditation body refuses to issue an accreditation [certificate](#) if the accreditation results do not confirm the competence of the applicant for accreditation in performing assessment [work compliance](#) in a certain area of accreditation, as well as in other cases of refusal to carry out an administrative procedure provided for by [the Law of the Republic of Belarus](#) “On the Fundamentals of Administrative Procedures”, other legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

7. During the period of validity of the accreditation [certificate](#), periodic assessment of competence is provided. The procedure and frequency of periodic competency assessment are established by the accreditation [rules](#). When conducting a periodic competency assessment, a contract is concluded for the performance of work to conduct a periodic competency assessment.

#### **Article 55. Validity of accreditation certificates over time. Actions of accredited bodies and the accreditation body in relation to issued accreditation certificates. Re-accreditation**

1. The accreditation [certificate](#) comes into force from the date of its registration (assignment of a registration number and making the corresponding entry) by the accreditation body in the register of the National Accreditation System of the Republic of Belarus. The accreditation certificate is valid for the period specified in the relevant certificate, taking into account the requirements of legislative acts on administrative procedures, unless the accreditation certificate has been canceled in accordance with paragraphs [3](#) and [7](#) of this article, with [Article 56](#) of this Law. In this case, the date of registration of the accreditation certificate is indicated in it as the start date of its validity, with the exception of cases of re-accreditation.

2. During the period of its validity, at the initiative of the accredited entity, changes and (or) additions may be made to the accreditation [certificate by the accreditation body in connection with changes in the information specified in the accreditation certificate](#).

3. The accreditation [certificate](#) may be canceled by the accreditation body at the initiative of the accredited entity.

4. The accreditation [certificate](#) may be suspended, renewed or canceled by decision of the accreditation body on grounds not related to the initiative of the accredited entity or its liquidation or reorganization in accordance with [Article 56](#) of this Law.



5. In case of cancellation of the accreditation [certificate](#) , its renewal is not carried out. In this case, a new [application](#) for accreditation may be submitted no earlier than six months after the accreditation certificate is revoked.

6. Before the expiration of the accreditation [certificate](#) within the time limits determined by the accreditation [rules](#) , the accredited entity has the right to apply to the accreditation body with [an application](#) for re-accreditation. Repeated accreditation is carried out taking into account the results of the previous activities of the accredited entity.

7. In the event of liquidation or reorganization, with the exception of transformation, of an accredited entity, the validity of the accreditation [certificate](#) is canceled by the accreditation body.

8. In case of transformation of an accredited entity, changes may be made to the accreditation [certificate](#) .

9. Changes and (or) additions to the accreditation [certificate](#) are considered made, and the validity of the accreditation certificate is considered suspended, renewed or canceled from the date of making the corresponding entry in the register of the National Accreditation System of the Republic of Belarus.

#### **Article 56. Grounds, conditions and procedure for suspension, renewal or cancellation of the accreditation certificate by the accreditation body, not related to the initiative of the accredited entity, its liquidation or reorganization**

The following violations or circumstances identified by the accreditation body that are not related to the initiative of the accredited entity, its liquidation or reorganization may be grounds for suspension or cancellation of the accreditation [certificate by the accreditation body](#):

1.1. non-compliance with the scope of accreditation;

1.2. violation by an accredited entity when performing **assessment work compliance with** the requirements of this **Law** , accreditation [rules](#) , [rules](#) for confirming **conformity** , [rules](#) for maintaining the register of the National System for **Conformity Attestation** of the Republic of Belarus, other acts of legislation, the law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union;

1.3. submission by an applicant for accreditation or an accredited entity of incomplete or unreliable information to the accreditation body when carrying out accreditation as part of the conclusion and execution of an agreement to perform accreditation work or an agreement to perform work to conduct a periodic assessment of competence, if such information is essential for accreditation, conclusion or execution of a contract for the performance of accreditation work or a contract for the performance of work to conduct a periodic assessment of competence;

1.4. refusal or evasion of an accredited entity from concluding or executing a contract to perform work to conduct a periodic competency assessment;

1.5. failure to demonstrate competency during periodic competency assessments.

2. Violations or circumstances specified in [paragraph 1](#) of this article may be identified by the accreditation body during direct interaction with the accredited entity as part of the execution of an agreement for the performance of accreditation work, the conclusion or execution of a contract for the performance of work to conduct a periodic assessment of competence or on the basis consideration of facts stated in appeals from citizens, individual entrepreneurs and legal entities, information from government bodies and other government organizations.

3. The decision to suspend the accreditation [certificate](#) is made by the accreditation body if one of the grounds specified in [paragraph 1](#) of this article is present, and provided that the identified violations or

circumstances and their causes can be eliminated by the accredited entity through the development and implementation of corrective measures.

4. The validity of the accreditation [certificate](#) is suspended by the accreditation body until the violations or circumstances that served as grounds for suspension of the accreditation certificate, their reasons, are eliminated, but not more than six months from the date of the decision to suspend the accreditation certificate.

5. The decision to cancel the accreditation [certificate](#) is made by the accreditation body if one of the grounds specified in [paragraph 1](#) of this article is present, and if one of the following conditions is present:

5.1. identified violations or circumstances, their causes cannot be eliminated by the accredited entity through the development and implementation of corrective measures;

5.2. identified violations or circumstances, their causes can be eliminated by the accredited entity through the development and implementation of corrective measures, but the accredited entity has not expressed written consent to eliminate them within twenty days from the date of the decision to suspend the accreditation [certificate](#) ;

5.3. the period of suspension of the accreditation [certificate has expired](#) and the violations or circumstances identified have not been eliminated by the accredited entity through the development and implementation of corrective measures agreed with the accreditation body.

6. In order to renew the accreditation [certificate](#) , the accredited entity:

6.1. develops corrective measures to eliminate identified violations or circumstances and their causes;

6.2. coordinates corrective actions with the accreditation body;

6.3. ensures the implementation of corrective measures within the prescribed period;

6.4. informs the accreditation body about the implementation of corrective measures.

7. The accreditation body analyzes the implementation of corrective measures by the accredited entity and, upon confirmation of the elimination of violations or circumstances that served as grounds for suspension of the accreditation [certificate](#) , their reasons, makes a decision on the renewal of the accreditation certificate.

#### **Article 57. Contracts for the performance of accreditation work and for the performance of work to conduct periodic competency [assessment](#)**

1. Accreditation work is carried out on the basis of an agreement for accreditation work, concluded in [accordance](#) with the requirements of this [Law](#) , acts of civil legislation between the accreditation body and the applicant for accreditation.

2. The contract for the performance of accreditation work is concluded in writing and contains the following mandatory conditions:

2.1. subject of the contract, with the exception of obligations to perform work to conduct periodic competency assessment;

2.2. deadlines for completing accreditation work;

2.3. rights and obligations of the parties;

2.4. the cost of accreditation work, terms and procedure for their payment;

2.5. liability of the parties for non-fulfillment or improper fulfillment of obligations under this agreement;

2.6. settlement of disputes;

2.7. confidentiality clause;

2.8. contract time;

2.9. other conditions regarding which, at the request of one of the parties, an agreement must be reached.

3. The contract for the performance of work to conduct a periodic **assessment** of competence is concluded when conducting a periodic **assessment** of competence in **accordance** with the requirements of this **Law**, acts of civil legislation between the accreditation body and the accredited entity. The contract for the performance of work to conduct a periodic **assessment** of competence is concluded in writing and must contain a condition on the subject of the contract, as well as the conditions specified in subparagraphs 2.2–2.9 of paragraph 2 of this article.

## **Article 58. Rights and obligations of the applicant for accreditation, accredited entity**

1. An applicant for accreditation has the right:

1.1. contact the accreditation body with an application for accreditation;

1.2. conclude an agreement to perform accreditation work;

1.3. submit a written application to the accreditation body for the issuance of an accreditation certificate;

1.4. appeal the decisions and (or) actions (inaction) of the accreditation body to the State Committee for Standardization, and in case of disagreement with its decision or failure to receive a response within thirty days, to the court;

1.5. exercise other rights in accordance with this Law, accreditation rules and other acts of legislation, the law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, an agreement for the performance of accreditation work.

2. The applicant for accreditation is obliged to:

2.1. comply with the requirements of regulatory legal acts of the National Accreditation System of the Republic of Belarus related to the passage of accreditation procedures;

2.2. create the necessary conditions for the work of accreditation experts and technical accreditation experts when performing accreditation work;

2.3. perform other duties in accordance with this Law, accreditation rules and other acts of legislation, the law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, an agreement for the performance of accreditation work.

3. An accredited entity has the right:

3.1. contact the accreditation body with an application to change the scope of accreditation, an application for re-accreditation;

3.2. submit to the accreditation body in writing applications for amendments and (or) additions to the accreditation certificate, for the issuance of a duplicate, for the cancellation of the accreditation certificate, for the issuance of an accreditation certificate for re-accreditation;

3.3. apply the accreditation mark in compliance with the scope of accreditation;

3.4. appeal the decisions and (or) actions (inaction) of the accreditation body to the State Committee for Standardization, and in case of disagreement with its decision or failure to receive a response within thirty days, to the court;

3.5. exercise other rights in **accordance** with this **Law**, accreditation rules and other acts of legislation, the law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not

constitute the law of the Eurasian Economic Union, an agreement for the performance of work to conduct a periodic **assessment** of competence.

4. The accredited entity is obliged:

4.1. provide the accreditation body with information about its activities related to the performance of conformity assessment work;

4.2. enter into contracts for the performance of work to conduct periodic competency assessments in accordance with the frequency of such assessments;

4.3. comply with the requirements of the accreditation **rules**, other regulatory legal acts of the National Accreditation System of the Republic of Belarus and the rights of the Eurasian Economic Union related to the passage of accreditation procedures, as well as the requirements of the regulatory legal acts of the National Conformity Assessment System of the Republic of Belarus applied to accredited bodies;

4.4. create the necessary conditions for the work of accreditation experts and technical accreditation experts when executing a contract for the performance of work to conduct periodic competency **assessment** ;

4.5. refer to an accreditation **certificate** or otherwise claim accreditation only in relation to **assessment work compliances** covered by the scope of accreditation;

4.6. perform other duties in **accordance** with this **Law**, accreditation **rules** and other acts of legislation, the law of the Eurasian Economic Union, as well as international treaties of the Republic of Belarus that do not constitute the law of the Eurasian Economic Union, an agreement for the performance of work to conduct a periodic **assessment** of competence.

## CHAPTER 7 FINAL PROVISIONS

### **Article 59. Recognition as invalid **of the law** of the Republic of Belarus and certain provisions **of the laws** of the Republic of Belarus**

Declare invalid:

**Law** of the Republic of Belarus of January 5, 2004 “On **the assessment compliance with** the requirements of technical regulatory legal acts in the field of technical regulation and standardization” (National Register of Legal Acts of the Republic of Belarus, 2004, No. 5, 2/1018);

**paragraph 1** of Article 126 of the Air Code of the Republic of Belarus of May 16, 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 78, 2/1214);

**article 46 Law** of the Republic of Belarus of July 20, 2006 “On amendments and additions to some **laws** of the Republic of Belarus on issues of technical regulation, standardization and **assessment compliance** with the requirements of technical regulatory legal acts in the field of technical regulation and standardization” (National Register of Legal Acts of the Republic of Belarus, 2006, No. 122, 2/1259);

**Article 8** of the Law of the Republic of Belarus of July 9, 2007 “On amendments to certain laws of the Republic of Belarus in connection with the optimization of the system of republican government bodies and other state organizations subordinate to the Government of the Republic of Belarus” (National Register of Legal Acts of the Republic of Belarus, 2007, No. 170, 2/1344);

**article 4 Law** of the Republic of Belarus of December 31, 2010 “On amendments and additions to some **laws** of the Republic of Belarus on **assessment issues compliance** with the requirements of technical regulatory legal acts in the field of technical regulation and standardization” (National Register of Legal Acts of the Republic of Belarus, 2011, No. 5, 2/1780).

## **Article 60. Transitional provisions**

1. The provisions of this Law relating to the technical regulations of the Eurasian Economic Union, the law of the Eurasian Economic Union, also apply to the technical regulations of the Customs Union in force at the time of entry into force of this Law, international legal acts constituting the regulatory legal framework of the Customs Union and the Common Economic Space, until they are canceled (recognized as no longer in force), unless otherwise established by legislative acts of the Republic of Belarus or international treaties of the Republic of Belarus.

2. The provisions of this Law relating to certificates of conformity with technical regulations of the Eurasian Economic Union, declarations of conformity with technical regulations of the Eurasian Economic Union, certificates of conformity in a single form and declarations of conformity in a single form, apply accordingly also to certificates of conformity with technical regulations of the Customs Union, declarations of compliance with technical regulations of the Customs Union, certificates of conformity of the Customs Union, drawn up in a single form, and declarations of conformity of the Customs Union, drawn up in a single form, unless otherwise established by international treaties of the Republic of Belarus.

3. Contracts for certification work, certification agreements, contracts for periodic assessment of a certified object, contracts for testing, agreements for accreditation, agreements with accredited bodies, contracts for testing periodic **assessments of** competence concluded before the entry into force of this **Law** remain valid within the terms for which they were concluded and are not subject to being brought into **compliance** with this **Law**.

**Valuation** documents **compliance**, including accreditation **certificates** issued before the entry into force of this **Law**, remain valid within the periods for which they were issued.

## **Article 61. Measures to implement the provisions of this Law**

1. To the Council of Ministers of the Republic of Belarus:

1.1. within nine months:

prepare and submit, in the prescribed manner, proposals to bring the legislative acts of the Republic of Belarus into compliance with this Law;

bring decisions of the Government of the Republic of Belarus into compliance with this Law;

ensure that the republican government bodies subordinate to the Council of Ministers of the Republic of Belarus bring their regulatory legal acts, with the exception of the technical regulatory legal acts approved by them in the field of technical regulation and standardization, into compliance with this Law;

take other measures to implement the provisions of this Law;

1.2. within two years, ensure that technical regulatory legal acts in the field of technical regulation and standardization, approved by republican government bodies, are brought into compliance with this Law.

2. The implementation of powers defined by subparagraphs [1.5](#), 1.6, [1.12](#) and 1.13 of paragraph 1 of Article 7 of this Law is carried out by adopting (approving) in the prescribed manner normative legal acts of the Republic of Belarus that are not technical normative legal acts of the Republic of Belarus.

## **Article 62. Entry into force of this Law**

This Law comes into force in the following order:

Articles [1–60](#) – nine months after the official publication of this Law;

other provisions - after the official publication of this Law.

*President of the Republic of Belarus*

*A. Lukashenko*