



Government of Georgia

**MARKET SURVEILLANCE OF INDUSTRIAL PRODUCTS IN
GEORGIA**

**Tbilisi
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INTRODUCTION

This Strategy is developed on the basis of Governmental Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology and Programme on Legislative Reform and Adoption of Technical Regulations, approved by the Government of Georgia on 16 June 2010, which was elaborated according to and is based on the best practices of the European Union.

The market surveillance will be carried out according to the principles of the Strategy and Programme agreed with the EU, which are as follows:

- Establishment of respective competent authority/authorities, which will carry out the monitoring of products placed on the market with a view of compliance thereof with the requirements of general safety rules and the technical regulations in force in the country;
- Institutional efficiency of market surveillance authorities;
- Development of market surveillance procedures and institutions and, ultimately, their compliance with the best international practices;
- Ensuring gradual coverage of the market by market surveillance systems according to selected sectors and products;
- Market surveillance of products placed on the market through documentary control at first stage and then through direct products control ;Complete separation of the activities of market surveillance authorities from conformity assessment activities with a view to avoid the conflict of interests;
- Carrying out of market surveillance through reactive surveillance at the first stage and proactive surveillance - at the second stage; Transparency of the activities of market surveillance authorities, target oriented and risk-adequacy of their actions;
- Prohibition of the introduction or toughening of new rules, over regulations or procedures by market surveillance authorities against producers, importers or exporters;
- After the adoption of the regulatory framework and technical regulations (so-called regulated fields) – market surveillance of only the goods placed on the market;
- Risk-based surveillance of groups/sectors selected according to gradual coverage approach;
- Use of public/private partnership model during market surveillance, whenever it deems reasonable;

- Introduction of efficient, proportional and preventive sanctions for the violation of respective requirements of technical regulations, The general product safety requirements are applied for surveillance purposes in the fields where no respective technical regulations exist;
- The market surveillance will be carried out according to the principles of the World Trade Organisation;
- The right of competent authorities to apply all the necessary measures against high-risk products with a view to guarantee the protection of consumer health and safety.
- Efficient operation of market surveillance system and formalised and informal cooperation between the members of this system.

The Purpose of the Strategy

The Strategy shall aim at:

- Protection of human life, health, property and environment;
- Placing safe products on the market and free circulation thereof;
- Ensuring the compatibility of units of high technical risk with exploitation rules through state surveillance and control;
- Introduction of risk analysis and assessment based surveillance system;
- Development of the system of technical inspection of units of high technical risk and putting in place of sound legal framework for the operation of inspection bodies;
- Separation of the powers between the State market surveillance authorities and inspection bodies in the field of exploitation and control of units of high technical risk;
- Ensuring the placing of safe products on the market through minimal necessary regulation;
- Equip market surveillance authority with adequate powers and resources for the creation of the efficient market surveillance system in order to enable the authority concerned to immediately and efficiently withdraw dangerous products already placed on the market and in urgent cases, it to be entitled to recall goods from the consumer. This power should be exercised when the producers and distributors are not in the position to prevent the mentioned risk according to assumed obligations;
- A product falling within the regulated field, which is manufactured in a country having adequate product safety standards and advanced quality infrastructure, in full compliance with the requirements of their legislation, will be placed on the market without restrictions;

- The existence of the efficient surveillance over product safety, which is ensured through the introduction of the rapid alert system allowing for immediate intervention in the case of serious risk, caused by a product placed on the market, with a view of ensuring product safety;
- A product should meet the basic safety requirements when it is manufactured in full compliance with the requirements of New and Global Approach Directives approved/adopted by the European Commission and has been subjected to respective conformity assessment procedures.

Basic Terms

The terms used for the purposes of this Strategy and further in the legislation are harmonised mainly with terms of the EU Directives (General Product Safety Directive, Directive on the Liability for Defective Products, etc.):

- "Product" - any movable thing or related thereto service, even if the thing concerned is a constituent part of some other movable or immovable thing ;
- "Safe product" - product which, under normal or reasonably foreseeable conditions of use including duration, does not present any risk or only the minimum risks compatible with the product's use, considered to be acceptable and consistent with a high level of protection for the safety and health of persons. The feasibility of obtaining higher levels of safety or the availability of other products presenting a lesser degree of risk, shall not constitute grounds for considering a product to be "dangerous";
- "Dangerous product" shall mean any product which does not meet the definition of "safe product" given in this Article;
- "Producer" shall mean:
 - a manufacturer of a finished product, any raw material or a component part and any other person presenting himself as the manufacturer by affixing to the product his name, trade mark or other distinctive mark, or the person who reconditions the product;
- The manufacturer's representative operating in the territory of Georgia or, if there is no representative established in Georgia, the person who places the product on the market other professionals in the supply chain, insofar as their activities may affect the safety properties of a product;
- "Distributor" shall mean any professional in the supply chain whose activity does not affect the safety properties of a product when observing relevant terms and conditions;
- "Authorised representative" shall mean any person authorised by the producer, whom may be addressed by authorities instead of the producer with regard to the requirements of technical regulations;

- “Importer/person responsible for placing on the market” shall mean a person, who is responsible for placing on the market of products manufactured abroad,;
- “Placing on the market” shall mean the first making available of a product on the market on the economic territory of Georgia through production, importation, rental, leasing or any other manner for commercial or non-commercial purposes. Every next supply of the product shall not be considered as placing on the market;
- “Putting into exploitation” shall mean the first use of the product in the country. When starting of the exploitation is regulated by Georgian legislation the foregoing may be subject to additional technical requirements;
- The following shall not be considered as placing on the market:
 - supply of the product by the producer to own representatives;
 - when product is supplied for further refinement (e.g.: assembly, packaging, procession or labelling);
 - when product is not placed on the economic territory of Georgia;
 - when product is manufactured in Georgia for exportation into another country;
 - when product is intended for demo purposes;
- When product is placed for warehousing on the economic territory of Georgia and the product is not available for consumers, unless otherwise envisaged by the respective technical regulation for warehousing; “technical documentation” shall cover the necessary information under technical regulation concerning product designing, production and exploitation;
- “Conformity assessment” shall mean the procedures, which allow to determine whether or not the requirements applicable to the object of the assessment are met; “object of conformity assessment” shall mean any material, product, service, process, system, person subject to conformity assessment;
- “Conformity assessment body” shall mean any professional which in the framework of competence thereof performs conformity assessment. In a regulated field conformity assessment is carried out by a body accredited or designated , by law;
- “Regulated field” shall mean the field, determined by law in force of Georgia, which directly provides for objects, which are subject to mandatory conformity assessment;

- "Recall" of a product shall mean any measure aimed at achieving the return of a dangerous product that has already been supplied or made available to consumers by the producer or distributor;
- "Withdrawal" of a product shall mean any measure aimed at preventing the distribution, display and offer of a product dangerous to the consumer;
- "New Approach Technical Regulation" shall mean a technical regulation which is elaborated/adopted on the basis of the respective EU New Approach Directive;
- "Defective product" shall mean a product which does not meet the safety requirements which a person is entitled to expect:
 - taking into account the common presentation of the product;
 - in the course of ordinary use; ;
 - taking into account the requirement, valid for the time when the product was placed on the market;
- "Unit of high technical risk" shall mean a technical article, appliance, equipment, any combination thereof, building, amongst them a special importance unit, substance of limited circulation or an unit or process, performing such an activity, which is associated with a potential technical risk and which, in the case of an accident or incorrect exploitation, may endanger human life, health, property and environment;
- "High technical risk" shall mean the risk associated with a unit in civil circulation, also a process related to its creation or exploitation, the production, construction, storage, transportation, circulation, use or destruction of which is associated with demolition, explosion, emission and intoxication risk and is highly dangerous for human life, health, property and environment;
- "Accident" shall mean destruction, demolition, explosion or emission of an unit, which causes human intoxication, death or endangers human health, environment and material values;
- "Non-compliance" shall mean damage of an unit, defect, deviation from relevant technological process, which increases the risk of danger, also the violation of safety rules, which may constitute a non-substantial, substantial or critical non-conformity:
 - "Non-substantial non-conformity" shall mean non-conformity, which can be eliminated without the suspension of normal flow of work, which does not directly endanger human life, health, property and environment and which should be removed by the owner of the unit concerned;

- “Substantial non-conformity” shall mean non-conformity, which should be eliminated, but it is impossible to improve it immediately and which does not generate any vital risk for the moment concerned; however if not eliminated within a certain period of time it can seriously endanger human life, health, property and environment;
- “Critical non-conformity” shall mean non-conformity, which is highly dangerous for human life, health, property and environment and which should be eliminated even if the suspension of the exploitation of the unit concerned is required ;
- “Inspection” shall mean the assessment of the conformity for market surveillance purposes of a unit against the requirements of Georgian legislation and technical regulations , which is being carried out through technical inspection and documentary control , on the basis of professional judgment;
- “Technical inspection” shall mean the on-site inspection of a unit by an inspection authority or by other authorised body, which inspection shall include the “documentary control ” shall mean the analysis, assessment and adequate respond to the materials of inspection by a market surveillance authority;
- “Inspection body” shall mean an independent entity carrying out the conformity assessment of a unit with the requirements of the Georgian legislation, which authority is registered commensurate with the Law of Georgia on Entrepreneurs and is accredited by the national accreditation authority – Accreditation Centre – commensurate with the law of Georgia in force, also any other respective authorised authority;
- “Technical specification of a unit” shall include:
 - identification data of the unit;
 - information about the owner of the unit;
 - information about the producer/constructor of the unit, in case of existing of such;
 - basic technical characteristics of the unit; information about the location of the unit;
 - information about technical inspection the unit was subjected to;
 - information about an accident on the unit;
 - the other parameters, established by the Government of Georgia, if there are such;
 - number of a permission for a unit subject to permission or the number of a relevant act, if there is such.

- “Reference” shall mean a observation concerning non-conformity, made by market surveillance authority with respect to construction activities against a violator and an assignment, which specifies reasonable timelines for the fulfilment of the conditions, given in the reference for the correction of construction violation;
- “Inspection report” shall mean a document, containing the results of the technical inspection, which should contain the results of the check and the data on conformity assessment;
- “Technical certificate” shall mean a document issued by an inspection body, which certifies the compliance of the unit with the established requirements;
- “Monitoring list” shall mean the list of units with critical non-conformities, which is compiled by market surveillance authority; the units, entered into the list concerned shall be monitored thereby until the elimination of critical non-conformities;
- “Similar non-conformities” shall mean the violations related to similar electrical and mechanical machinery, mechanisms and appliances existing on high risk units and also the violations in relation with similar technological processes.

Product Safety and Liability

A product placed on the market should be safe for a consumer and it should comply with the requirements of the law in force and if the product caused damage the liability shall be borne by the producer.

- Product safety should be assessed with due consideration of all the relevant factors, amongst them, it should be taken into account the category of consumers, who are particularly vulnerable to risks associated with the product, specifically, children and aged persons.
- A producer should place the safe products on the market.
- A producer should be held liable for damage caused by a defective product placed thereby on the market.
- When it deems impossible to trace the producer of a product, irrespective of the name of the producer being affixed on the product, the person, who actually placed the product on the market should be regarded as the producer of the product concerned, except for the case, when the person, who placed the product on the market informs the aggrieved damaged person within a reasonable period about the whereabouts of the producer or the person who supplied the product concerned thereto.
- When two or more persons are responsible for damages, they should bear the liability solidary, proportionally shearing the liability commensurate with the law in force of Georgia.

- A defective product can be placed on the market provided that the supplier has informed the consumer of the product about the defect and the consumer is still ready to buy the product concerned irrespective of the defect.
- A producer should be held liable also in cases, when the damage is caused a producer, within terms of its competencies, should warn a consumer against any apparent or non-apparent risk associated with the product when the product is used according to its intended purpose and within predetermined period of time. .
- Whenever a producer is in the position to prevent such risk, he should make every effort to avoid such risk.
- A producer should be required to act with due diligence in order to ensure the compliance of his products with general product safety requirements.
- A producer should not place a product on the market, which according to his knowledge and information on hand, does not comply with mandatory requirements.
- A distributor should be required to promote the safety of products, placed on the market, in the course of its professional activities.
- A producer/distributor should cooperate with the authorised bodies on product safety matters within the terms of his competence with respect to products which are already placed or are intended for placing on the market.
- If a consumer suffered damages due to a defective product the aggrieved injured party should bear the burden of proof of a causal link between the defective product and caused damage.
- When a producer or an authorised representative does not operate in Georgia the importer should provide the respective information to the respective authorised body upon request thereof.
- An importer (a person, responsible for placing on the market) should provide the market surveillance authority with a conformity document and should ensure the availability of the technical documentation of the product. The importer should be held liable only when a producer or an authorised representative does not operate in Georgia. The distributors, within the scope of their professional activities, should participate in the process of monitoring of the safety of products placed on the market, especially through the dissemination of information on product-related risks. They should be required to cooperate with the respective persons in order to avoid the risks. A producer and a distributor should participate in measures aiming at the elimination of risks

related with products placed on the market on demand of a competent authorised body. The rules and procedure of such cooperation should be developed by competent authorised bodies.

- Upon the assessment of product safety it should be considered following: :
 - products characteristics, including its composition, packaging, assembly and, whenever necessary, , installation and repair instructions;
 - impact on the other product, when in conditions of its normal use it is expected to be used together with the product concerned, ;
 - product presentation, labelling, warning, instruction for its use and utilization or any other information, that concerns this product;
- Consumers of those age categories, who may suffer damages due to the use of the product concerned. A safe product cannot be regarded as a dangerous product if it is possible to make it safer or in the case of existence of a safer product;
- A producer/distributor should be required to provide the consumer with the necessary, true and complete information regarding the product, which information will make it possible for the consumer to make a correct choice;
- A consumer should be receive the following information regarding a product:
 - Product name and type;
 - Company name and address of the producer; and the country where product is manufactured;
 - Whenever necessary, the expiry date (the deadline for the use of the product or the date of manufacture and the of best date before use the product) of the product the commodity features of which may deteriorate as times goes;
 - Whenever appropriate, the weight or/and volume of the product;
 - Whenever appropriate , the list of key commodity features of the product;
 - Whenever appropriate , the rules and conditions of useful and safe use of product, also the special storage conditions; Warranty period or/and other obligation, if so provided by the producer/distributor;
 - The measures to be undertaken by the consumer after the expiry of the product and possible consequences of non-carrying out of such measures.

Current Situation in the Field of Market Surveillance in Georgia

Until the adoption of the Law of Georgia on Technical Hazard on 8 April 2010 the industrial products' market surveillance was executed mainly through the surveillance of placement of products on the market, issuance of the permits (licences) and control of the conditions thereof.

- Currently the process of enhancement of market surveillance system is under way in Georgia and is gradually shifting from the pre-market surveillance of products to the post-market surveillance of products.
- Efficient Surveillance means gradual shift from reactive surveillance to proactive one based on the analysis of risks associated with products placed on the market, together with updating/improvement of the legal framework.
- The process of enhancement of surveillance system is oriented on product safety according to the EU best practices and requirements. The systemic development of surveillance implies further improvement of quality infrastructure in the context of efficient operation – commensurate with the EU standards and requirements, also the introduction of the EU technical legislation.

Legislation in Force of Georgia

The legal acts in force in Georgia safeguard consumer rights and a producer is liable for placing of defective products on the market. These provisions are almost in full compliance with the EU Directive on Liability for Defective Products (Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products).

- The supreme law of Georgia (Constitution of Georgia), all the other legal acts are subordinated to, provides that the state is required to promote free entrepreneurship and the development of competition; consumer rights are guaranteed by law. The Civil Code of Georgia provides for the liability of a producer for defective products. A producer of a defective product is liable for damage caused by the product concerned, irrespectively whether or not there were contractual relationships between the producer and the damaged party, except when,
 - he has not offered this product for sale;
 - with due regard of the circumstances, it may be presumed that the product had not the defect, which caused damage, for the moment when it was offered for sale;

- the producer did not manufacture the product neither for sale or any other commercial purposes, nor within the scope of its professional activities;
 - the product has a defect, which was in compliance with the provisions (requirements) effective for the moment when it was offered for sale; and/or
- The defect could not be detected at the time when it was offered for sale, with due consideration of the level of scientific and technical development for that moment. The liability of a producer of a component part of a product is likewise excluded when the defect is caused by the design of the product part of which becomes component product.
 - The producer's liability to compensate damages is reduced or completely excluded if the damage was caused by the fault of the damaged party or of a person responsible for the latter.
 - The producer's liability is not reduced if the damage was caused jointly by the defect of the product and the action of a third party.
 - The Civil Code also provides the definition of a defective product – that is, a product does not ensure the level of reliability which are expected from the product concerned with due consideration of all the related circumstances.
 - A product cannot be regarded as defective only because a better product was released in circulation later.
 - For the purpose of this Code a product shall mean all movables even though incorporated into another movable or into an immovable, also the electrical current. Excluded are non-processed agricultural products of livestock, bee-keeping and fishery also farming (natural agricultural products). The same rule applies to hunting products.
 - According to this Code a producer is a person who manufactured the final product, a key element or part of the product concerned. Any other person, who appears as a producer under its own name, brand name or other distinctive feature, is also a producer.
 - Any person, who offers a product through sale, rental or any other manner, for economic purposes, within the scope of his professional activities, in full compliance with the terms and conditions of this Code, is also regarded as a producer. When it deems impossible to identify a producer, every supplier should be regarded as a producer, except for the cases, when he provides information regarding a producer or a person who supplied the product concerned thereto to the damaged party within a period of one month from request. The same rule applies to imported goods as well, when it deems

impossible to identify the first seller despite the fact that the name of the producer is known. The burden of proof for damages caused by the defective products is to be borne by the damaged party.

- When several producers bear the liability for one and the same damage, they shall be held liable as joint debtors.
- The obligation of a producer of a defective product to compensate damages applies to damage, which was caused by death or bodily or health injury.
- The statute of limitation for a claim shall constitute three years from the moment, when the person entitled to receive compensation for damages became or should have become aware of the damage, defect and/or of the person responsible for damages.
- The right to claim will disappear after the expiry of ten years following the moment when the product, due to which the damage occurred, was offered for sale by the producer. The producer's liability for defective product cannot be excluded or limited in advance. Any agreement on the contrary shall be null and void.
- The Law of Georgia on the Control of Technical Hazard provides the list of industrial products, which contain high technical risk and are subject to supervision by Technical and Construction inspection.
- According to the Law the supervision shall be carried out either through the issuance of permits and control of the respective permit conditions or periodical onsite inspections of the safety of units of high-risk bearing.
- Subject to types of control and supervision shall be the following units: elevator (lift), lifting equipment, attraction, ammonia operated refrigerating machine, intended for entrepreneurial purposes, escalator, funicular railway, cable way, infrastructure of trunk pipelines, open-cast mine, mine, natural hollows, landfill for dangerous wastes, pressure vessels, hydropower facilities, etc. The Law provides for the definition of units and legal grounds for the classification of violations revealed with regard to the units concerned, also for the sanctions to be proportional and adequate.
- Non-conformities, which may occur on industrial units and according to which the respective responsible persons will be sanctioned are of critical, substantial and non-substantial category.
 - non-substantial non-conformity is a non-conformity, which can be improved without the suspension of normal flow of work, which does not directly endanger human life, health, property and environment and which should be removed by the owner of the unit concerned;

- substantial non- conformity is such category of violation, which should be eliminated, but it is impossible immediately and which does not generate any vital risk for the moment concerned; however if not eliminated within a certain period of time it can seriously endanger human life, health, property and environment; critical non-conformity is such non- conformity, which creates high risk for human life, health, property and environment and which should be eliminated even if the suspension of the exploitation of the unit concerned is required to this end.

In the case of critical non-conformity the technical and construction inspection will enter the unit into monitoring list (which should be developed in the case of detection of critical non-conformities on several units, before the correction of non- conformity) and then arrange for the suspended unit not to be put into exploitation again.

- The Law provides for the rights and obligations of an owner of the unit with respect to safety matters, also the other issues related to industrial product safety.

Draft Code of Georgia on Safety and Free Movements of products

- Commensurate with the Governmental Programme for the Legal Reform in the Field of Standardisation, Accreditation, Conformity Assessment, Technical Regulations and Metrology and Adoption of Technical Regulations the Law of Georgia on the Control of Technical Hazard will become a part of the Code of Georgia on Safety and Free movement of Products, which will also incorporate the normative acts, regulating all the elements of quality infrastructure. The Code further approximates Georgian legislation with the respective regulatory acts of the EU. The Draft Code is already elaborated and submitted to the Parliament of Georgia for review. The objectives of the Code are as follows:
 - Placing of safe products on the market and free circulation thereof without barriers;
 - Securing and promotion of competition in the course of product movement and placing on the market;
 - Ensuring the conformity of high technical risk units with the rules of exploitation through state supervision and control;
 - Implementation of risk analysis and evaluation based inspection system; Development of the system of technical inspection of high technical risk units and creation of the legal framework for the operation of inspection bodies;
 - Separation of powers of Technical and Construction Supervision Agency and inspection bodies in the field of exploitation and control of high technical risk units;

- Implementation of the best practice, and approximation with the EU legislation in the field of standardisation, metrology, accreditation and conformity assessment. The draft Code provides for more detailed classification of non-conformity of a unit with the established requirements, which may occur on units, also the adequate administrative sanctions.
 - According to the draft Code the I category substantial non-conformity is a non- conformity which should be eliminated, but it is impossible immediately and which does not generate any vital risk for the moment concerned; however if not eliminated within a certain period of time it can seriously endanger the life and health of persons directly related with the unit concerned, also property and environment;
 - The II category substantial non- conformity is a non- conformity which should be eliminated, but it is impossible immediately and which does not generate any vital risk for the moment concerned; however if not eliminated within a certain period of time it can seriously endanger the life and health of persons directly related with the unit concerned and the life and health of third persons, also the property and environment; The I category critical non-conformity is such non- conformity, which is highly dangerous for the life and health of persons directly related with the unit concerned, also the property and environment, and which should be immediately eliminated.
 - The II category critical non- conformity is such non- conformity, which is highly dangerous for the life and health of persons directly related with the unit concerned and the life and health of third persons, also the property and environment, and which should be immediately eliminated.

Approximation with the EU New Approach Directives

- Under the Programme on Legislative Reform and Adoption of Technical Regulations approved on 25 August 2010 Georgia undertook the obligation to approximate the technical legislation of Georgia with the EU New Approach Directives (Table No.1). Two draft Technical Regulations were prepared which provide for the approximation of the regulation in respective fields with EU New Approach Directives.
- The respective Technical Regulations were approved by governmental resolutions:
 - Resolution of the Government of Georgia No.289 of 26.06.2011 on the Approval of the Technical Regulation on the Safety of Lifts
 - Resolution of the Government of Georgia No.320 of 15.08.2011 on the Approval of the Technical Regulation on Cableway Installations Designed to Carry Persons.

- The aforementioned Resolutions were developed in the context of approximation with the following Directives: Lift Directive 95/16/EC;¹
- Directive relating to Cableway installations designed to carry persons 2000/9/EC.²

The Technical Regulation for the existing lifts is being drafted on the basis of the EU standard EN 81-80 “Safety Rules for the improvement of safety of existing passenger and goods passenger lifts- Part 80“³

Table No.1

| # | Directive Title and Number |
|----|---|
| 1 | Directive 2000/9/EC of the European Parliament and of the Council of 20 March 2000 relating to cableway installations designed to carry persons |
| 2 | European Parliament and Council Directive 95/16/EC on the approximation of the laws of the Member States relating to lifts |
| 3 | Directive 97/23/EC of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment |
| 4 | COUNCIL DIRECTIVE 92/42/EEC on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels |
| 5 | Council Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels |
| 6 | Directive 94/25/EC of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft |
| 7 | Council Directive 93/15/EEC on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses |
| 8 | ATEX 94/9/EC Approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres |
| 9 | DIRECTIVE 1999/5/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity |
| 10 | Directive 2004/108/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to electromagnetic compatibility |
| 11 | Directive 2006/95/EC of the European Parliament and of the Council on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limit |

¹ Lifts Directive 95/16/EC.

² Directive relating to Cableway installations designed to carry persons 2000/9/EC

³ EN 81-80:2003 Safety rules for the construction and installation of lifts - Existing lifts - Part 80: Rules for the improvement of safety of existing of safety of existing passengers and good passenger lifts.

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| 12 | COUNCIL DIRECTIVE 93/42/EEC concerning medical devices |
| 13 | Directive 98/79/EC of the European Parliament and of the Council on in vitro diagnostic medical devices |
| 14 | Council Directive 90/385/EEC on the approximation of the laws of the Member States relating to active implantable medical devices |
| 15 | Council Directive 90/396/EEC on the approximation of the laws of the Member States relating to appliances burning gaseous fuels |
| 16 | Personal Protective Equipment Directive 89/686/EEC (PPE) |
| 17 | Directive 98/37/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to machinery |
| 18 | Council Directive 88/378/EEC on the approximation of the laws of the Member States concerning the safety of toys |
| 19 | Council Directive 89/106/EEC on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products |
| 20 | Council Directive 90/384/EEC on the harmonization of the laws of the Member States relating to non-automatic weighing instruments |
| 21 | Directive 2004/22/EC of the European Parliament and of the Council on measuring instruments |

Technical Regulation on the Safety of Lifts

The Resolution of the Government of Georgia No.289 of 26 July 2011 on the Approval of the Technical Regulation on the Safety of Lifts was adopted on the basis of Lifts Directive 95/16/EC.

- The Technical Regulation on the Safety of Lifts provides for:
 - General safety requirements for lifts and the components to be used therein.
- Mandatory modules for ensuring the conformity with the established safety requirements. The adequate preparatory works were carried out for securing the safety of the existing lifts (the lifts, put into exploitation before approval of the Technical Regulation on the Safety of Lifts), for drafting a technical regulation on the safety of the existing lifts.
- The “Standard 81-80 Safety rules for the construction and installation of lifts – Existing lifts – Part 80: Rules for the improvement of safety of existing passenger and goods passenger lifts”⁴ was translated and the draft Technical Regulation was prepared.

⁴ Standard EN 81-80:2003 Safety rules for the construction and installation of lifts - Existing lifts - Part 80: Rules for the improvement of safety of existing of safety of existing passengers and good passenger lifts.

Directive 2000/9/EC relating to Cableway installations designed to carry persons

Resolution of the Government of Georgia No.320 of 15 August 2011 on the Approval of the Technical Regulation on Cableway Installations Designed to Carry Persons was adopted on the basis of the EU Directive 2000/9/EC relating to Cableway installations designed to carry persons.⁵

- The Technical Regulation provides for:
 - General safety requirements for cableway installations and components to be used therein.
 - Mandatory modules for ensuring the conformity with the established safety requirements.

Existing Rules and Procedures for Market Surveillance

With the abovementioned legal acts the Inspection shall be guided by following sectoral rules:

- Rules of arrangement and safe exploitation of pressure vessels;
- Rules of arrangement and exploitation of funiculars;
- Rules of arrangement and safe exploitation of hoisting gears;
- Rules of arrangement and safe exploitation of passenger cableways;
- Rules of arrangement and safe exploitation of escalators;
- Safety rules of side-shows;
- Unified safety rules of deep mining on ore, non-metallic and sand deposits,
- Sectoral rules of safety of constructing (reconstructing) mining-technical facilities located under agricultural lands, what is not related to extraction of mineral resources;
- Safety rules for coal mines;
- Safety rules for blasting operations;
- Safety rules for open cast mines;
- safety rules for petroleum storage depots;
- Safety rules for fuel stations and fuel complexes;
- General requirements for gas systems.

⁵ EU Directive 2000/9/EC relating to Cableway installations designed to carry persons.

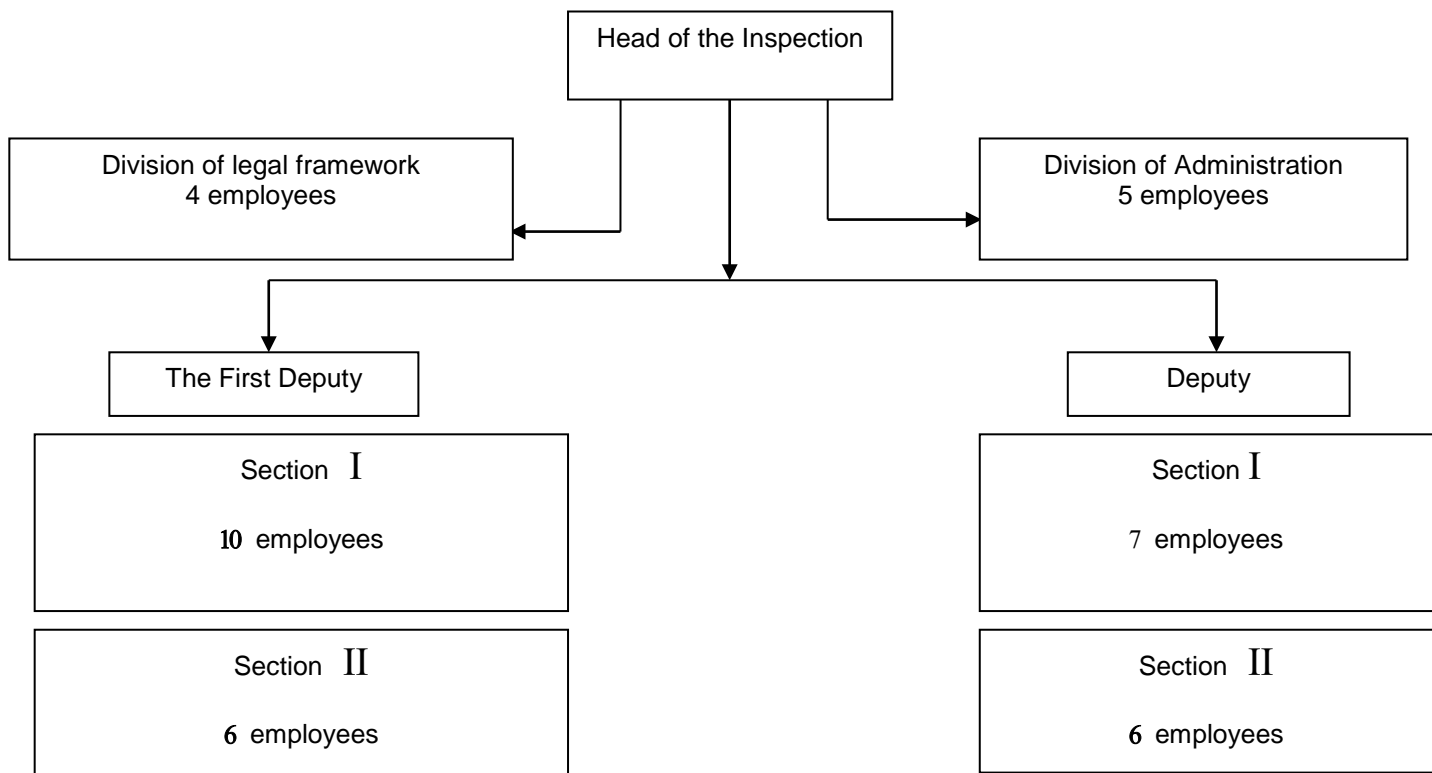
Current Institutional System

According to the goals of the Governmental Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology and Programme on Legislative Reform and Adoption of Technical Regulations the Technical and Construction Inspection was envisaged as a market surveillance authority for industrial product by law.

- The Technical and Construction Inspection was created on 1 January 2011 in compliance with the Law of Georgia `On the Control of Technical Hazard` on the basis of the LEPL – State Inspection of Georgia for Technical Supervision, authority subordinated by the Ministry of Economy and Sustainable Development `Main Architectural and Construction Inspection` – and the Division of Permits for Units of Special Importance of the Construction Department.
- The aim of the institutional reform is to create the solid basis for the efficient authority for market surveillance, which will gradually acquire the necessary powers and administrative resources for efficient market surveillance of industrial products.
- The Charter of the Technical and Construction Inspection was approved by Order No.1-1/2031 of 23 December 2010 of the Minister of Economy and Sustainable Development on the approval of the Charter of the Technical and Construction Inspection – Authority Subordinated to the Ministry of Economy and Sustainable Development. The aforementioned Order entered into force on 1 January 2011.
- The main duties of the Inspection are as follows:
 - Registration of a hazard units in the departmental register;
 - Control of hazard units;
 - Mandatory supervision of hazard units through accredited inspection authorities;
 - Imposition of administrative responsibility on violators;
 - Documentary supervision of the hazard units by the assessment of the compatibility of the unit with the requirements of technical regulation through the analysis of technical inspection reports and reports of the inspection authorities;
 - In case of incompliance with technical requirements issuance of directions or/and granting a reasonable period for the remedy of a non-compliance;
 - Re-training and training of the personnel, arrangement of training and courses to this end.

- The Inspection is governed by the Head of the Inspection, who is appointed by the Prime-Minister of Georgia under the submission of the Minister of the Economy and Sustainable Development of Georgia and dismissed again by the Prime-Minister of Georgia.
- The Inspection carries out its activities in two directions: supervision of hazard units and supervision of architectural and construction activities.
- Total number of staff of the Inspection is 48 persons.
- 15 persons are engaged in hazard unit supervision field.
- Average age of the technical staff is 43 years and average working experience – 16 years.
- The Inspection has the qualified staff with higher education in the respective fields and practical experience; however the personnel needs additional training in the context of improvement of market surveillance related aspects.
- It should be mentioned that the organisational structure should be revised at the next stage according to the requirements of approximation with the New Approach Directives and after the expansion of the supervision area of surveillance.

Structure of Technical and Construction Inspection



Institutional and Legal Reform

- The draft Code of `Product Safety and Free Movement of goods` provides for the transformation of the Technical and Construction Inspection into Technical and Construction Surveillance Agency. This transformation is also envisaged by the Governmental Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology and Programme on Legislative Reform and Adoption of Technical Regulations.
- The Agency will be the Legal Entity of Public Law under the Ministry of Economy and Sustainable Development of Georgia; agency also will be the legal successor of Technical and Construction inspection and will carry out the state supervision and market surveillance of industrial products.

Basic Principles of Institutional and Legal Reform

- The authorised body should have the enough power to act as adequately as required and carry out all required measures when the product is a risk-bearing.
- The authorised body should carry out all the necessary measures to prevent the product related risks, these measures should be oriented on a :
 - Producer'
 - Distributor or a person who is responsible for the first placing of the product on the market.
- Efficient market surveillance system, which aims at ensuring the high level of protection of consumer health and safety should include:
 - Creation of market surveillance programmes according to product categories or/and risks and update it periodically;
 - Monitoring of surveillance activities, collected data and outcomes;
 - Further expansion and updating of theoretical and technical knowledge about product safety;
 - Double-checking of the outcomes of conformity assessments carries out to a product in the case of existence of safety risks;
 - Periodical assessment of the efficiency of market surveillance activities and, whenever in the case of necessity, revision of the efficiency of surveillance methods.

- The authorised body should ensure possibility of the action, of the consumers and other interested parties, for their claim about product safety, market surveillance and other related matters.
- The authorised body should ensure the adequate reaction to claims.

Long-Term vision of the Institutional and Legal Reform

For the improvement of market surveillance procedures on industrial products should to implement following measures:

- Introduction of proactive and reactive market surveillance;
- Introduction of common procedures for carrying out market surveillance measures;
- Preparation of market surveillance annual plans;
- Preparation of check lists for market inspection;
- Determination of inspection control, testing and sampling procedures;
- Determination of the procedure of measures in the case of product non-compliance;
- Determination of the procedure for the receive of data into market surveillance system and dissemination of public information;
- Determination of the procedure of exchange of the information between the market surveillance authority on industrial products and accredited inspection bodies;
- Institutional determination between conformity assessment and market surveillance functions;
- Improvement of international and regional cooperation.

The technical assistance will require in certain field to support the implementation of these goals.

Proactive and Reactive Market Surveillance System

Reactive Market Surveillance

Currently the reactive market surveillance system predominates in Georgia in the field of technical safety.

- At this stage the inspection and further reaction is not carried out according to the pre-agreed plan, but rather in the case of reasonable doubt, upon the receipt information on potential risk; in force-

majeure circumstances; in the case of a wreck or accident, which resulted in substantial damage of human health or death.

- After the receipt of information the surveillance authority checks the information and carries out the on-site inspection of the unit on the basis of risk analysis.
- After the inspection, whenever it required, the competent authority will implement the relevant measures, amongst them through giving directions, fining, granting reasonable period to the owner for the correction of non-compliance, for the hazard unit to become duly safe.

Proactive Market Surveillance

Proactive market surveillance is based on planned measures (short and long-term surveillance plans).

- The competent authority drafts a annual plan of market surveillance on the basis of information obtained through rapid alert system, complaints of the consumers, reports on injuries and accidents, information from foreign counters in the context of market surveillance, the outcomes of the inspections carried out during the past year, etc.
- One of the instruments of Proactive market surveillance is the annual plan of future inspections. The list of units, to be inspected in the future will be compiled within the framework of the market surveillance plan. The inclusion of a unit into this list and regularity of the inspections are conditioned by several factors:
 - The previous experience - includes the analysis of information on non-compliances and wrecks revealed at the units, which analysis is based on violations and frequent wrecks revealed at similar units during a year. The market surveillance authority will enter such units into the plan of periodical inspections;
 - The nature of the unit under inspection –units where the wrecks, owing to their technical specificity may inflict the large-scale damage to human health or life, also cause substantial material damage or cause particularly grave damage to the environment.
- The procedures of on-site inspection to be carried out within the framework of supervision may include the inspection of documents, sampling and laboratory analysis. Following that the risk analysis should undertaken on the basis of the outcomes of carried-out inspections and the respective measures shall be implemented.

Product Inspection and Implementation of Measures

The market surveillance authorities should ensure the surveillance of products, placed on the market and carrying out of the adequate measures, whenever it needed:.

- Market surveillance authorities should be guided by the principle of impartiality and act with consideration of the risk level.
- The market surveillance authority can apply to accredited conformity assessment body for the conduct of professional assessment on a contractual basis.
- If the result of testing shows that the product is risk-bearing, the cost of inspection procedures, including the value of the samples shall be borne by the producer or distributor, respectively, with due consideration of the fault of the producer or distributor;
- The market surveillance authority is allowed to ensure the recalling of the dangerous product placed on the market for its destruction in coordination with the producer or/and distributor, and when the foregoing deems impossible – independently;
- Suspension of the exploitation of a high technical risk units and/or recall from the market shall be carried out only in the case of critical non-compliance, which may cause substantial damage to human life, health, property or environment. In this case the market surveillance authority should enter the high technical risk units into the plan of future inspections in order to ensure the control of the existing situation and not to allow the unauthorised operation of the unit or placing on the market.
- Any measure, implemented by market surveillance authority, which implies the imposition of restrictions on placing the product on the market or demands its recall or removal, should be accompanied by respective explanations which include: the clear reasoning for the implementation of the measure concerned. The foregoing should be immediately notified to interested parties.
- The information concerning consumer safety and health risks should be publicly available, except in the cases, when certain restrictions are imposed for monitoring and investigation purposes. Specifically, the information concerning product identification, existing risks and implemented measures should be publicly available.
- The market surveillance authority should have the following rights:
 - In case of market surveillance of the industrial products:

- To inspect the products placed on the market and take samples with a view to inspection of the safety parameters.
- Request and receive the necessary information from the producer or distributor;
- In case of products which is risk-bearing during the certain circumstances:
 - Request of adequate labelling about risk warning to the product;
 - Request creation of specific conditions for the sale of product with a view to ensuring its safety;
- If any product which is risk-bearing for certain category of persons – demand the warning of these persons within a reasonable period of time and in an adequate manner, amongst them, in the case of necessity, through public dissemination of the risk-related information;
- In case of any product, which may be dangerous – to temporarily restrict their availability for a period necessary for the inspection thereof;
- In case of any dangerous product – prohibit its availability on the market and implement additional measures for controlling the prohibition;
- in case of risky product intended for the placement on the market:
 - To ensure removal from the market and make arrangements for its immediate enforcement; to disseminate the risk-related information;
 - To ensure the recall of product from the consumers and its destruction in coordination with the producer or/and distributor, and when the foregoing deems impossible – independently.

Planning of the Market Surveillance System

The market surveillance is planned on the basis of the risk analysis and risk assessment system.

- The Georgian legislation provides categories for risks and establishes the forms and regularity of market surveillance.
- Along with the established regularity, market surveillance shall be carried out:
 - In the case of a reasonable doubt, against a notice on potential hazard, on the basis of organoleptic feelings;
 - In force-majeure circumstances;

- In the case of a wreck;
- In the case of an accident, which resulted in serious injury of human health or death;
- In the case of permit conditions are not fulfil.
- market surveillance authority should take into account of the fact, that in certain cases the Georgian legislation does not require the existence of a conformity report or a conformity certificate issued by an accredited conformity assessment body or/and other competent authority.
- Will be developed Different market surveillance plans with regard to different target product groups.
- The outcomes of market surveillance should be analysed and the report will be drafted. For the improvement of market surveillance activities the individual inspection reports should be consolidated into the final report.

General Principles of Marking

- Marking should be add to the product only by the producer or a representative appointed thereby;
- Marking should be add only to the product, which is envisaged by Georgian legislation and not to the other products;
- By the marking producer takes responsibility and stated that the provided product are inline with technical requirements according to the Georgian legislation.
- In the case of violation of marking rules, the fines will be imposed according to law in force, which should imply the adequate sanctions. The sanctions should be proportional to the violation and should constitute the efficient measures against the abuse of marking rules.

Market Surveillance

The market surveillance shall be carried out by market surveillance authority/authorities with a view to establishing the compatibility of products placed on the market with the technical requirements.

- The market surveillance authority, in cooperation with the accredited inspection authority determines the inspection control procedure with a view to carrying out the market surveillance and apply the following procedures:
 - Inspection of documents
 - Visual and physical inspection of the product;

- Laboratory testing of the product;

Development of the Procedure for the Preparation of the check lists

- The design of the check lists to be used in market surveillance activities shall be determined by the state market surveillance authority according to product groups.
- The check lists should contain information concerning the compatibility of the product with technical regulations.

Sampling Procedures

- The sampling procedures shall be provided by Georgian legislation, which should contain the following information:
 - Place of carrying out the sampling procedures (retailers, wholesalers or importers);
 - Object of sampling (product, documentation,);
 - Number of units to be taken for each sample (three as a rule, but some products require more);
 - In the case of packaging and transportation of a sample the observance of the strict rules of packaging and transportation is required.(e.g. products like petards or gas appliance (gaseous products);
- The market surveillance authorities should adequately inspect the product through checking of documents or inspection and also test the disputable sample at a lab in case, envisaged by law. They should introduce the risk assessment and complaint management procedures.
- The market surveillance authorities responsible for request access to the documents and information necessary for their professional activities from a producer and take the necessary sample of the product in the case of need.
- In cases envisaged by law the market surveillance authority may recall the high-risk products from the market. The persons responsible for market surveillance will take into account of the conformity reports or a certificates issued by an accredited conformity assessment authority or/and other competent authority.
- The market surveillance authorities shall cooperate with the producers within the scope of their professional activities in the context of risk prevention and reduction.

- In the case of recall of the product, manufactured abroad, from the market the market surveillance authorities shall be required to inform the product producer whenever the foregoing deems possible.
- market surveillance authority is required to maintain confidentiality to ensure the protection of commercial secrets and personal data envisaged by law. In urgent cases the information may become public in full compliance with the requirements of law for the protection of the safety of the society.

Documentary Inspection Procedures

- The market surveillance authority shall carry out the documentary control.
- The aim of the Documentary control is to determine are or not all the necessary documents available and whether or not they comply with the requirements of technical regulations.
- The process of documentary control may include: review of conformity certificates, applied directions, test reports, technical documentation and other documents.

Procedure of Visual and Physical Inspection

The market surveillance authority shall develop product inspection procedure for conformity assessment of them, which aims: to assess of product related risk, clarification the necessity of further inspecting the product and establishing whether which features require laboratory testing.

- Inspection of products for market surveillance purposes shall be carried out by an inspection authority accredited in Georgia or by the other competent authority, envisaged by law. It is also allow to carrying out inspection by the inspection authorities accredited in the EU members States or of the Organisation for Economic Cooperation and Development (OECD).
- In the case of inspection through visual and physical examination of a product the basic equipment and the check lists, created for specific products should be used.
- In the case of inspection the product visual examination should be carried out, the product marking and components, envisaged by the respective technical regulation should be checked.

Laboratory Testing of Products

- For the market surveillance purposes the product should be tested by an accredited laboratory.
- The laboratory tests can be carried out in the laboratories accredited in Georgia or in other laboratories designated by law.

- The laboratory tests can also be done in the laboratories accredited in EU members States or in member states of the Organisation for Economic Cooperation and Development (OECD). This approach means that the test, conducted by a laboratory having sufficient experience should be notified to the producer.

Reaction to the Outcomes

The market surveillance authority shall react to the outcomes of results of the inspection according to the type and gravity of violation.

- The market surveillance authority:
 - In the case of I level substantial non-compliance – take notice of the non-compliance on the basis of documents submitted by the inspection authority and make a relevant records to the register of units of high technical risk;
 - In the case of II level substantial non-compliance – shall fine the owner of the unit, make a relevant records to the register of units of high technical risk and also set a reasonable period for the owner of the unit for the correction of violation and check the observance of the timelines set for the correction of non-compliance. In the case of non-correction of such non-compliances within established timelines non-compliance shall acquire the status of a critical non-compliance;
 - In the case of I and II level critical non-compliance the Technical and Construction Supervision Agency shall issue an act on partial or full suspension of the exploitation of the unit (amongst them the exploitation of a specific technological process, technical article, mechanism, equipment, machinery and any combination thereof), fine the owner of the unit and set a reasonable period for the correction of violation, make a relevant record to the register of high technical risk units, enter the unit into monitoring list, control the observance timelines set for the correction of violation and in the case of anonymous exploitation of the unit, shall fine the owner thereof and stop the exploitation of the unit (amongst them the exploitation of a specific technological process, technical article, mechanism, equipment, machinery and any combination thereof);
 - In the case of a critical non-compliance, the owner of the unit shall be fined by full amount of fine, envisaged by the respective Article, and in the case of II level substantial non-compliance the amount of fine shall make the half amount of fine, envisaged by the respective Article.
- In the case of detection of non-compliance the market surveillance authority shall issue a respective administrative-law act.

- The market surveillance authority shall not be responsible for a violation or/and accident on a high risk unit when the violation or accident is not caused directly by some action of the market surveillance authority.
- The inspection of a unit shall be regarded completed after the issuance of a relevant administrative act by the market surveillance authority.
- According to the removal of a critical non-compliance on the unit by an inspecting authority the market surveillance authority shall make a decision on the renewal of the exploitation of the unit and remove it from the monitoring list.
- In the case of critical non-compliance, decision on the suspension of exploitation of the unit shall not be made, when the suspension of exploitation may increase the risk or the exploitation of the unit due to the nature of the technological process.
- In the case of non-compliance, when the suspension of the exploitation of the unit ensures the removal of the threat, the owner of the unit can entitled to suspend the operation of the unit for an indefinite period of time, without the removal of non-compliance and notify the market surveillance authority about the foregoing. In this case the obligation to remove the non-compliance shall be cancelled and the unit shall be entered into monitoring list.
- The market surveillance authority shall make a check in order to prevent or not to allow the exploitation of stopped unit and in the case of anonymous exploitation of the unit shall fine the owner thereof and stop the exploitation of the unit.
- Non-payment of fine within specified timelines shall result in tripling of the amount of fine.
- In the case of non-removal of non-compliance within specified timelines, the owner of the unit shall be granted the additional reasonable period for the correction of non-compliance.
- The directive shall be made in the form of an official document, one copy of which shall be handed over to the owner of the unit, and the other shall be maintained by inspecting authority.
- Familiarization with the directive shall mean the familiarization of the person responsible for safety of unit with the content of the directive by an inspector and handing over of the directive, the receipt of which shall be verified by the signature of the person concerned and whenever the foregoing deems impossible the directive shall be posted on a visible place of the unit.
- The original directive and one copy thereof shall be handed over to the owner of the unit (or a representative thereof) within a period of 1 days following the inspection. One copy of the report

shall be maintained by the inspecting authority and when technical inspection is carried out by an accredited inspection authority, one copy shall be submitted to market surveillance authority. Same procedures should be carried out in the case of transfer of the inspection report after the inspection.

- The owner of the unit shall provide the market surveillance authority with the information about undergone inspection and the outcomes thereof within a period of 5 business days following the inspection.

Restrictive Measures

The market surveillance authorities shall ensure that any measure on prohibition of product, non-admission it to the market and removal product from the market, implemented according to the law and must be proportional to the risk associated with the product concerned.

- Implemented measures should be notified to the producer within shortest practicable period. The producer should also be informed about the solution, which is compatible with law and also about time-limits set for the correction.
- The producer should be receive information, at least 10 days prior notice about measures aiming at product prohibition, non-admission to the market and removal from the market and in the case when such notification deems impossible the producer should be notified about the content of the measures within a reasonable period.
- The applied measure shall be cancelled or substituted by the respective measure if the producer implemented efficient correctional measures.

Procedures and Actions against Defective Products

The Rapid Alert System for Dangerous Products

After full coverage of industrial products envisaged by New Approach Directives the market surveillance authority shall fully implement and discharge duties envisaged by rapid alert system, amongst them in the context of dissemination of information.

- The rapid alert system shall be based on respective legal framework and be fully compatible with the best practices of the EU countries.
- At the first stage the rapid alert system will be introduced by market surveillance authority within the country and the respective private and legal entities operating within the country will be integrated into it; at the next stage this network will be connected to the respective system of the EU.

- The procedure of rapid alert system a risk-bearing product shall include:
 - Liaison of the rapid alert system with a contact person of the supervision authority;
 - The procedure of exchange of information with the market surveillance state authority;
 - The procedure of exchange of information with accredited inspection authorities and other respective agencies.

Dissemination of Information

The market supervision authority shall inform the society and the other interested parties about market surveillance activities, risk-bearing products on the market through its webpage and shall develop guidelines for consumers.

Efficiency of Market Surveillance

- The following procedures shall be carried out for the attainment of the efficiency of market surveillance:
 - Conformity assessment – the competent authority shall verify the compatibility of a specific product with the respective safety requirements, also shall issue the surveillance guidelines with due consideration of the harmonised standards.
 - Risk assessment – when the product does not meet the safety requirements the market surveillance authority shall identify the level of risk by the product concerned through the guideline of rapid alert system and apply the necessary urgent measures.
 - Risk management – if it is necessary to carry out the necessary measures after risk assessment these measures will be proportional to the risk.

Rapid Alert System in Georgia

Rapid alert system covers the industrial product which includes risk for human/consumer health and safety, Rapid Alert System provide exchange of information between market surveillance authorities via electronic means for the guarantee of quick and adequate reaction of the competent authorised body.

- The Rapid Alert System will be used for the exchange of information concerning the product, which bears serious risk for human life, property or environment.
- The notification concerning a risk-bearing product made by a market surveillance or other authority integrated into rapid alert system will contain all the details and at least the following additional information:

- Information necessary for product identification;
 - Risk description – short conclusion about the results of the tests and analysis conducted with respect to the product upon risk assessment (for the purpose of identification of the category);
 - The content and duration of measures, which should be implemented with respect to the risk-bearing product;
 - The information concerning product supply chain and distribution of the product on the market if such information will be available for the applicant.
- In the case of receipt of the respective notice, the market surveillance or other competent authority shall provide the following information to state supervision authority:
 - The list of the markets on the territory of the country, where the risk-bearing product can be found;
 - The measures implemented, assessments or other decisions, if there are such;
 - The other information that can be related to risk complexity and also the results of the tests and analysis.
 - The market surveillance or other authority shall immediately inform the state surveillance authority about the change of actions planned with respect of risk-bearing product or/and the postponement of these actions;
 - The market surveillance authority shall ensure regular updating and improvement of the information of the system;
 - The market surveillance state authority shall inform the market surveillance authorities and other competent authorities about risk-bearing products which are imported into or exported from the country;
 - The responsibility for the provision of false information to market surveillance state authority through Rapid Alert System can be borne by market surveillance authorities and other authorities providing information;
 - The market surveillance state authority shall ensure the smooth operation of the system what implies the classification of notification through granting “urgent” category thereto.
 - With a view to integration into the EU Rapid Alert System (RAPEX) Government of Georgia will launch negotiations with relevant EU Agencies and for the integration of Georgia’s Rapid Alert System in the EU Rapid Alert System.

Cooperation with Customs Authorities

Authority, responsible for external customs control will be connected to Rapid Alert System within the scope of its activity, what will allow it to have a direct contact with market surveillance authorities, receive and send out information about risk-bearing products.

Placement Product in the Circulation

Whenever market surveillance authorities establish that a disputed product is not posing a serious risk to human health or safety or cannot be regarded as a violation of the country legislation, the product concerned will be placed in the circulation provided that all the other requirements and formalities related to product placement in the circulation will be undertaken.

- The authorities responsible for the control of products, which have been placed on Georgian market, will promote market safety through carrying out adequate inspections. With a view to increasing the efficiency of such inspections the market surveillance state authority will obtain all the necessary information in advance concerning risk bearing products and products which are not compatible with technical regulations from market surveillance authorities.
- The market surveillance authorities will intensively cooperate with customs authorities with a view to efficient discharge of market surveillance. The market surveillance state authority will exchange information related to the product safety with customs authorities.
- The procedure for the exchanging information and data between customs authorities, market surveillance state authority and other competent authorities will be developed for the operation and efficiency of the system. The data exchange will be carried out through Rapid Alert System in order to develop cooperation between market surveillance and customs authorities.
- The data between the market surveillance state authority and other competent authorities will be exchange with due consideration of the following key aspects:
 - Each body will have a contact person;
 - The rights and obligations of each member of the system will be set in details;
 - The rights and obligations of market surveillance authorities will be set;
 - The detailed mechanism of cooperation between a customs authority and inspection will be set;
 - The rules and procedures with due consideration of the principle of free movement of goods, protection of consumer safety and rights will be established;

- The market surveillance state authority will prepare the instructions and check lists for customs authorities with regard to control of the safety imported industrial products;
- The market surveillance state authority will closely cooperate with consumer right protection organisations and provide them information concerning risk-bearing products, if there is such.
- The market surveillance state authority will arrange and conduct training-programmes for the personnel of market surveillance authorities and other competent authorities on issued related to the implementation of market surveillance and product safety matters.
- The training programmes will be conducted during the whole period of implementation of the Strategy.

Conformity Assessment

Conformity Assessment Modules

Conformity Assessment of products manufactured in compliance with the requirements of New Approach technical regulations shall be conducted to following modules:

- Module A – Internal Production Control carried out by the producer;
- Module B – Type Examination carried out by competent authority;
- Module C – Conformity to type based on internal production control, carried out by competent authority through testing the specific features of product and checking the compatibility with the established requirements on a random basis;
- Module D – Conformity to type based on quality assurance – conformity assessment when the competent authority checks the production quality system or the parts thereof at the company and supervises the adequate operation of the system;
- Module E – Conformity to type based on product quality assurance – conformity assessment when the competent authority checks the product quality system or the parts thereof at the company and supervises the adequate operation of the quality system;
- Module F – Conformity to type based on product verification – assessment of the conformity of a product with the certified type or established requirements, being carried out by a producer, importer, accredited or competent authority with regard to each product or statistically selected sample;
- Module G – Conformity based on unit verification – assessment of the compatibility of each product with every established requirement, being carried out by competent authority;

- Module H – Conformity based on full quality assurance – surveillance over adequate operation of the quality system in the company carried out by competent authority and in the case of need, assessment of the compatibility of the product with the requirements of technical regulations during designing.
- Conformity assessment modules and sub-modules and related procedures are defined by Georgian legislation.
- A specific technical regulation shall provide for conformity assessment module (sub-module) or their combination which provides for the succession of actions in the course of conformity assessment and the results of which are regarded as an evidence for the compatibility of assessment objects with the established requirements and on the basis of which the conformity certificate is issued.
- Product, which are subject of conformity assessment can't be placed on the market or be operated without a conformity document, if it envisaged by a technical regulation.

Conformity Assessment Authority

The right to carry out the conformity assessment in a regulated field shall be provided with duly accredited authority or the other competent authority, authorised by the state, also conformity assessment authorities of the countries, envisaged by the Resolution of the Government of Georgia, commensurate with the procedure, envisaged by the Government of Georgia.

Conformity Documents

The following are the conformity documents:

- Producer's Declaration – a document, in which a producer certifies the conformity of the object with the established requirements;
- Conformity Certificate – a document, by which a certification authority certifies the conformity of the object with the established requirements;
- Inspection certificate or/and report – a document, by which an inspection authority certifies or not certifies the conformity of the object with the established requirements.

Conformity Document Issued Abroad

- Conformity documents issued in countries with high safety standards and advances quality infrastructure commensurate with the established procedure are regarded as recognized without any additional procedures. In these cases, a conformity document should be presented in the English language or with notarized Georgia translation.

- In cases, envisaged by law the conformity assessment can be carried out in Georgia or an MRA/MLA, e.g. ILAC, IAF, EA signatory countries, by a conformity assessment officer.

Market Surveillance of Products, Manufactures according to the Requirements of New Approach Technical Regulations

Following the gradual implementation of New Approach Technical Regulations, conformity assessment and market surveillance of products, covered by these directives shall be carried out according to the table given below.

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|---|--|---|--|
| <p align="center">Pressure Equipment 97/23/EC</p> | <p align="center"> Flow chart for the conformity assessment procedures provided for in Directive 92/42/EEC on efficiency requirements for new hot water boilers fired with liquid or gaseous fuel </p> <pre> graph TD M[MANUFACTURER] --> TP[Type of production] TP --> GB[Gas-fired boilers] TP --> LFB[Liquid-fired boilers, series production] GB --> CAB[Gas-fired boilers are submitted to conformity assessment procedures provided for in Directive 92/42/EEC, appliances burning gaseous fuels (Art. 12)] LFB --> TE[Type-examination Annex II] TE --> MB[MODULE B] CAB --> MD[Manufacturer's choice] MB --> MD MD --> CG[conformity declaration with type Annex II, NB carries out spot checks on appliances] MD --> CD[conformity declaration with type product quality assurance, Annex II, NB assesses and monitors manufacturer's quality system] MD --> CE[conformity declaration with type product quality assurance, Annex II, NB assesses and monitors manufacturer's quality system] CG --> MK[Marking] CD --> MK CE --> MK </pre> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | <p>Market surveillance will performed by the technical and construction supervision agency.</p> | <p>Owner will responsible:</p> <p>in case of noncompliance the test of the product</p> <hr/> <p>market surveillance body will responsible:</p> <p>investigation of the failure or damage of the product</p> | |

In case of Georgia CAB is a equal of the Notified Body

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Efficiency Requirements for New Hot-water Boilers Fired with Liquid or Gaseous Fuels 92/42/EEC

Directive 92/23/EEC concerning pressure equipment

| Type of equipment | Vessels Pressure accessories (1) | Fired or otherwise heated equipment | Piping Pressure accessories (2) |
|---|-------------------------------------|--|---|
| Fluid to be contained (Art. 9) | gaseous d (3) nd(4) | liquid d nd | Steam or superheated water gaseous d nd liquid d nd |
| Annex II Tables specific categories as a function of PS, V or DN | 1 2 3 4 5 | 6 7 8 9 | |

| Category | Applicable procedures (if or categories I to IV, the manufacturer must apply one of the modules or one of the module combinations set out in the relevant category) | marking |
|--|---|---------|
| SEP (Sound engineering practice) | See Article 3.3 | No |
| I | A; A1; D1; E1; B1+D; B1+F; B+E; B+C1; H; B+D; B+F; G; H1 | Yes |
| II | A1; D1; E1; B1+D; B1+F; B+E; B+C1; H; B+D; B+F; G; H1 | |
| III | B1+D; B1+F; B+E; B+C1; H; B+D; B+F; G; H1 | |
| IV | B-D; B+F; G; H1 | |

(1) If classified on the basis of PS and V. See Annex II, point 3.
(2) If classified on the basis of PS and DN. See Annex II, point 3.
(3) 'd' means dangerous fluid. See Article 9.2.1.
(4) 'nd' means non-dangerous fluid. See Article 9.2.2.
(5) Within an assembly, marking need not be affixed to each individual item of pressure equipment.

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Market surveillance will performed by the technical and construction supervision agency.

On this stage responsibility will distributed between owner of the product and market surveillance body

Owner will responsible:

in case of noncompliance the test of the product

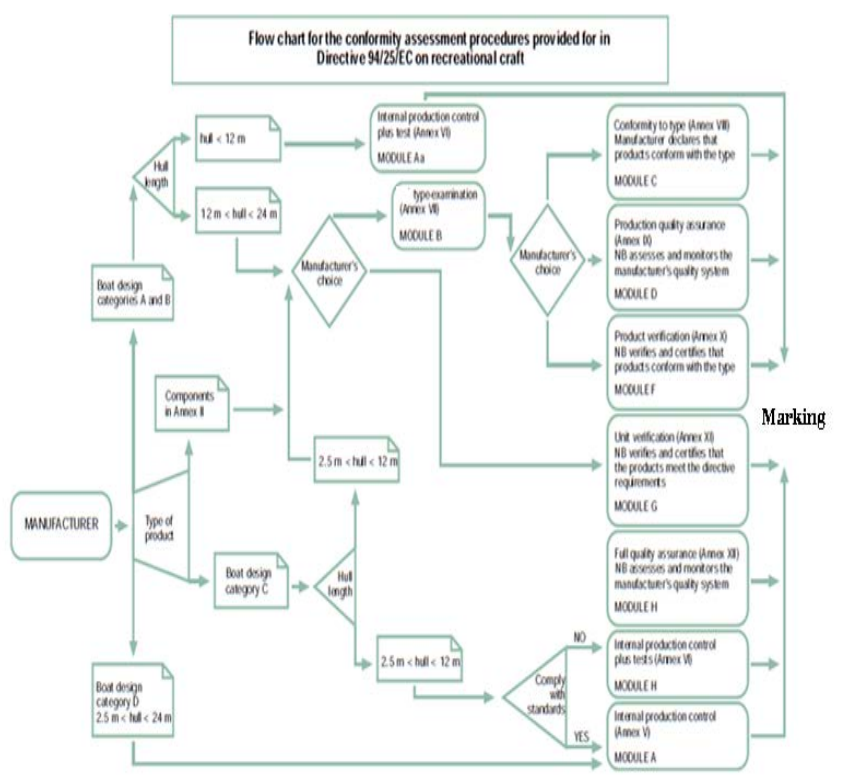
market surveillance body will responsible:

investigation of the failure or damage of the product

Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|--|---|--|---|--|
| <p align="center">Simple Pressure Vessels 87/404/EEC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 87/404/EEC on simple pressure vessels</p> <p>In case of Georgia CAB is a equal of the Notifide Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complience of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | <p>Market surveillence will performed by the technical and construction supervision agency.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> <p>market surveillence body will responsible: investigation of the failure or damage of the product</p> | |

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the</p> | <p align="center">Execution of the</p> |
|-----------|---|--|--|---|
|-----------|---|--|--|---|

| | | | Product | Regulation |
|---------------------------------|--|--|--|--|
| Recreational Craft 94/404/EC |  <p>საქართველოს შემთხვევაში შპს არის დასახელებული პირის ეკვივალენტი</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complience of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | |
| | | <p>Market surveillance will performed by the maritime transport agency.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | | <p>market surveillance body will responsible: investigation of the failure or damage of the product</p> | |

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|---|---|---|--|
| <p align="center">Explosives for Civil Uses 93/13/EeC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 93/13/EEC on explosives for civil uses</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | <p>Market surveillence will performed by the technical and construction supervision agency.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> <hr/> <p>market surveillence body will responsible: investigation of the failure or damage of the product</p> | |

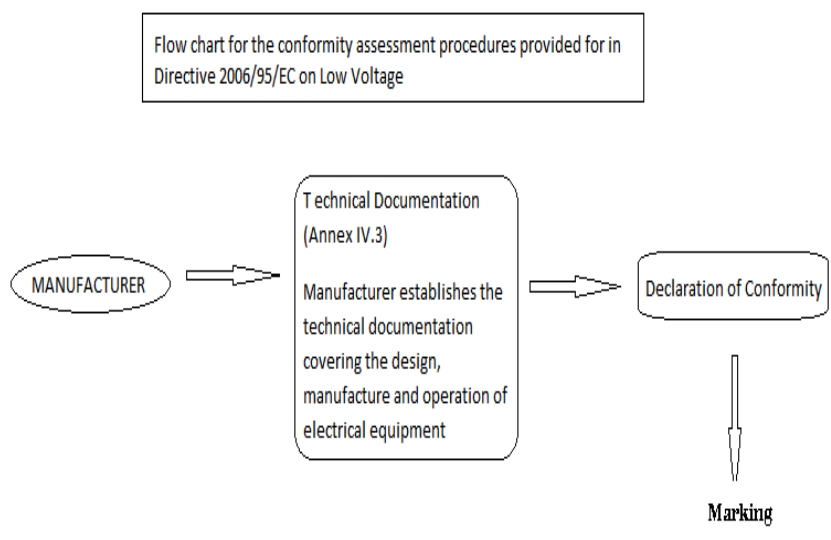
In case of Georgia CAB is a equal of the Notifide Body

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|--|---|--|--|--|
| <p align="center">Equipment Explosive Atmospheres (ATEX) 94/4/EC</p> | <p align="center"> Flow chart for the conformity assessment procedures provided for in Directive 94/9/EC on equipment and protective systems intended for use in potential explosive atmospheres </p> <p align="center">In case of Georgia CAB is a equal of the Notified Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |

| | | | | |
|--|--|---|---|--|
| | | <p>Market surveillance will performed by the technical and construction supervision agency.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> <hr/> <p>market surveillance body will responsible: investigation of the failure or damage of the product</p> | |
|--|--|---|---|--|

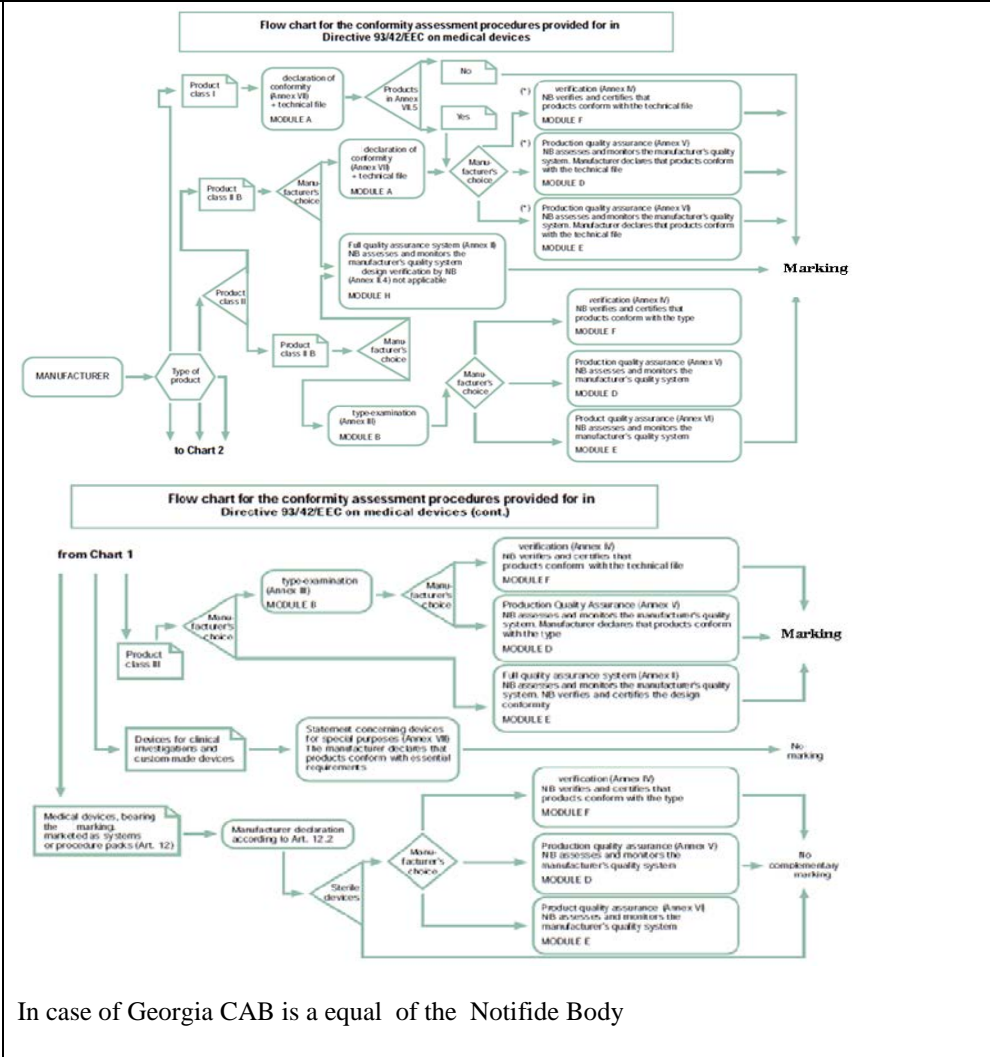
| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|---|--|---|--|
| <p>Radio Equipment and Telecommunications Terminal Equipment and the Mutual Recognition of their Conformity 1999/5/EC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 99/5/EC on radio and telecommunications terminal equipment</p> <p align="center">In case of Georgia CAB is a equal of the Notified Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.</p> | <p>Market surveillance authority will be identified on the next step</p> <p>Owner will responsible: Using product properly and maintain it.</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|--|--|--|--|
| <p align="center">Electromagnetic Compatibility (EMC) 2004/108/EC</p> | <pre> graph TD A[Rules for apparatus] --> B[EMC assessment] B --> C1[Detailed technical EMC assessment] B --> C2[Mixed EMC assessment] B --> C3[Use of EMC harmonised standards] C1 --> D1[Extended justification] C2 --> D2[Extended justification] C2 --> D3[Evidence of compliance with harmonised standards] C3 --> D4[Evidence of compliance with harmonised standards] D1 --> E[Technical documentation] D2 --> E D3 --> E D4 --> E E --> F{Involve Notified Bodies} F -- yes --> G[Declaration of conformity marking] F -- no --> G </pre> <p>In case of Georgia CAB is a equal of the Notified Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.</p> | | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
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| <p align="center">Low Voltage 2006/95/EC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 2006/95/EC on Low Voltage</p>  <pre> graph LR M([MANUFACTURER]) --> TD[Technical Documentation (Annex IV.3) Manufacturer establishes the technical documentation covering the design, manufacture and operation of electrical equipment] TD --> DC[Declaration of Conformity] DC --> Marking[Marking] </pre> <p align="center">In case of Georgia CAB is a equal of the Notifide Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillence body checking complince of the product with the requirements of the technical regulations.</p> | | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | <p>Marekt surveillence authority will be identified on the next step</p> | | |

| Directive | Before the Placing on the Market | Placing on the Market | Exploitation/Using of the Product | Execution of the Regulation |
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|-----------|----------------------------------|-----------------------|-----------------------------------|-----------------------------|

Medical Devices 93/42/EEC



On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.

Market surveillance will be performed by the regulatory of the medicine activities

On this stage responsibility will be distributed between owner of the product and market surveillance body

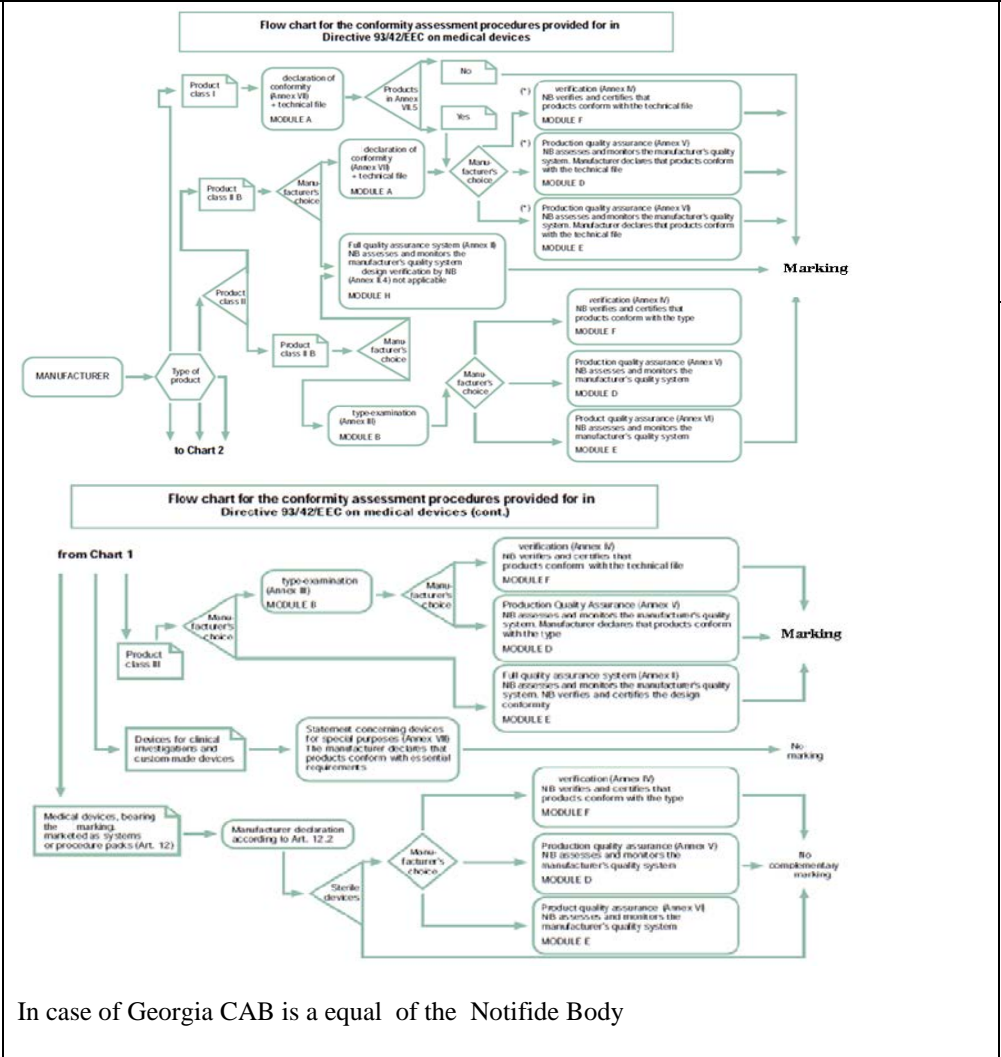
Owner will be responsible: in case of non-compliance the test of the product

market surveillance body will be responsible: investigation of the failure or damage of the product

Responsibility of the changing the relevant act and etc, will be performed by the Minister of Labour, Health and Social Affairs

| Directive | Before the Placing on the Market | Placing on the Market | Exploitation/Using of the Product | Execution of the Regulation |
|-----------|----------------------------------|-----------------------|-----------------------------------|-----------------------------|
|-----------|----------------------------------|-----------------------|-----------------------------------|-----------------------------|

In Vitro Diagnostic Medical Devices 98/79/EEC



On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.

Market surveillance will performed by the regulatory of the medicine activities

Responsibility of the changing the relevant act and etc, will performed by the Minister of Labour, Health and Social Affairs

Responsibility of the changing the relevant act and etc, will performed by the Minister of Labour, Health and Social Affairs

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|--|--|---|--|---|
| <p>Active Implantable Medical Devices 90/385/EEC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 90/385/EEC on active implantable medical devices</p> <p>In case of Georgia CAB is a equal of the Notifide Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.</p> | | <p>Responsibility of the changing the relevant act and etc, will performed by the Minister of Labour, Health and Social Affairs</p> |
| | | <p>Market surveillence will performed by the regulatory of the medicine activities</p> | | |

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|--|---|--|--|
| <p align="center">Appliances Burning Gaseous Fuels 90/396/EEC</p> | <p align="center"> Flow chart for the conformity assessment procedures provided for in Directive 90/396/EEC on appliances burning gaseous fuels </p> <p align="center">In case of Georgia CAB is a equal of the Notifide Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | |
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|---|--|---|--|--|
| <p align="center">Personal Protective Equipment (PPE) 89/686/EEC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 89/686/EEC on personal protection equipment (PPE)</p> <p align="center">In case of Georgia CAB is a equal of the Notifide Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| <p>Market surveillence will performed by the technical and construction supervision agency.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> <hr/> <p>market surveillence body will responsible: investigation of the failure or damage of the product</p> | | | |

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|--|---|--|--|--|
| <p align="center">Machinery 98/37/EC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 98/37/EC on machinery</p> <p>In case of Georgia CAB is a equal of the Notified Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.</p> | | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | <p>Market surveillance will performed by the technical and construction supervision agency.</p> | | |

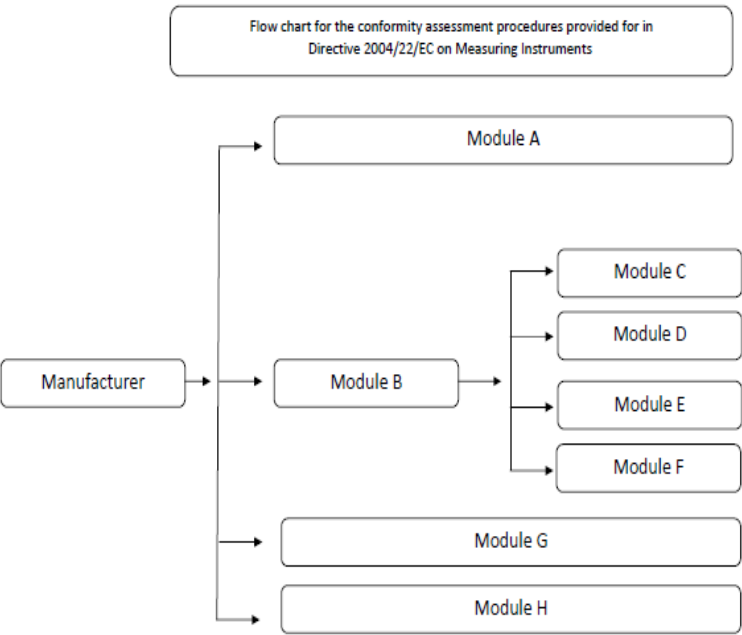
| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bods (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|--|--|---|---|
| <p align="center">Safety of Toys 88/278/EEC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 88/378/EEC on the safety of toys</p> <pre> graph TD M[MANUFACTURER] --> C{Compliance with standards} C -- Yes --> A["Manufacturer keeps technical file or technical report, ensuring conformity of production to standard (Art. 8) MODULE A (*)"] C -- "Non-compliance, in whole or in part" --> B["type-examination (Art. 10) MODULE B (*)"] B --> C2["Manufacturer confirms conformity of production with type and keeps technical file or technical reports inspection (Art. 8.2) MODULE C (*)"] A --> Marking[Marking] C2 --> Marking </pre> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complience of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Minister of Labour, Health and Social Affairs</p> |
| | | <p>Marekt surveillance authority will be identified on the next step</p> | <p>Owner will responsible:</p> <p>in case of noncompliance the test of the product</p> <hr/> <p>market surveillance body will responsible:</p> <p>investigation of the failure or damage of the product</p> | |

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|--|---|---|---|--|
| <p align="center">Construction Products 89/106/EEC</p> | <p>შესაბამისობის კონტროლის მეთოდები:</p> <ul style="list-style-type: none"> - საწყისი ტიპის გამოცდა მწარმოებლის ან შშპ-ს მიერ; - საწარმოდან აღებული ნიმუშის გამოცდა, დადგენილი ტესტირების გეგმის მიხედვით მწარმოებლის ან შშპ-ს მიერ; - საწარმოდან აღებული ნიმუშის აუდიტორული შემოწმება, ღია ბაზარზე ან სამშენებლო ობიექტზე მწარმოებლის ან შშპ-ს მიერ; - ნიმუშების შემოწმება პარტიიდან, რომელიც მზად არის ბაზარზე მისაწოდებლად ან უკვე მიწოდებულია, მწარმოებლის ან შშპ-ს მიერ; - საწარმოში წარმოების კონტროლი; - საწარმოს და წარმოების საწყისი ინსპექცია, მწარმოებლის ან შშპ-ს მიერ; - ქარხნის წარმოების უწყვეტი ზედამხედველობა და შეფასება შშპ-ს მიერ. | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.</p> | | |
| | <p>In case of Georgia CAB is a equal of the Notifide Body</p> | <p>Market surveillance will performed by the technical and construction supervision agency.</p> | <p>Owner will responsible: Using product properly and maintain it.</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodies (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|---|---|--|--|---|
| <p align="center">Non-automatic Weighing Instruments 90/384/EEC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 90/384/EEC on non-automatic weighing instruments</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking compliance of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p align="center">Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | <p>Market surveillance will performed by the Georgian National Agency for Standards and Metrology.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> | | |
| | | <p>Market surveillance body will be identifide according to the using of the Product</p> | | |

In case of Georgia CAB is a equal of the Notifide Body

| Directive | <p align="center">Before the Placing on the Market</p> <p align="center">All procedures will performed by the Conformity Assessment Bodys (CAB)</p> | <p align="center">Placing on the Market</p> | <p align="center">Exploitation/Using of the Product</p> | <p align="center">Execution of the Regulation</p> |
|--|---|---|--|--|
| <p align="center">Measuring Instruments 2004/22/EC</p> | <p align="center">Flow chart for the conformity assessment procedures provided for in Directive 2004/22/EC on Measuring Instruments</p>  <pre> graph LR Manufacturer[Manufacturer] --> ModuleA[Module A] Manufacturer --> ModuleB[Module B] Manufacturer --> ModuleG[Module G] Manufacturer --> ModuleH[Module H] ModuleB --> ModuleC[Module C] ModuleB --> ModuleD[Module D] ModuleB --> ModuleE[Module E] ModuleB --> ModuleF[Module F] </pre> <p>In case of Georgia CAB is a equal of the Notifide Body</p> | <p>On this stage product should be compliance with the requirements of the technical regulation. Market surveillance body checking complince of the product with the requirements of the technical regulations.</p> | <p>On this stage responsibility will distributed between owner of the product and market surveillance body</p> | <p>Responsibility of the changing the relevant act and etc, will performed by the Ministry of Economy and Sustainable Development of Georgia</p> |
| | | <p>Market surveillence will performed by the Georgian National Agency for Standards and Metrology.</p> | <p>Owner will responsible: in case of noncompliance the test of the product</p> | |
| | | | <p>Market surveillence body will be identifide according to the using of the Product</p> | |