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Government of Georgia

Strategy
in
Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology

and

Programme
on
Legislative Reform and Adoption of Technical Regulations

Prepared by:
Inter-Agency Working Group for Coordination of Preparatory Issues of a Deep and Comprehensive Free Trade Agreement with the EU
under the Commission for the EU Integration of Georgia

May, 2009- March, 2010

Table of Contents

Introduction

The aim of this Document is to create a solid base to further removing technical barriers to trade (TBT), establish a modern technical regulation and quality infrastructure system, and ensure adequate level of human health, life and environment protection.

Further, the aim of this Document is to reflect the European Commission's views and observations regarding Georgia's preparedness for the negotiations on Deep and Comprehensive Agreement (DCFTA).

The Document consists of two parts: the first is the **Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology** (hereafter – the Strategy), and the second is the **Governmental Programme on Legislative Reform and Adoption of Technical Regulations** (hereafter – the Governmental Programme).

The Strategy represents (a) a set of the main and the guiding principles and reflects challenges and goals the state institutions face to date, and (b) the methods to address the existing challenges in the spheres of technical regulations, conformity assessment infrastructure, quality infrastructure, market surveillance and metrology. The terms and definitions used in the Strategy and the Governmental Programme are those of the Glossary of Terminology .

The Governmental Programme was designed based on the ***Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology*** and its purpose is to meet the goals and objectives set by the Strategy. The Governmental Programme is composed of four Sub-Programmes:

- Institutional Development Sub-Programme
- Sub-Programme on Incorporation of the New Approach and the Global Approach Directives
- Relevant Legal Activities Sub-Programme
- General Legislative Approximation Sub-Programme

In March 2009, European Commission Directorate-General's proposed recommendations for preparatory process for future negotiations on DCFTA as a follow up of the Commission services' fact-finding trade mission to Georgia on 13-15 October 2008.

Among others the observations included Tariff and Non-Tariff Barriers (TNTs). In particular, issues related to creation of the Governmental Programme of adoption of technical regulations, identification of priority industrial sectors for legislative approximation with the EU *acquis*, development of institutional systems of conformity assessment and market surveillance, achievement of international recognition of Georgian conformity assessment system, and further improvement of knowledge and understanding of the EU *acquis*.

Although the EC requested development of a comprehensive strategy document at the later stage, Government of Georgia (GoG) found it necessary and decided that the development of a credible Governmental Programme is best to be based on a strategy, and to develop the Strategy *inter alia* ***as a guiding document aiming at ensuring consistent and efficient fulfilment of the set priorities by the Governmental Programme.***

European Commission's views and observations on the topic where additional progress is necessary are to be summarized as follows:

EC observations

- ***Weaknesses in the legislative framework***:
  - There has not been a clear and well prioritised and consequently implemented government programme of adoption of *technical regulations* regarding industrial products' safety (the government gives priority to the EU directives as a model for the domestic laws to be based on, but this approach is not firmly followed and the overall process is very slow).
  - For the purpose of the fact-finding mission Georgia has identified *priority industrial sectors for legislative approximation* with the EU acquis, although this was an objective of the ENP Action Plan which was included already in the Implementation Tool for the first year of the Action Plan's implementation (2007).

EC recommendations - ***Key priorities***

- ***Adopt and start implementing a governmental programme on adoption of technical regulations in line with the EU acquis in the priority industrial sectors.***

EC observations

- ***Weaknesses in the institutional framework***:
  - *Conformity assessment and market surveillance institutional systems (enforcement of products' safety regulations)* are not sufficiently developed and consequently they are not able to ensure adequate level of consumer protection in Georgia.
  - *Conformity assessment certificates* issued by Georgia are not recognised internationally, which poses serious obstacles to Georgia's exports, including to the EU.

EC recommendations -***Key priorities***

- ***Achieve progress in the establishment of a domestic institutional system in the area of technical regulation, standardisation, accreditation, metrology, conformity assessment and market surveillance. Create if needed and strengthen the institutions in charge of these respective issues.***

EC observations

- While demonstrating good knowledge about the key TBTs issues the Georgian ***experts*** expressed a ***need of further improving their knowledge*** and wish of information sharing, in particular as concerns the EU acquis and European normalization system.

EC recommendations-Additional recommendations

- ***Strengthen administrative capacity in terms of further improving knowledge and understanding*** among the officials in charge of future negotiations and implementation of the DCFTA's TBTs chapter of the EU acquis and international legislation and practices in TBTs areas, as well as of the EU's practices and requirements concerning DCFTA negotiations of the TBTs commitment and their implementation.

While producing the Strategy and the Governmental Programme, Government of Georgia takes into strong consideration the EC recommendations and observations regarding the weaknesses in the legislative and institutional framework and as a response to the observations and recommendations of the European Commission, and declares thet the following Strategy and the Governmental Programme manifest official views of the Government of Georgia. These documents describes how the Commission's observations and recommendations will be addressed by the activities of the Government of Georgia in cooperation with relevant non-governmental actors.

The Government of Georgia prior to the formal adoption of the Strategy and the Programme started the implementation reforms.

The following implementation steps have been already started in TBT area:

- Legislative reform manifested in drafting of Code on Safety and Free Movement of Products
- Institutional reform manifested in creation of Technical and Construction Inspection Agency for market surveillance
- Amendments in the Georgian law on "Ensuring Uniformity of Measurements" due to gaps existing in Legal Metrology

Background Information

Before the Government of Georgia undertook the standardisation and certification system reform in 2005, market surveillance of industrial goods was exercised by "Sakstandarti", the State Department for Standardisation, Metrology and Certification. Certification was obligatory, and standards were issued by state (GOSTs – state standards), requirements of which were also obligatory. There was no separate and specific definition of technical regulations as normative acts aimed to preserve human health and life. Standardisation, accreditation and certification were unified under the competences of one governmental body and with obvious inherent conflict of interest, as per WTO approaches.

Earlier, in 2002 the Strategy on Implementation of Conformity Assessment System was created that envisaged removal of technical barriers to trade and transferring from mandatory standardisation to voluntary. As a result of the reform undertaken in 2005, institutions executing standardisation and certification were separated, and both of these procedures became voluntary. In addition, all obligatory requirements for ensuring human health, life, property and environment are to be provided in technical regulations instead of standards. Standardisation and accreditation are institutionally separated and they are executed by two autonomous state agencies – the National Accreditation Body – Accreditation Centre (GAC) and the National Agency of Standards, Technical Regulations and Metrology (GEOSTM). Conformity assessment in Georgia is performed by the accredited conformity assessment bodies. Accreditation is performed based largely on international and European standards and guidelines.

To date there are 150 accredited conformity assessment bodies in Georgia, including laboratories, certification bodies, and vehicle inspection centres:

- 93 testing laboratories
- 5 calibration laboratories
- 8 verification entity
- 16 product certification bodies
- 3 service certification body
- 1 certification body operating certification of persons
- 24 testing centres of vehicles

As a part of the preparatory process to develop this document the Governmental Strategy of 2002 on Conformity Assessment System Reform was analyzed. According to the State Minister's Decree #75 from 2002 on *Adoption the Strategy Document of Implementation of Conformity Assessment System*, the Government declared main principles of the reform in the sphere of standardisation, accreditation and conformity assessment, and provided with main directions to be followed in order to fulfil recommendations and bring the national system in compliance with the WTO rules.

As a result of the analysis the following key findings were identified:

- Major principles of the 2002 strategy have already been implemented;
- Georgia has made bold progress in the areas of conformity assessment, separation of standardisation and accreditation fields:
  - In 2005 the national body of standardisation, certification and metrology "*Saqsrandarti*" was reorganised into two independent bodies: a) Georgian Accreditation Centre and b) National Agency of Standardisation, Technical Regulations and Metrology;
  - Certification was declared to be voluntary based on changes to the Law *on Certification of Goods and Services* in 2005*;*
  - The Law on *Certification of Goods and Services* also determined that obligatory conformity assessment should be performed based only on a specific requirement of the law;
  - Conformity assessment is performed by accredited/authorised bodies;
  - Technical regulations have been adopted in the sphere of transport and hazardous industrial equipment;
  - By the Governmental Resolution #45 from 2006, the technical regulations of 25 EU countries, Israel and 10 OECD countries (Australia, Canada, Japan, Iceland, South Korea, Mexico, New Zealand, USA, Switzerland, Norway) were recognised and admitted to be applied in the territory of Georgia, including of the New Approach and the Global Approach Directives of the EU;
  - Market surveillance for industrial goods is executed by Architectural-Construction Inspection, Technical Supervision Inspection. To date, there are still loopholes in legislation and not the full market of industrial goods is covered by a relevant
  - From [April] 2010 the new Technical and Construction Inspection Agency will be created on the base of existing Georgian State Inspection of Technical Supervision and the National Architecture and Construction Inspection. The aim of this institutional reform is to create fundamental bases for the comprehensive market surveillance body

which will be gradually gaining sufficient power and administrative capacity for effective market supervision on other products as well.

- The requirements of the Liability for Defective Products Directive are covered by the Civil Code of Georgia, and the significant part of the General Product Safety Directive is reflected in the Law on *Protection of Consumers' Rights*.

The Government of Georgia developed its Strategy and the Governmental Programme against the above described background.

Description of the Working Process

In October 2008, as a response to Fact Finding Mission by EC, leaded by the Head of State Chancellery a working group was created with the aim to prepare the reform of technical supervision system that including *inter alia* issues of certification, accreditation, technical regulation and metrology.

The working group was composed of the First Deputy Minister of Economic Development and other officials of the Ministry, State Technical Supervision Inspection, Georgian Accreditation Centre, National Agency of Standards, Technical Regulations and Metrology, the Main Architectural–Construction Inspection, World Bank Healthcare Expert, and IFC Georgia Business Environment Enabling Project.

This working group prepared a concept of technical supervision system reform and initial drafted changes and amendments to the relevant Laws. In April 2009, the concept of the reform was presented to the Government of Georgia. Subsequently, GoG discussed and supported the concept.

In March of 2009 European Commission Directorate-General for Trade proposed recommendations for preparatory process for future negotiations on a DCFTA between the EU and Georgia. In response to the recommendations, the decision was met to merge the work on the reform on technical supervision system and the work on the preparatory process for future negotiations on the DCFTA into the one common agenda, and as a consequence, to implement EC recommendations and at the same time to continue reforms more efficiently.

Inter-Agency Task Force for Coordination of Preparatory Issues of the DCFTA with the EU of the Commission on Georgia's Integration into the EU was created by the Governmental Resolution #78 from April 14, 2009. Further, by the decision from May 18, 2009 of the Commission on Georgia's Integration into the EU the Working Group for Coordination of Preparatory Works Related to the Standardisation, Accreditation, Technical Regulations and Metrology (hereafter – the Working Group) was created.

The Working Group composed of representatives of the Prime Minister's Office (Chief Advisor in Economic and Governance Affairs); Ministry of Energy of Georgia (Deputy Minister); Euro-Integration Coordination Department (Chief of the Department); Office of the State Minister on European and Euro-Atlantic Integration (Head of the Unit); Ministry of Economic Development of Georgia: Georgian National Agency for Standards, Technical Regulations and Metrology (General

Director); National Centre of Accreditation (General Director); Georgian State Inspection of Technical Supervision (Head of the Inspection); National Architecture and Building Inspection (Deputy Chief of the Inspection); Department of Economic Analysis and Policy (Chief Specialist); National Forensics Bureau (Quality Assurance Manager); IFC Georgia Business Enabling Environment Project (Legal Advisor).

The aim of the Working Group was to analyse and define:

- The existing situation in the area of standardisation, accreditation, technical regulations and metrology;
- The EU technical regulations and international standards, as well as the EU practices and requirements in the TBT area;
- The progress made after the adoption of the Technical Regulations Strategy (adopted in 2002);
- To select and propose the priority sectors to be approximated with the EU *acquis* and international standards in the industrial areas.

The aim of the Working Group was to draft:

- The comprehensive Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology based on the critical analysis of the existing situation and the progress made after the adoption of the Technical Regulations Strategy adopted in 2002;
- The Governmental Programme of adoption of technical regulations, based on the Strategy in line with the EU *acquis* in the selected priority industrial sectors.
- The amendments of the Georgian legislation under the Governmental Programme which will be compatible to the EU and international standards.

The Working Group meetings were held at least once a week in May, 2009-March,2010. In the first half of August, 2009 the Working Group met on daily basis. In total, more than 50 meetings were held.

The Concept embracing the abovementioned topics of the reform was presented and discussed at the Euro-Integration Commission on July 29, 2009.

In August 2009, the draft Strategy and the Governmental Programme was discussed at the National Quality Council at the Ministry of Economic Development of Georgia, and it was fully supported by all its members.

In the beginning of September the draft Strategy and the Governmental Programme were sent for comments to the relevant agencies and authorities. On September 8, the Strategy and the Governmental Programme were discussed and fully supported by the Euro-Integration Commission.

The Working Group cooperated with the GEPLAC Team and experts invited by the GEPLAC. On meeting held at IFC in May, 2009 IFC staff and GEPLAC team discussed the concept of the reform and prepared relevant legal amendments.

The working group attended the training organised by the GEPLAC team, and GEPLAC experts participated in number of detail oriented discussions with the Working Group.

The Government of Georgia closely cooperates with the TACIS Support for Implementation of Article 51 of PCA (Quality Management) Project and TAIEX Instrument to increase human capacity of the state institutions in the relevant field.

In November, 2009 Strategy and the Programme were discussed at Expert meeting between Commission services and Georgian authorities (Brussels, CHAR 9/214, 26 November 2009).

Based on the Operational Conclusions, of the Expert meeting between Commission services and Georgian authorities (Brussels, CHAR 9/214, 26 November 2009), the Strategy and the Programme where revised and the final draft Strategy and the Programme were prepared.

In March 11, 2010 the final draft Strategy and the Governmental Programme was discussed at the National Quality Council at the Ministry of Economic Development of Georgia and it was fully supported by all its members.

On March 11, 2010 the final draft Strategy and the Governmental Programme were discussed and fully supported by the Euro-Integration Commission and consequent sent to the COM Services on March 13, 2010.

Glossary of Abbreviations

BIPM	-	International Bureau of Weights and Measures
CAB	-	Conformity Assessment Body
CASCO	-	Technical Committee of the ISO on Conformity Assessment
CEN	-	European Committee for Standardisation
CENELEC	-	European Committee for Electrotechnical Standardisation
CIPM	-	International Committee of Weights and Measures
COOMET	-	Euro-Asian Cooperation of National Metrological Institutions
DCFTA	-	Deep and Comprehensive Free Trade Agreement
EA	-	European co-operation for Accreditation
EA MAC	-	Multilateral Agreement Council of the EA
EC	-	European Commission
EEA	-	European Economic Area
EU	-	European Union
GAC	-	National Accreditation Body – Accreditation Centre
GEOSTM	-	National Agency of Standardisation, Technical Regulations and Metrology
GEPLAC	-	Georgian-European Policy and Legal Advice Centre
GoG	-	Government of Georgia
GOST	-	Mandatory State Standards (of the former USSR)
GPSD	-	General Product Safety Directive
GCPM	-	General Conference of Weights and Measures
IAF	-	International Accreditation Forum
IEC	-	International Electrotechnical Commission
IFC	-	International Finance Corporation, the World Bank Group
ILAC	-	International Laboratory Accreditation Cooperation
ISO	-	International Organisation for Standardisation
LDPD	-	Directive Concerning Liability for Defective Products
MoED	-	Ministry of Economic Development of Georgia
MLA	-	IAF Multilateral Recognition Arrangement
MRA	-	Mutual Recognition Arrangement
OECD	-	Organisation for Economic Cooperation and Development
OIML	-	International Organisation of Legal Metrology
PCA	-	Partnership and Cooperation Agreement

RAPEX	-	System of Rapid Exchange of Information
RIA	-	Regulatory Impact Assessment
SI	-	The International System of Units
TA	-	Technical Assistance
TACIS	-	Technical Aid to the Commonwealth of Independent States
TAIEX	-	Technical Assistance and Information Exchange Instrument
TBI	-	To be identified
TBT	-	Trade Barriers to Trade
TNT	-	Tariff and Non-Tariff Barriers to Trade
VIM	-	International Vocabulary of Metrology
WTO	-	World Trade Organisation
WTO TBT	-	Agreement of the World Trade Organisation on Technical Barriers to Trade

Glossary of Terminology

#	Term	Definition
1	**Certification**	Procedure by which a third party gives written assurance that a product, process, or service conforms to specified requirements (ISO)
2	**Conformity**	Fulfillment by a product, process or service of specified requirements (ISO)
3	**Conformity Assessment**	Any activity concerned with determining directly or indirectly that relevant requirements are fulfilled. In more tangible terms, conformity assessment refers to a variety of processes whereby goods and/or services are determined to meet voluntary or mandatory standards or specifications (ISO)
4	**Conformity assessment procedure**	Any procedure used to determine that relevant requirements in technical regulations or standards are fulfilled (ISO)
5	**Harmonised standards**	Standards on the same subject approved by different standardizing bodies, that establish interchangeability of products, process and services, or mutual understanding of test results or information provided according to these standards (ISO)
6	**Mutual recognition**	Recognition arrangement about using the results of conformity assessments (ISO)
7	**Non tariff barriers to trade (NTB)**	Government measures other than high import duties (tariff) employed to restrict imports. Types of NTB: export subsidies, exchange rate manipulations, discriminatory customs surcharges, lengthy customs procedures, establishment of minimum import prices, unreasonable standards and inspection procedures, import licensing (WTO)
8	**Standard**	Recognition arrangement about using the results of conformity assessments. (ISO) Government measures other than high import duties (tariff) employed to restrict imports. Types of NTB: export subsidies, exchange rate manipulations, discriminatory customs surcharges, lengthy customs procedures, establishment of minimum import prices, unreasonable standards and inspection procedures, import licensing (WTO)
9	**Standardisation**	The process of agreeing on technical standards (ISO)
10	**TBT Agreement**	International agreement seeking to assure that (1) mandatory product regulations, (2) voluntary product standards, and (3) conformity assessment procedures (procedures designed to test a product's conformity with mandatory regulations or voluntary standards) do not become unnecessary obstacles to international trade and are not employed to obstruct trade (UNCTAD)

#	Term	Definition
11	**Technical barriers to trade (TBT)**	Domestic regulatory process as a means of protecting domestic producers (WTO)
12	**Technical Regulation**	Document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labeling requirements as they apply to a product, process or production method (WTO)
13	**Test**	Technical operation that consists of the determination of one or more characteristics of a given product, process or service according to a specified procedure (ISO)

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Table of Contents

Executive Summary

The aim of this Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology is to create a solid base to further removing TBT, establish a modern technical regulation and quality infrastructure system, and to ensure adequate level of human health, life and environment protection. It also aims at reflecting the European Commission's views and observations regarding Georgia's preparedness for the negotiations on Deep and Comprehensive Agreement (DCFTA) with the EU.

European Commission Directorate-General's proposed recommendations for preparatory process for future negotiations on Deep and Comprehensive Free Trade Agreement (DCFTA). Although the EC requested development of a comprehensive strategy document at the later stage, Government of Georgia opted for developing the **Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology** (hereafter – the Strategy) as a guiding document at the initial stage that aims at ensuring consistent and efficient fulfilment of the set priorities.

Therefore this document consists of two parts:
The first is **the Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology**, and the second is the **Governmental Programme on Legislative Reform and Adoption of Technical Regulations** (hereafter – the Governmental Programme).

The Strategy outlines a set of five main and thirteen guiding principles. Further, it sets guidelines, challenges, goals, methods and status for the each of the following categories outlined in the document:

- Technical Regulation – which stipulates the procedural issues related to technical regulations according to the international best practice and the necessity to adopt the national legislation providing with definition, scope and legal force of technical regulations; obligation to assign a competent governmental body for adoption technical regulations; and define procedures of (unilateral) recognition of other countries' technical regulations;
- Quality Infrastructure – which stipulates vision and measures to ensure institutionalized impartiality of quality infrastructure ensuring bodies though creation of sectoral committees; to increase institutional and human capacity of both institutions; clarity in the definition of scopes and competencies;
- Integration into International Organisations – which stipulates the major activities and measures to be taken in order to achieve international recognition of Georgian conformity

assessment system and integration of the National Accreditation Body – Accreditation Centre (GAC) and the National Agency of Standardisation, Technical Regulations and Metrology (GEOSTM) into the international organisations;

- Market Surveillance – stipulates the principles the system of market surveillance should be based upon, and defines that the issue in detail should be specified in the Governmental Strategy on Market Surveillance;
- Introduction of Requirements of the Horizontal General Product Safety and Liability for Defective Products Directives – describes as to how the requirements of the Directives are reflected into the national legislation;
- Introduction of the New Approach and the Global Approach Directives for Priority Industrial Sectors – describes as to how Directives should be incorporation the into the national legislation;
- Conformity Assessment Infrastructure – stipulates how the system of conformity assessment should be designed and brought into compliance with international standards and procedures;
- Standardisation – stipulates the principles for standardisation and ensuring availability of standards to all interested parties;
- Metrology – stipulates the principles of ensuring traceability of measurements and provides for necessity to define the area and the scope of legal metrology.

Main Principles

- Ensuring the open market economy and free trade
- Highest possible affordability of products at the lowest risk possible
- Symmetric and non-discriminatory market placement conditions for the same quality products
- Systemic superiority of international standards
- No TBT for products produced in the countries with developed safety and quality infrastructure (countries of EU and OECD) and no additional conformity assessment requirements for placing them on Georgian market

Guiding Principles

- All obligatory requirements related to protection of health and safety are to be set exclusively by mandatory technical regulations or stated by a Law directly
- Technical regulations are to be adopted through the Governmental Resolutions/Decrees
- Standards are voluntary and developed by the state and any interested party including private
- Georgia will refrain to elaborate any national standards in the spheres where relevant international standards are in place
- Georgia will adopt international standards as national standards
- No obligation to involve third party certification for pre-market testing
- Market surveillance body shall not perform any conformity assessment activities
- Conformity assessment in the regulated area is performed by technically competent bodies;
- Manufacturers may apply all internationally accepted forms of conformity assessment including self-declaration on conformity to regulations and/or standards as defined by relevant technical regulations

- Acceptance of conformity assessment results/documents issued by producers/suppliers/conformity assessment bodies accredited/authorised in the countries with developed safety and quality infrastructure (e.g. EU, OECD)

- No additional conformity assessment for the products with marking of the systems with developed safety and quality infrastructure (e.g. CE)

- Ensuring systemic institutional impartiality of third party conformity assessment bodies

- Ensuring the public-private-partnership models to the extent possible throughout exercising market surveillance and other areas (e.g. quality infrastructure)

Technical Regulation

Guidelines:

- Technical regulations are decoupled from voluntary standards
- Standards are voluntary and developed by the state and any interested party including private
- Recognised technical regulations become an integral part of the national legislation
- In case of discrepancies in the national and recognized technical regulations this shall not be deemed as inconsistency rather both of the acts shall be equally enforceable in practice
- Existing inconsistencies and discrepancies between national and recognised technical regulations shall be applied in practice without prejudice to removing TBTs
- Legislation is to provide for clear procedures of adoption of technical regulations and accessibility to them

Challenges:

- Loopholes in Legislation concerning definitions and system of standards and technical regulations
- No clear procedures of adoption of technical regulations
- Documents of technical regulations of some EU countries (e.g. Romania and Bulgaria) are not recognised
- Possible collisions in terms of applicability of inconsistent national and recognised technical regulations
- Technical regulations in different times of legislation

Goals:

- Unilateral recognition, of documents of technical regulations of all of 25 EU countries, Israel and of 10 OECD countries (Australia, Canada, Japan, Iceland, South Korea, Mexico, New Zealand, USA, Switzerland, Norway) in those spheres which are regulated by the Georgian legislation as provided for in WTO TBT point 6.1 *"Without prejudice to the provisions of paragraphs 3 and 4, Members shall ensure, whenever possible, that results of conformity assessment procedures in other Members are accepted, even when those procedures differ from their own, provided they are satisfied that those procedures offer an assurance of conformity with applicable technical regulations or standards equivalent to their own procedures.")*

- Improvement of the legislation based on best international practices and development of a relevant sub-programme
- Develop clear procedures for adoption of technical regulations

Methods:

- Regulate the procedural issues related to technical regulations according to the international best practice and adopt the national law that will provide with definition, scope and legal force of technical regulations; assign a competent governmental body for adoption technical regulations; and define procedures of unilateral recognition and incorporation into the national legislation of other countries' technical regulations; provide for a clear legal mechanisms to avoid/resolve possible collision in the cases of inconsistencies between applied national and recognised technical regulations
- Interested party should have the legal right to file a claim against those technical regulations or standards which are not in compliance with the international best practices
- Draft the Section on *Technical Regulations* of the *[Code on Safety and Free Movement of Products]*[1] that will provide for clear procedures of adoption of technical regulations

Status:

- Technical regulations of 25 EU countries, Israel and of 10 OECD countries (Australia, Canada, Japan, Iceland, South Korea, Mexico, New Zealand, USA, Switzerland, Norway) are recognised *(As provided in the Article 2.7 and 6.1 of WTO TBT agreement "2.7 Members shall give positive consideration to accepting as equivalent technical regulations of other Members, even if these regulations differ from their own, provided they are satisfied that these regulations adequately fulfill the objectives of their own regulations").*
- Section on *Technical Regulations* of the *[Code on Safety and Free Movement of Products]* is drafted that is reflecting the principles outlined above
- General Legislation Approximation Sub-Programme is elaborated and constitutes part of the Governmental Programme
- The Sub-Programme on Incorporation of the New Approach and the Global Approach Directives has been developed based on the principles of prioritizing and grouping of the relevant New Approach and the Global Approach Directives. As a

[1] Working title

result five sub-groups of Directives have been identified to be incorporated into the national legislation, for the first group timeframe has been defined in the sub-programme of Incorporation of the New Approach and the Global Approach Directives

Quality Infrastructure

Guidelines:

- Accreditation is implemented by the National Accreditation Body – Accreditation Centre (GAC) that is a national accreditation body responsible for accreditation of conformity assessment bodies
- GAC performs accreditation largely in accordance with international and the EU standards and guidelines in both regulated and voluntary areas. Accreditation process is based on the principles of expert assessment
- Georgian National Agency for Standards, Technical Regulations and Metrology (GEOSTM) is a National Standardisation body and a National Metrology body and is responsible for the standardisation and metrology
- Structural units of the GEOSTM are responsible respectively for a) development and maintenance of state measurements standards and reference materials, maintenance of the register of types of legal measuring instruments and b) development, adoption and registration of standards and maintenance of the register of standards and technical regulations.
- Both institutions are under the Ministry of Economic Development of Georgia
- Both institutions, GAC and GEOSTM enjoy institutional autonomy

Challenges:

- Integration into the international organisations of the GAC and the GEOSTM
- Lack of national measurements standards base (etalons) and appropriate physical facilities for maintenance thereof
- Lack of institutionalized impartiality of the GAC and the GEOSTM
- International recognition of Georgia's conformity assessment system
- Conformity assessment documents issued by Georgian conformity assessment body are not recognised internationally
- Limited human capacity
- Creation of all necessary sectoral committees in both standardisation and accreditation spheres as a tool to provide for impartiality

Goals:

- To ensure the GAC's and the GEOSTM's institutionalized impartiality among others through sectoral committees in both standardisation and accreditation
- To increase institutional and human capacity of both institutions through trainings, technical assistance, etc.
- To achieve international recognition of Georgian conformity assessment system and integration of the GAC and the GEOSTM into the international organisations
- To achieve clarity in the definition of scopes and competencies
- To ensure creation of sectoral committees as and when need be
- To achieve that all bodies performing conformity assessment in the regulated areas are technically competent

Methods:

- Draft Section on *Conformity Assessment* of the *[Code on Safety and Free Movement of Products]* to increase institutional capacity and impartiality of the GAC and the GEOSTM and define scopes and competencies of both institutions
- Improve national measurements standards base (etalons) and appropriate physical facilities for maintenance thereof
- Creation of the *Quality Council* with the aim to identify priorities and develop recommendations for the improvement of quality infrastructure
- Ensure participation and involvement of the private sector, business associations, non-governmental actors and interested parties in the working process of the Standardisation Committees
- Take actions to achieve international recognition of Georgia's conformity assessment system and of conformity assessment documents issued by Georgian conformity assessment bodies by ensuring metrological traceability and gradual integration into the European co-operation for Accreditation (EA)
- Creation of all necessary sectoral committees in both standardisation and accreditation spheres

Status:

- The Section on *Conformity Assessment* of the *[Code on Safety and Free Movement of Products]* has been drafted and is to replace the existing Law on *Certification of Goods and Services* and will define all forms and procedures of conformity assessment and relevant modules

- The law will provide for a permanent Accreditation Council composed of representatives of government, accreditation centre, producers, conformity assessment bodies, non-governmental organisations on parity principle, and it will be responsible developing policy advices in accreditation and conformity assessment, provide necessary degree of protection of impartiality of the Accreditation Centre, as well as monitor the Centre's activities
- Governmental resolution #170 18.09.09 has been issued laying down the rules of notification on standards, technical regulations, conformity assessment procedures and drafts thereof in order to improve the process of notification of technical regulations. According to the decree all drafts of technical regulations should be submitted to WTO TBT enquiry point for analyses on compliance with the European and international standards and in case of non-compliances respective corrections should be made before adoption thereof or justifications for such differences provided, before adoption thereof. In 2009 enquiry point sent more then 40 notifications to WTO secretariat.
- Process of establishment of sectoral committees in the field of standardization has been started. Technical committee "Quality and Conformity Assessment" and national committee on "Electrotechnical Committee" has been created in 2009. In the short-term it is planned to establish sectoral committees in the field of oil-products and construction.

Integration into the International Organisations

Guidelines:

- Operating of quality infrastructure institutions according to the international standards and guidelines
- Ensuring credibility of quality infrastructure developments through integration into the international and regional organisations
- Members of the EA can perform accreditation activities in the territory of Georgia under the specified conditions of EA

Challenges:

- Involvement of the GAC into activities of technical committees and other structural bodies of the respective international and regional accreditation organisations
- Practice the accreditation tool according to the European and international rules
- Ensuring the sufficient level of institutional impartiality of the GAC
- Involvement of GEOSTM into activities of technical committees and other structural bodies of respective international and regional organizations in the field of standardization and metrology
- Considerable part of harmonised standards are of the International Electrotechnical Commission (IEC) standards and without membership to the IEC Georgia will not be able to implement these standards effectively
- Conformity assessment and market surveillance institutional systems (enforcement of products' safety regulations) are not sufficiently developed and consequently they are limited in ensuring adequate level of consumer protection in Georgia
- Conformity assessment documents issued by Georgia are not recognised internationally, which poses obstacles to Georgia's exports, including to the EU
- Achieve progress in the establishment of a domestic institutional system in the area of technical regulation, standardisation, accreditation, metrology, conformity assessment and market surveillance

Goals:

- Further involvement into international accreditation organisations (ILAC); European co-operation for Accreditation (EA)

- Creation of the National Technical Committee according to the IEC recommendation
- Recognition of conformity assessment results
- Establish cooperation with the OIML
- Establish cooperation with the IEC and the CENELEC

Methods:

- Further participation in EA working activities and ILAC, aiming consequently becoming the full member to the this organizations
- Create a Accreditation Technical Committees according to the International and European practice
- Ensure that the GAC legally and administratively is not entitled to introduce new rules different from the international standards, guidelines etc. in the fields which are covered by the relevant international documents
- Ensure institutionalized impartiality and transparency of the GAC through introduction of all interested parties into the Accreditation Council, which is responsible of developing policy advices in the areas of accreditation and conformity assessment, providing necessary degree of impartiality of the Accreditation Centre, as well as monitoring the Centre's activities

Status:

- GEOSTM is a correspondent member to the ISO since 2007 and the affiliated member to the CEN since 2009
- GEOSTM is an associate member of GCPM (General Conference of Weight and Measures) since 2008 and signed the Agreement on Mutual recognition of national measurement standards and of calibration and measurement certificates issued by national metrology institutes International Committee of weights and measures (CIPM MRA)
- GEOSTM is full member to the Euro-Asian Cooperation of National Metrological Institutions (COOMET)
- Communication with IEC is established and application regarding becoming a member of IEC was submitted by GEOSTM in October 2009. Technical Committee on Electrotechnical issues has been created, that is a prerequisite for becoming a member of IEC. Representatives of GEOSTM participated in 73rd IEC general meeting on 16-

22 October 2009 held in Tel-Aviv Israel, where the issues of membership had been discussed and preliminary agreement was reached, further progress pending due to membership fees. Membership in CENELEC is possible after becoming a member of IEC

- GEOSTM has accepted "The Code of Good Practice" on 24 November 2003
- The National Technical Committee was created that is composed of representatives of interested stakeholders (e.g. ministries, public agencies, research institutes and non-governmental organizations, etc.)
- After Georgia will become a member to the IEC, subsequently it will become an affiliated member to the CENELEC
- GAC is affiliated member of the ILAC since 2005
- Quality Management System Documentation of the GAC is revised according to the ISO 17011 Standard, and the EA, the ILAC and the IAF guidelines
- Application was submitted to the EA Multilateral Agreement Council (MAC) for conclusion of the *Contract on Cooperation* between the GAC and the EA (May, 2009). *Contract on Cooperation* was concluded between the GAC and the EA in Nov, 2009.

Market Surveillance

Guidelines:

- Establish/delegate power and/or nominate authorities competent to monitor the compliance of products with the general safety requirements and arrange for such authorities to have and use the necessary powers to take the appropriate measures
- Ensure institutional efficiency of respective market surveillance bodies
- Market surveillance procedures and structure of the institutions are developed and in compliance with best international practices
- Market surveillance will be performed by means of: a) documentary control, and later by b) control of products placed on the market
- Market surveillance system will cover the market in a gradual manner for selected sectors and groups of products and methods: First Stage – implementation of reactive market surveillance; Second Stage – implementation of proactive market surveillance
- Market surveillance bodies will be accredited according to ISO/IEC 17020 standard
- Market surveillance bodies are free of corruption
- Market surveillance bodies are not entitled to introduce new rules or increase TBT by overregulation or excessive procedures, protecting producers, importers or exporters
- Market surveillance measures will be applicable to the products placed on the market after introducing the relevant legislation and technical regulations thereof (i.e. regulated areas)
- Risk based inspections are exercised on products groups/sectors selected on a step by step approach
- Ensure public-private-partnership models to the extent possible while exercising market surveillance
- Lay down the rules on penalties applicable to infringements of the national provisions and take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive
- In the areas where there will be no relevant technical regulation provisions and requirements of general product safety and liability for defective products will be applicable for surveillance purposes
- Principles of the ISO/IEC Guide 67 will be used while performing market surveillance

Challenges:

- Institutional placement/delegation of powers of market surveillance bodies is not defined
- Market surveillance bodies are not in place for all categories of products placed on market
- Market surveillance procedures and structure of the institutions are not sufficiently developed and not in compliance with best international practices
- Risk of petty corruption, of abuse of official competences, and underperformance
- Risk of increasing the TBT by introduction of overregulation and excessive procedures protecting producers, importers or exporters

Goals:

- Market surveillance should be based on the WTO principles. The competent authorities shall have the power to take the necessary action to apply with due dispatch appropriate measures in the case of products posing a serious risk, aimed at guaranteeing of consumer health and safety
- Further develop a legislation on hazardous equipment and activities
- Introduce an adequate legislative base and system for performing third party inspections on the market
- Adopt and develop and implement risk-based market surveillance mechanism

Methods:

- Organise the system of market surveillance based on WTO principles *inter alia*, by adoption the *[Code on Safety and Free Movement of Products];* the latter will define hazardous equipment and activities; introduce adequate system of state control and third party inspections
- The staged implementation of market surveillance for selected sectors and groups of products and methods
    - First Stage – implementation of reactive market surveillance
    - Second Stage – implementation of proactive market surveillance

- As a result of the project a suitable market surveillance strategy for Georgia shall be elaborated by the end of 2011, and necessary institutional restructuring shall be conducted pursuant to EU requirements and good practice. In the framework of the project various solutions for the implementation of Council Regulation 339/93 *"on checks for conformity with the rules on product safety in the case of products imported from third countries"* concerning conformity assessment of products imported from third countries shall be investigated.
- Georgia would request a relevant technical assistance in some fields

Status:

- Law on *Hazardous Enterprises* will be replaced by the new *[Code on Safety and Free Movement of Products]*
- *[Code on Safety and Free Movement of Products]* is drafted which defines and classifies the risk of hazards, sets criteria of hazardous equipment, and introduces relevant state control mechanisms and procedures thereof

Introduction of Requirements of the Horizontal General Product Safety Directive and the Directive Concerning Liability for Defective Products

The requirements of the General Product Safety Directive (hereafter - GPSD) and the Directive Concerning Liability for Defective Products (hereafter - LDPD) will apply where and when there will be no product specific national legislation in place.

Georgian legislation will further approximated with horizontal legislation (GPSD; LDPD) primarily, and it will be reflected in the *[Code on Safety and Free Movement of Products]* by the end of 2010

General Product Safety Directive

Guidelines:

- To incorporate and implement the requirements of the GPSD into the Georgian legislation
- Directive 2001/95/CE1 on General Product Safety establishes a Rapid Information System (RAPEX) for the rapid exchange of information on measures and actions in relation to consumer products posing a serious risk for the health and safety of consumers. The notification procedure in Article 11 of the GPSD is intended for exchange of information on measures and actions in relation to consumer products that do not present a serious risk to the health and safety of consumers.
- Georgian market surveillance bodies should be identified and involved into the RAPEX as and when defined by the Market Surveillance Strategy[2]

Challenges:

- As legal analysis confirmed, the requirements of the GPSD is partly covered by Georgian Law on Consumer Protection
- Assignment of a specific governmental body for ensuring market surveillance according to the GPSD and creation of the relevant legal framework

Goals:

- Complete incorporation of requirements of the GPSD into the respective Georgian legislation as per the Relevant Legal Activities Sub-Programme

[2] Strategy shall be elaborated by the end of 2011

- Creation of the national system to be integrated into the RAPEX System as and when will be defined by the Market Surveillance Strategy

Methods:

- Law on *Protection of Consumers' Rights* should become an integral part of the *[Code on Safety and Free Movement of Products]* and brought in compliance with the requirements of the General Product Safety Directive and ensure adequate protection of human health and lives
- The general EU product safety requirements will be completely incorporated into the Georgian legislation and the future efforts shall be directed towards providing safety requirements for specific sectors
- Staged implementation of RAPEX System based on the *Guidelines for the Management of the Community Rapid Information System (RAPEX) and for Notifications Presented in Accordance with Article 11 of Directive 2001/95/EC*
- GPSD will be fully incorporated in Georgian legislation after the adoption of *[Code on Safety and Free Movement of Products]*.

Status:

- As legal analysis confirmed the requirements of the GPSD are almost fully incorporated into the Georgian legislation (as provided in the Sub-Programme on GPSD)

Liability for Defective Products Directive

Guideline:

- To implement and incorporate the requirements of the LDPD into the Georgian legislation

Method:

- As legal analysis confirmed, the requirements of the LDPD are already fully addressed by Georgian legislation by the Civil Code of Georgia, the Law on Consumer Protection and Law on Certification of Products and Services

Status:

- As legal analysis confirmed the requirements of the LDPD are fully incorporated into the Georgian law (as provided in the Sub-Programme on LDPD)

Introduction of the New Approach and the Global Approach Directives for Priority Industrial Sectors

Guidelines:

- Select priority economy sectors/products based on multi-criteria analysis (e.g. export potential, level of hazard, share of import from countries with developed quality infrastructure, conformity assessment procedures, market surveillance procedures) and incorporate respective New Approach and Global Approach Directives for those, sectors/products step-by-step
- Introduction of new regulation should ensure proper functioning of open and liberal market economy principles
- While introducing of new regulation, preferably results of regulatory impact assessment should be taken into account, including the harmonised EU Directives

Challenges:

- Complexity of full-scale implementation of requirements of Directives in a relatively short period of time
- Introduction of the harmonised EU Directives might cause an asymmetric preference *vis-a-vis* to products manufactured in countries with comparable safety and quality infrastructure
- Harmonised/international standards are not in Georgian language that complicates their usage by local producers/users

Goals:

- Staged introduction of New Approach and Global Approach Directives preferably based on regulatory impact assessment for selected sectors and groups of products by sectors
- No market placement barriers for products produced in the countries with developed safety and quality infrastructure and no additional conformity assessment requirements for placing on Georgian market
- Usage of the Cover Page Method for introduction of Harmonised EU and international standards

Methods:

- Develop the Sub-Programme for incorporation and implantation of selected the New Approach and the Global Approach Directives into the national law
- While implementing the Sub-Programme the major principles of open and liberal market economy should be taken into account
- While implementing the Sub-Programme regulatory impact assessment results should be taken into account

Status:

- Initial study and relevant analysis of the New Approach and the Global Approach Directives were carried out by the working group and national experts
- For the purpose of identification of Directives for priority areas method of ranking and grouping was used based on expert opinion and initial regulatory impact assessment method
- Six criteria were identified by experts and the working group members, and each criterion was assigned the relevant weight. Based on analyzing the Directives against above mentioned criteria, each Directive was ranked in a sequence given in the Governmental Programme of Incorporation of the New Approach and the Global Approach Directives
- Analyze of sequencing of incorporation of EU new approach directives provided in "Sub-Programme of Incorporation of the New Approach and the Global Approach Directives" has been done in the following ways:
  - selected country-examples on incorporation of New Approach directives were analyzed;
  - Harmonised standards under each New Approach directive were analyzed, in order to check overlap and identify common standards under different directives.

The results provided via the second method show that directives listed in the first group of the Sub-Programme do not have strong interdependence with other directives, even with such a broad scoped directives like LVD or EMC. It was identified that from the first group only directive 95/16/EC on Lifts has 2 common standards, one standard common with 2004/108 (89/336) EMC and 98/37/EC Machinery directive; and second shared only with 98/37/EC Machinery directive.

Further analysis of the of the identified common standards shows that these standards are product-specific e.g. applicable particularly for lifts and do not have general character. Therefore, incorporation of directives according to the sequence provided in "Sub-Programme of Incorporation of the New Approach and the Global Approach Directives" is a feasible task in practical point of view.

- Five groups of Directives were identified:
  - The first group is divided into three sub-groups, and there are six Directives (First sub-group: Cableway installations designed to carry persons 2000/9/EC; Lifts 95/16/EC; Second sub-group: Pressure equipment 97/23/EC; Efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels 92/42/EEC; Simple Pressure Vessels 87/404/EEC; Third sub-group: Recreational craft 94/25/EC)
  - The second group in divided into two sub-groups, and there are five Directives: (First sub-group: Explosives for civil uses 93/15/EEC; Equipment explosive atmospheres (ATEX) 94/9/EC; Second sub-group: Radio Equipment and Telecommunications Terminal Equipment and the Mutual Recognition of their Conformity 1999/5/EC; Electromagnetic compatibility (EMC) 2004/108/EC; Low Voltage 2006/95/EC)
  - The third group consists of three Directives: (Medical devices 93/42/EEC; In vitro diagnostic medical devices 98/79/EC; Active implantable medical devices 90/385/EEC)
  - The forth group consists of three Directives: (Appliances burning gaseous fuels 90/396/EEC; Personal protective equipment (PPE) 89/686/EEC; Machinery 98/37/EC)
  - The fifth group consists of four Directives: (Safety of toys 88/378/EEC; Construction products 89/106/EEC; Non-automatic weighing instruments 90/384/EEC; Measuring instruments 2004/22/EC)
  - Directives of the First Group are envisaged to be incorporated during the first 36 months period after the adoption of the Strategy and the Programme
  - Other Groups will be adopted after the incorporation ot the First Group and it will become more detiled in the Sub-Programme of Incorporation of the New Approach and the Global Approach Directives.

Based on the Operational Conclusions, made after the Expert meeting (Brussels, CHAR 9/214, 26 November 2009) COM services checked the practicability of the sequencing of adoption of the sectoral Technical Regulations proposed in the "Sub-Programme of Incorporation of the New Approach and the Global Approach Directives" and confirmed that this sequencing is correct and practicable.

Conformity Assessment Infrastructure

Guidelines:

- Accreditation is performed based on international and European standards
- Accreditation is voluntary unless a national Law sets requirement of mandatory accreditation for a particular regulated area
- Laboratories accredited in countries with developed quality infrastructure are entitled to be active in the territory of Georgia in case these laboratories prove to align with the international and EU requirements

Challenges:

- Georgia cannot possibly have capacity of Conformity Assessment Bodies (CAB) in all areas where conformity assessment is required by market
- Sufficiency of the degree of traceability of measurements
- Accreditation procedures are not completely aligned with the ISO 17011
- Development of multilateral agreements for the acceptance of the results of conformity assessment procedures

Goals:

- Further development of CAB system based on international best practices
- Critical revision and updating of the national accreditation procedures in accordance with the ISO 17011
- Insure that imported products, processes and services are treated no less advantageously than national products, processes and services in relation to standards and technical regulations and that the latter should not constitute obstacles to international trade when the products to be imported are in conformity with the standards and technical regulations of the importing country or meet the requirements of standards and technical regulations that are more stringent than those set by the importing country.

Methods:

- Relevant conformity assessment procedures should be carried out by the CABs accredited in Georgia as well as by CABs authorized in countries signatories of EA/ILAC/IAF MRA/MLA
- Draft legislative requirements of conformity assessment procedures that will be in full compliance with requirements of the international best practices
- Participation in activities of ISO committee on Conformity Assessment CASCO
- In the framework of possible future DC FTA Georgia declares its readiness to agree on notification procedures with the EU, including assigning of notification authority and enquiry point, as well as reflect into the national legislation detailed procedures thereon
- Georgia will request technical assistance and trainings on the implementation of directive 98/48/EC for public servants (of the *Notification Authority* and the *Enquiry Point*) responsible for notification
- Section on *Conformity Assessment* of the *[Code on Safety and Free Movement of Products]* will stipulate that accreditation is voluntary unless the Law sets requirement of mandatory accreditation for a particular regulated area
- Introduce guideline of the GAC for ensuring traceability of measurements in CABs
- Georgia will promote the development of multilateral agreements for the acceptance of the results of conformity assessment procedures (e.g. calibration, testing, inspection, certification, accreditation) or, in their absence, promote the conclusion of bilateral or unilateral agreements or other agreements.

Status:

- Section on *Conformity Assessment* of the *[Code on Safety and Free Movement of Products]* is drafted that is reflecting the principles outlined above

Standardisation

Guidelines:

- Superiority of international standards
- Voluntary principle of Standardisation
- Ensuring availability of international and European standards to all interested parties to the extent possible
- WTO TBT enquiry point will ensure information exchange on existing standards, technical regulations, conformity assessment procedures as inside the country as well as outside
- Committees on standardization will cover all areas of production, including food; creation of specialized committees shall be considered as undesirable
- Newly introduced technical regulations or/and standards, which makes additional technical barriers for trade, can be appealed to the court

Challenges:

- GEOSTM is not a member of IEC and CENELEC that complicates availability of international and European standards in electro-technical filed
- Wide application of GOSTs due to the lack of the modern equipment used in manufacturing process and in testing laboratories
- Pursue deepening of public-private-partnership models in testing laboratories of GEOSTM

Goals:

- Membership to IEC and CENELEC to ensure availability of standards in electro technical field
- Adoption of international and European standards and ensuring their availability

Methods:

- Adoption of International Standards using Cover Page Method to be provided as a possible method by national law
- The List of Applicable Standards based on international practice should be published by the GEOSTM

- The List of Applicable Standards based on international practice is made publicly available by GEOSTM through publishing on the web page thereof.

- Georgia will not adopt any national standards in the spheres where relevant international standards are in place
- Analyze models of Public-Private-Partnership model in testing laboratories of GEOSTM, and its actions as market player and potential conflicts of interest

Status:

- GEOSTM is member of ISO
- GEOSTM is an affiliated member of CEN
- Georgia has signed a code of good practice for the preparation, adoption and application of standards (annex 3 of WTO TBT), standardization process is carried out according to the international guides and documents (e.g. ISO guide 21)
- Section on *Standardization* of the [*Code on Safety and Free Movement of Products]* is under process of drafting that is reflecting the principles outlined above

Metrology

Guidelines:

- Ensure traceability to the SI units of national measurements standards in priority fields
- Ensure availability of required metrological services inside the country in priority fields
- Clearly define the area and the scope of legal metrology by the national legislation in accordance with international documents and guidelines (e.g. OIML documents)

Challenges:

- As it is not affordable and reasonable for Georgia to have all national measurement standards base (etalons), therefore there is a need to be identified priority fields for the purposes of creation the relevant base
- Ensure that Georgian Agency of Standardisation, Technical Regulations and Metrology (GEOSTM) is not entitled to introduce new rules different from the best practice, guidelines in the fields which are covered by the relevant international documents
- Ensuring operation of GEOSTM according to the requirements of international standards;
- Outdated national measurements standards base (etalons), lack of the national measurements standards in priority fields; lack of resources for maintenance them for ensuring traceability and recognition thereof;
- Existing gaps in the field of legal metrology and absence of the appropriate legislative base;
- Georgia is not a member to the OIML

Goals:

- Ensure traceability to the SI units of National measurements standards and international recognition thereof in priority fields – development, upgrading of national measurements standards, ensure proper conditions for maintenance thereof (environmental conditions, premises, comparisons etc.) and introduction of quality management system in GEOSTM in accordance with international standards
- Organise the field of legal metrology in accordance to International Organisation of Legal Metrology (OIML) documents, introduce metrological supervision in line with international best practices; Establish cooperation with the OIML
- Establish cooperation with the OIML
- Avoid conflict of interests, while acting as a market player

Methods:

- Transform the Law on *Uniformity of Measurements* into the Section on *Metrology* of the [*Code on Safety and Free Movement of Products]* and define the list of measurement instruments subject to obligatory verification procedures by the GoG in accordance with OIML recommendations and national needs
- The Section on *Metrology* of the [*Code on Safety and Free Movement of Products]* will define the scope of legal metrology
- In cooperation with international organisations ensure development of national measurements standards base in parallel to the development of human capacity
- For ensuring traceability of measurements and in the absence of the national base of measurements standards (etalons) Georgia will, based on international cooperation, legally admit usage of the national measurements standards bases of other countries' national metrological institutes signatories of the CIPM MRA
- Apply for the membership to the OIML
- Enhanced cooperation under the auspices of the COOMET with the aim to ensure traceability of measurements
- Elaborate relevant secondary legislation pursuant to legal metrology directives and pursuant to recommendations of the OIML

Status:

- GEOSTM is an associated member of the GCPM (General Conference of Weights and Measures) since 2008; GEOSTM signed the Agreement on Mutual recognition of national measurement standards and of calibration and measurement certificates issued by national metrology institutes International Committee of weights and measures (CIPM MRA)
- GEOSTM is member of COOMET
- Section on *Metrology* of the *[Code on Safety and Free Movement of Products]* is under process of drafting that is reflecting the principles outlined above
- Amendments are being elaborated to be introduced in the Georgian law on "Ensuring Uniformity of Measurements" provision due to gaps existing in Legal Metrology, that later are to be incorporated as separate chapter in the *[Code on Safety and Free Movement of Products]*. According to the amendments clarification of terms and definitions and further alignment thereof with those of VIM (International Vocabulary of Metrology) are achieved. The amendments are adopted by the Parliament of Georgia and sent for the adoption to the President of Georgia.

Conclusion

The aim of the **Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology** is to create a solid base to further removing TBT and establishing a modern technical regulation and quality infrastructure system, and to ensure adequate level of human health, life and environment protection. It also aims to reflect the European Commission's views and observations regarding Georgia's preparedness for the negotiations on Deep and Comprehensive Agreement (DCFTA) with the EU.

This Strategy is based on the main principles which stress the necessity to ensure the open market economy and free trade; create highest possible affordability of products at the possible lowest risk, as well as provide for the superiority of international standards, symmetric and non-discriminatory market placement conditions for the same quality products, and stipulate that no TBT for placing on Georgian market will be in place for products produced in the countries with developed safety and quality infrastructure and no additional conformity assessment requirements.

The Strategy rests on the following guiding principles which provide that: all obligatory requirements related to protection of health and safety are set by mandatory technical regulations; technical regulations are adopted through the Governmental Resolutions; standards are voluntary and developed by state and any interested party; Georgia will refrain from adoption of any national standards in the spheres where relevant international standards are in place; no obligation to involve third party certification for pre-market testing; Market surveillance body shall not perform any conformity assessment activities; conformity assessment is performed by technically competent conformity assessment bodies; accreditation is to be deemed a preferable mean for demonstrating competence of CABs; manufacturers may apply all internationally accepted forms of conformity assessment including self-declaration on conformity to regulations and/or standards, or as defined by a relevant technical regulation; acceptance of conformity assessment results/documents issued by producers/suppliers/conformity assessment bodies accredited/authorised in the countries with developed safety and quality infrastructure (e.g. EU, OECD); no additional conformity assessment for the products with marking of the countries with developed safety and quality infrastructure (e.g. CE); institutional impartiality of third party conformity assessment bodies; application of public-private-partnership models to the extent possible throughout exercising market surveillance.

The Strategy sets guidelines, challenges, goals, methods and status for the following policy topics outlined in the document, and identifies activities to be implemented and the topics to be reflected into the national legislation, as follows:

- For **Technical Regulation Section** to - regulate the procedural issues related to technical regulations according to the international best practice, and adopt the national law that will provide with definition, scope and legal force of technical regulations; assign a competent governmental body for adoption technical regulations; and provide for procedural issues thereof.
- For **Quality Infrastructure Section** to – define the section on *Technical Regulations* based on international practice; identify section on *Conformity Assessment* to increase institutional capacity of GAC and GEOSTM and define scopes and competencies of both institutions; achieve that all bodies performing conformity assessment are technically competent; provide that accreditation is to be deemed a preferable mean for demonstrating of technical competence of CABs; create the Quality Council with the aim to identify priorities and develop recommendations for the improvement of quality infrastructure; ensure participation and involvement of the private sector, business associations, non-governmental actors and interested parties in the working process of *Standardisation Committees*
- For **Integration into International Organizations Section** to – follow the provisions of *Contract on Cooperation* between GAC and EA; also provisions of affiliate membership of GAC in ILAC; create *National Technical Committee in* GOSTM according to the IEC recommendation in order to become IEC member, and further to become a member to CENELEC
- For **Market Surveillance Section** to – provide principles for the system of market surveillance based on WTO principles, by adoption the *[Code on Safety and Free Movement of Products]*; introduce adequate system of state control and third party inspections; apply the staged implementation of market surveillance for selected sectors and groups of products and methods (First Stage – implementation of reactive market surveillance; Second Stage – implementation of proactive market surveillance; Product-by-products in parallel to adoption of the New Approach and the Global Approach Directives); elaborate a suitable market surveillance strategy by the end of 2011, with necessary institutional restructuring that shall be conducted pursuant to EU requirements and good practice, and considering various solutions for the implementation of Council regulation 339/93 concerning conformity assessment of products imported from third countries shall be investigated; and finally, to identify areas for possible request for technical assistance.
- For **Introduction of Requirements of the Horizontal General Product Safety and Liability for Defective Products Directives Section** – In the *[Code on Safety and Free Movement of*

Products] will reflect requirements of the General Product Safety Directive and ensure adequate level of protection of human health and lives; the EU General Product Safety Directive requirements will be completely incorporated to Georgian legislation and in the future efforts shall be directed towards providing safety requirements in specific sectors; staged implementation of RAPEX System based on the *GUIDELINES for the Management of the Community Rapid Information System (RAPEX) and for Notifications Presented in Accordance with Article 11 of Directive 2001/95/EC;*
The strategy on market surveillance, which will be elaborated by the end of 2011 will consider that in the first stage a governmental body responsible for RAPEX System will be designated, at the second stage functional governmental body and the RAPEX System will be created;

- For **Introduction of the New Approach and the Global Approach Directives for Priority Industrial Sectors Section** – an initial study and relevant analysis of the New Approach and the Global Approach Directives were carried out by the working group and national experts; later for the purpose of identification of Directives for priority areas method of ranking and grouping was used, based on expert opinion and initial regulatory impact assessment method; six criteria were identified by experts and the working group members, and each criterion was assigned the relevant weight; based on analyzing the Directives against above mentioned criteria, each Directive was ranked in a sequence given in the Sub-Programme of Incorporation of the New Approach and the Global Approach Directives;
- For **Conformity Assessment Infrastructure Section,** it stipulates that - accreditation is voluntary unless the national law sets requirement of mandatory accreditation for a particular sphere; the relevant conformity assessment procedures might be carried out by the CABs accredited/authorised in Georgia or in other countries signatories of MRA/MLA; drafting legislative requirements of conformity assessment procedures that will be in full compliance with requirements of the international system of conformity assessment; in the framework of future possible DC FTA Georgia declares its readiness to agree on notification procedures with the EU, including assigning of notification authority and enquiry point, as well as reflect into the national legislation detailed procedures thereon; Georgia will request technical assistance and trainings on the implementation of directive 98/48/EC for public servants (of the *Notification Authority* and the *Enquiry Point*) responsible for notification; the Section on *Conformity Assessment* will stipulate that accreditation is voluntary unless the national law sets requirement of mandatory accreditation for a particular sphere
- For **Standardisation Section** to – adopt International, European Standards using Cover Page Method; publish the List of applicable harmonised standards based on international practice by GEOSTM; refrain to adopt any national standards in the spheres where relevant international

standards are in place; pursue the public-private-partnership models in organizational structure of testing laboratories; revise application and degree of public-private-partnership models

- For **Metrology Section** to - amend the Law on *Uniformity of Measurements* and define the list of measurement instruments subject to obligatory verification procedures by the GoG in accordance with OIML recommendations and national needs; amend the Law on *Uniformity of Measurements* in a way that will define the scope of legal metrology; in cooperation with international organizations ensure development of national measurements standards base with simultaneous development of human capacity; for ensuring traceability of measurements and in absence of the national base of measurements standards (etalons) that Georgia will, based on international cooperation, admit usage of the national measurements standards bases of other countries' national metrological institutes signatories of the CIPM MRA; apply for the membership to OIML; enhance cooperation under the auspices of COOMET with the aim to ensure traceability of measurements; elaborate secondary legislation pursuant to legal metrology directives and pursuant to the recommendations of the OIML

Final draft without language corrections
For internal use only

Government of Georgia

Programme

on

Legislative Reform and Adoption of Technical Regulations

Prepared by:
Inter-Agency Working Group for Coordination of Preparatory Issues of a Deep and Comprehensive Free Trade Agreement with the EU under the Commission for the EU Integration of Georgia

May, 2009- March, 2010

Table of Contents

Executive Summary and Description of the Governmnetal Programme on Legislative Reform and Adoption of Technical Regulations

The aim of the Programme on Legislative Reform and Adoption of Technical Regulations (the Governmental Programme) is to create a solid base to further removing TBT, to establish a modern technical regulation and quality infrastructure system, and to ensure adequate level of human health, life and environment protection. It also aims to reflect the European Commission's views and observations regarding Georgia's preparedness for the negotiations on Deep and Comprehensive Agreement (DCFTA) with the EU.

European Commission Directorate-General's proposed recommendations for preparatory process for future negotiations on Deep and Comprehensive Free Trade Agreement (DCFTA). Although the EC requested development of a comprehensive strategy document at the later stage, the Government of Georgia opted for developing the **Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology** and this **Governmental Programme** as an implementation tool of the **Strategy**.

The Governmental Programme was designed based on the Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology and its purpose is to meet the goals and objectives set by the Strategy.

The Governmental Programme is composed of four Sub-Programmes:

- **Institutional Development Sub-Programme** which describes what activities and development should be taken by the Government of Georgia to ensure progress in the establishment of a domestic institutional system in the area of technical regulation, standardisation, accreditation, metrology, conformity assessment and market surveillance, and achieve the progress in strengthening the institutions in charge of these respective issues. This Governmental Programme also outlines requested Technical Assistance and identifies those areas and spheres Georgia considers TA from the EU would be desirable to achieve the maximum efficiency in understanding the EU *acquis*;
- **Sub-Programme on Incorporation of the New Approach and the Global Approach Directives** outlines the detailed agenda of incorporation of the New Approach and the Global Approach Directives into the national legislation for priority industrial sectors and sets relevant timetable for the incorporation;

- **General Legislative Approximation Sub-Programme** describes how the national legislation should be amended in order to align with the requirements of EU *acquis;*
- **Relevant Legal Activities Sub-Programme** outlines what relevant legal activities are needed to ensure compliance with the EU *acquis* and what normative acts should be adopted with this aim.

Institutional Development Sub-Programme

Introduction

The Institutional Development Sub-Programme is designed to address issues identified with different institutions in order to achieve the international recognition in the area of quality infrastructure and it contains the list of activities to be undertaken to fulfill the above mentioned aim. In the Sub-Programme there are outlined the goals and responsible agencies to carry out necessary activities within the set timeframes in order to fulfill the goals. This sub-programme is taking into consideration "Proposal for Strategic Plan for the Development of Quality Infrastructure Including its Elements "Accreditation", "Standardization" and "Metrology" prepared by Mr. Vladimir Ludvik, Team Leader of the EC TACIS project " Support to Implementation of Art.51 (Quality Management system) of the Partnership and Co-operation Agreement of Georgia" (*Procurement Notice: Europe Aid/125078/C/SER/GE*)

The Government of Georgia as the next step will develop the Governmental Strategy on Market Surveillance that will cover procedures and structure of the institutions in compliance with best international practices; ensure institutional efficiency of respective market surveillance bodies; it will also decide the issue of institutional placement/delegation of powers of market surveillance bodies that will be defined as well as address the issue of placing relevant market surveillance bodies for all categories of products placed on market.
The Government of Georgia prior to the formal adoption of the Strategy and the Programme started the implementation reforms.

The following implementation steps have been already started in TBT area:

- Legislative reform manifested in drafting of *Code on Safety and Free Movement of Products*
- Institutional reform manifested in creation of Technical and Construction Inspection Agency for market surveillance
- Amendments in the Georgian law on "Ensuring Uniformity of Measurements" due to gaps existing in Legal Metrology

Drafting of *Code on Safety and Free Movement of Products* . Due to the fact that Strategy is multifarious document that covers many different fields respectively relevant legislation need to be amended is as well as diversified, therefore it was considered justified to introduce new the *Code on Safety and Free Movement of Products* where all necessary innovations and amendments will be reflected in a coherent manner. The draft Code is planned to be finalised by the end of [April, 2010].

Creation of Technical and Construction Inspection Agency - GoG confirms it's commitment to develop a strategy for market surveillance by 2011 year. This Agency will also be intensively involved in the development of the strategy for market surveillance, as the agency will be one of the responsible institutions for the Incorporation of the New Approach and the Global Approach Directives.

The new Agency will be created on the base of existing Georgian State Inspection of Technical Supervision and the National Architecture and Construction Inspection.

The plan of this reform was elaborated in 2009. The relevant amendments in the laws were drafted and submitted to the Parliament of Georgia in January 2010.

The aim of this institutional reform is to create fundamental bases for the comprehensive market surveillance body which will be gradually gaining sufficient power and administrative capacity for effective market supervision on other products as well.

Legal Metrology - The relevant amendments in the Georgian law on "Ensuring Uniformity of Measurements" have been elaborated due to gaps existing in legal metrology, the amendments provide for more precise and exact definition of the scope of legal metrology e.g. the list of legal measuring instruments subject to mandatory verification as well as the verification interval thereof are defined.

According to the amendments clarification of terms and definitions and further alignment thereof with those of VIM (International Vocabulary of Metrology) are achieved.

The amendments contribute the process of approximation of the law of Georgia on "Ensuring Uniformity of Measurements" with OIML ID1 (model law on metrology).

The amendments are adopted by the Parliament of Georgia and sent for the adoption to the President of Georgia.

#	Goals	Responsible Agency	Activity	Timeframe
1	To ensure GEOSTM's institutionalized impartiality	Government of Georgia; Ministry of Economic Development; GEOSTM	• The priority standardization technical committees are identified with representation of interested parties • At least two technical committees will be established • Participation in mirror committees of ISO and CEN is to be ensured • Participation in BIPM and COOMET activities to be ensured	• Since 2008 and further • Q2, 2010 • Since 2007 and further • Since 2007 and further
2	Creation of the Quality Council with the aim to identify priorities and develop recommendations for the improvement of quality infrastructure	Ministry of Economic Development	• Working group for preparation of future Quality Council created with participation of interested parties and effective communication established • The statute of the Quality Council (QC) is drafted • Quality Council is established and the Statute thereof approved (QC created by the Order of the Minister of MoED #1-1/2347 from 19.10.2009)	• Q1-Q4 2009 • Q3 2009 • Accomplished in Q4 2009

#	Goals	Responsible Agency	Activity	Timeframe
3	To increase institutional capacity of GEOSTM	Government of Georgia; Ministry of Economic Development; GEOSTM	• Revise fees to reflect financial sustainability of the GEOSTM; • Premises for the mass standard laboratory are prepared • Process of installation of equipment in the mass standard laboratory is completed • Premises for the laboratory of Metrology in Chemistry are prepared • Process of installation of equipment in the laboratory of Metrology in Chemistry is completed • Second phase of PTB project is started • In the framework of bilateral PTB project phase II need assessment (equipment) of second laboratory (presumably laboratory of electrical measurements) is realized; • TWINING project on "Standardization and Metrology" is started • Equipment base of WTO TBT enquiry point updated; • Assessment of the necessary equipment for standard laboratories according to the needs of the country is carried out and respective list of necessary equipment is prepared under TWINING project.	• 2010 • Q2 2010 • Q2-Q3 2010 • Q3, 2010 • Q3-Q4, 2010 • Q2-Q3 2010 • Q1-Q2 2011 • Q3-Q4 2011 • Q4 2012 • Q2 2013
4	Create WTO TBT Information Center that will fulfill the formal requirements of the TBT Agreement and serve as a national informational contact point for communications on technical regulations to WTO and its member states	Resolution of the Government of Georgia GEOSTM	• Resolution of GoG # 170, 18th of September 2009 • Create and equip the Center; • Provide training for the staff in the EU member state enquiry point activities (min. 2 persons) • Further modernization of the Center	• accomplished in Q3 2009 • accomplished in Q4 2009, equipped in the framework of Lithuanian Government TA project; • 2008 - 2012 • 2011-2012

#	Goals	Responsible Agency	Activity	Timeframe
5	To increase human capacity of GEOSTM	Government of Georgia; Ministry of Economic Development; GEOSTM	• Qualification programme of internal staff of priority laboratories (Metrology in Chemistry, mass, electricity) is in progress	• Q4 2010
			• Qualification programme for internal auditors is in progress (ISO 9001, ISO 17025)	• Q2 2011
			• Training programme of chairmen and/or secretary of the national TCs and technical experts is prepared	• Q3 2011
			• Training Center of GEOSTM fully operational, respective Training modules developed	• Q4 2012
			Metrology	
			• Working group on uncertainty issues established, GEOSTM experts from different fields of measurements involved	• Created in the framework of EC TACIS project
			• Uncertainties of measurements (min. 2 persons per priority field of measurements	• 2008-2013
			• Requirements of ISO/IEC 17025 (min 8 persons);	• 2008-2013
			• CMC (calibration and measurement capabilities) issues (min 8 persons);	• Q2-Q3 20120
			Standardisation	
			• Informational ensuring, application of IT tools (min. 3 person)	• 2008-2012
			• Elaboration, adoption, registration of European standards (min. 2 person)	• 2008-2012
			• Cooperation with technical committees of International and regional standardisation organisations (min. 2 person)	• 2008-2012
			• Trainings of WTO TBT enquiry point staff are completed	• Q4 2012

#	Goals	Responsible Agency	Activity	Timeframe
6	Integration into international/regional organizations	Government of Georgia GEOSTM	• Create the National Electro Technical Committee and ensure participation of interested parties • Cooperation and common activities with IEC established • Conclude Memorandum with IEC • GEOSTM is an associate member of IEC • Cooperation and common activities with CENELEC are established (GEOSTM prepared to be meet the criteria for CENELEC membership) • Assessment of the internal working procedures in compliance with the affiliated member status of CENELEC • Submit an application for membership • GEOSTM is an affiliate member of CENELEC • Establish cooperation with OIML • Apply for the membership to OIML	• Created Q2 2009 • Q4 2009 • Q2 2010 • Q2 2010, accomplished • Q3 2010 • Q2-Q3 2011 • Q4 2011 • 2012 • Q2-Q3 2010 • 2011

#	Goals	Responsible Agency	Activity	Timeframe
7	Increase degree of traceability to SI units of national measurements standards in priority fields	Ministry of Economic Development; GEOSTM GAC	• Participation of GEOSTM in the international (key/supplementary/bilateral) comparisons • Develop national guidelines for Increase of a degree of traceability, to be used in the field of accreditation • Comparisons in the field of electricity, ionizing radiation, temperature, pH metry and Conductometry are completed, • At least one inter-laboratory comparison organized by GEOSTM for local laboratories in priority field of measurements (e.g. electrical measurements, flow measurements) • Ensure appropriate physical facilities conditions in national standards laboratories, in priority fields • QMS according to ISO/IEC 17025 • Development of human capacity; Trainings	• In progress activation from fourth quarter 2009 (temperature, electricity, metrology in chemistry, ionizing radiation) • 2010 • Q2 2010 • Q4 2012 • In progress (mass and chemical measurements laboratories - Q4 2010) • on-going, (activation form 2011 under TWINING project) • 2008-2014 (on permanent base)

#	Goals	Responsible Agency	Activity	Timeframe
8	Nationwide application of international standards	Government of Georgia; GEOSTM	• Increase public awareness on benefits and preferences of international standards • Upgrade web-page of GEOSTM • Process of adoption and registration of national standards (including adopted international and European standards) is completely in line with WTO TBT requirements and international practice. • Standardization Strategy Paper for 2012-2015 updated and published, Action plan developed and published; • Process of adoption of priority international and European standards as national standards is being finalized. • Priority harmonised standards and documents are translated into Georgian language (approxim. 500 pgs). • The software for performing notification and information procedure in the field of technical regulations according to WTO TBT Agreement is developed and operational; • The capacity to deliver sales, marketing, information etc. services of standards improved;	• Ongoing on permanent base • Q4, 2009 • Q4 2010 • Q2 2011 • Q3-Q4 2011 • Q3-Q4 2012 • Q4 2013 • Q4 2013

#	Goals	Responsible Agency	Activity	Timeframe
9	Ensure operation of GEOSTM according to the requirements of international standards in order to Achieve recognition through regional and/or international level	Ministry of Economic Development; GEOSTM	• Enhance cooperation under the auspices of the COOMET with the aim to ensure traceability of measurements • Quality documentation of GEOSTM is in process of preparation (both Georgian and English versions) • Staff for realization of internal audits is trained (ISO/IEC 17025, ISO/IEC 9001) • Quality documentation of GEOSTM completed and available in English; • Internal Audits over all sections are completed • A Management Review was done and recorded • GEOSTM applies for oral presentation of its quality management system through Quality Forum QF of COOMET (regional metrology organization) • GEOSTM has successful oral presentation of its Quality Management System on QF of COOMET ; • GEOSTM applies for peer assessment of QMS through QF of COOMET; • GEOSTM has carried out pre-assessment of it's QMS • Corrective actions are identified and realized; • Standardization department of GEOSTM has implemented quality management system according ISO 9001 • Peer evaluation of QMS against ISO 17025 by Quality Forum of COOMET is finished; • All necessary corrective actions are done and confirmed by peer assessors of QF of COOMET; • COOMET issues Certificate of recognition of GEOSTM's Quality Management System. • At least 2 laboratories of GEOSTM is internationally recognized • GEOSTM has at least 2 CMC's entries into BIPM KCDB	• In progress, since 2007 and further • Q3 2011 • Q4 2011 • Q2-Q3 2012 • Q3 2012 • Q3 2012 • Q3 2012 • Q2-Q3 2012 • Q3 2012 • Q1-Q2 2013 • Q2 2013 • Q2 2013 • Q4 2013 • Q4 2013 • Q4 2013 - Q1 2014 • Q1 2014 • Q1 2014

#	Goals	Responsible Agency	Activity	Timeframe
10	Activate measures to ensure availability of required metrological services inside the country in priority fields	Ministry of Economic Development; GEOSTM	• Identify priorities through Quality Council and other interested parties • Identify resource • Develop action plan • ToR for Second phase of bilateral Georgia-German project PTB is prepared; • Premises for the laboratory of Metrology in Chemistry are prepared • Process of installation of equipment in the laboratory of Metrology in Chemistry is completed • Utilize the possible use of regional and international cooperation (to admit application of measurement standards of the metrological institutes of the countries signatories of the CIPM MRA) in Georgia	• In progress • In progress 2010 • Q4, 2010 • Q3-Q4 2010 • Q4 2010 • Q4 2010 • In progress
11	Pursue the public-private-partnership models in organisational structure of GEOSTM	Government of Georgia; Ministry of Economic Development; GEOSTM	• Revise the degree of the Public-Private-Partnership • Revise action of GEOSTM as a market participant to exclude possible conflict of interests	• Ongoing • Ongoing
12	Further development of CAB system based on international best practices	Government of Georgia GEOSTM GAC	• Use accreditation tool as a preferable tool to ensure technical competence of CABs; • Participation in activities of ISO committee on Conformity Assessment (CASCO); • Appointment of liaison officer	• In progress • Q2, 2010 • Q2, 2010

#	Goals	Responsible Agency	Activity	Timeframe
13	To start activities to achieve international recognition of GAC into the European Cooperation for Accreditation (EA)	Ministry of Economic Development; Ministry of Foreign Affairs; GAC	• Conclude the *Contract on Co-operation* between GAC and the EA	• Q4, 2009(concluded)
14	Revision financial sustainability of the GAC	Ministry of Economic Development; GAC	• New accreditation fees and rules for their calculation is approved.	• Q2 2010
15	Creation of a main sector technical committees at CAG	GAC	Create sector committees for different directions in accreditation: • In first order, create three committees, and • Others will be created according to the needs	 • 2010 • 2010
16	Introduction of all necessary documents and guidelines of EA, ILAC, IAF	GAC	• Translations of all documents and guidelines of EA, ILAC, IAF from English are finished and introduced for accreditation practice	• 2010
17	Approximation of accreditation procedures to international practice	Ministry of Economic Development;; GAC	• Appropriate Changes in GAC legal regulations are done	• 2010
18	Needed legislation changes to ensure GAC's institutionalized impartiality	Government of Georgia	Creation of the Accreditation Council: • Reflect in the Section on Accreditation, *[Code on Safety and Free Movement of Products]* • Creation of the Accreditation Council based on the Governmental Order is better to prove impartiality.	 • 2010 • 2010

#	Goals	Responsible Agency	Activity	Timeframe
19	To increase institutional capacity of GAC	Government of Georgia; GAC	• To establish an Assessors-pool for all the GAC Activities, minimum 5 modular trainings of the assessors (ca. 20 persons) are Completed according to the international standards used for accreditation of different types of Conformity Assessment Bodies • donor organizations are Asked to for a support and provide on-job trainings of GAC representatives in European accreditation Bodies, in the field of accreditation of inspection bodies through the joint assessment activities according to ISO/IEC17020(inspection Bodies Types A, B, C) and ISO/IEC17025 (Testing and Calibration Laboratories	• 2010-2011 • 2010-2011
20	Maintain and provision of awareness of a list of appropriate proficiency tastings and other comparison programs.	GAC	• Accreditation body maintains a list of appropriate proficiency testing and other comparison programs. Relevant information about proficiency testing providers Enabled on GAC web site.	• Q4, 2010
21	Enhance GAC's involvement into international accreditation organizations (EA, ILAC, IAF)	Ministry of Economic Development; GAC	Participation in the EA, ILAC, IAF technical committees and other structural bodies: • First participation into the IAF /ILAC's General Assembly 2010 • Ensure communication with ILAC's committees (Ask to donor organizations to support this activities) • Change of Contract on Co-operation between GAC and the EA On Associate member status	• Since 2010 and further • 2010 • 2010

#	Goals	Responsible Agency	Activity	Timeframe
22	Implementation of ISO/IEC 17011 and improvements of the GAC management System according to international guidelines	GAC	• Quality Management System(QMS) of GAC is revised according to international requirements and approved • Training of GAC Staff in the field of GAC management system	• 2010-2011 • 2010-2011
23	Full Implementation of ISO/IEC standards for accreditation of CAB's.	GAC	• Transitional period for full Implementation of ISO/IEC standards in accreditation, and for appropriate management systems in laboratories and other conformity assessment bodies is established. • National guidelines for traceability of measurements for this transitional period is developed and used.	• 2010-2012 • 2010-2012
24	Starting of new supporting projects (Twinning or ENPI)	GAC	• TWINING project on Accreditation is started for GAC, conformity assessment bodies and proficiency testing providers in Georgia is started	• 2011
25	GAC training activities for CABs	GAC	• Provision of GAC trainings concerning GAC accredited bodies and conformity assessment bodies interested in accreditation explaining new approach to technical and managerial issues (in cooperation with supporting project)	• 2010-2012
26	Establishment of proficiency testing services in Georgia	GAC	• Facilitation activities for establishment of proficiency testing services in Georgia are carried out (in cooperation with supporting project)	• 2010-2013

#	Goals	Responsible Agency	Activity	Timeframe
27	GAC preparation for peer evaluation by EA	GAC, Qualified assessors	• Full internal Audit of GAC's QMS is fulfilled • organize pre peer evaluation of GAC according to EA rules	• 2012 • 2013
28	First EA Evaluation of GAC	GAC, EA	• First peer evaluation of GAC by EA evaluators is delivered	• 2014
29	To become a signatory of MLA/MRA in regional and international organizations in Accreditation	Ministry of Economic Development; Ministry of Foreign Affairs; GAC	• GAC as a signatory of MLA EA • signatory of MRA of ILAC and IAF (wich appropriate)	• 2015 • 2016-2017

Sub-Programme of Incorporation of the New Approach and the Global Approach Directives

Introduction

To develop the Sub-Programme of Incorporation of the New Approach and the Global Approach Directives initial study and relevant analysis of the New Approach and the Global Approach Directives were carried out by the Working Group and national experts.

For the purpose of identification of Directives for priority areas that would be incorporated into the national law, method of ranking and grouping was used that was based on expert opinion and an initial regulatory impact assessment was carried out.

Six criteria were identified by experts and the Working Group members. On the next stage each criterion was assigned the relevant weight. Third step was based on analyzing the Directives against above mentioned criteria, each Directive was ranked. As a further step the Directives were grouped into different groups for staged incorporation purposes.

- Five groups of Directives were identified:
  - The first group is divided into three sub-groups, and there are six Directives (First sub-group: Cableway installations designed to carry persons 2000/9/EC; Lifts 95/16/EC; Second sub-group: Pressure equipment 97/23/EC; Efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels 92/42/EEC; Simple Pressure Vessels 87/404/EEC; Third sub-group: Recreational craft 94/25/EC)
  - The second group in divided into two sub-groups, and there are five Directives: (First sub-group: Explosives for civil uses 93/15/EEC; Equipment explosive atmospheres (ATEX) 94/9/EC; Second sub-group: Radio Equipment and Telecommunications Terminal Equipment and the Mutual Recognition of their Conformity 1999/5/EC; Electromagnetic compatibility (EMC) 2004/108/EC; Low Voltage 2006/95/EC)
  - The third group consists of three Directives: (Medical devices 93/42/EEC; In vitro diagnostic medical devices 98/79/EC; Active implantable medical devices 90/385/EEC)
  - The forth group consists of three Directives: (Appliances burning gaseous fuels 90/396/EEC; Personal protective equipment (PPE) 89/686/EEC; Machinery 98/37/EC)
  - The fifth group consists of four Directives: (Safety of toys 88/378/EEC; Construction products 89/106/EEC; Non-automatic weighing instruments 90/384/EEC; Measuring instruments 2004/22/EC)
  - Directives of the First Group are envisaged to be incorporated during the first 36 months period after the adoption of the Strategy and the Programme

- Other Groups will be adopted after the incorporation ot the First Group and it will become more detiled in the Sub-Programme of Incorporation of the New Approach and the Global Approach Directives.

Based on the Operational Conclusions, made after the Expert meeting (Brussels, CHAR 9/214, 26 November 2009) COM services checked the practicability of the sequencing of adoption of the sectoral Technical Regulations proposed in the "Sub-Programme of Incorporation of the New Approach and the Global Approach Directives" and confirmed that this sequencing is correct.

Georgian-European Policy and Legal Advice Centre (GEPLAC) upon the request of Governmet of Georgia will prepare a Pilot Study and organise a Workshop on RIA of the following two EU directives approximation:

1. Low Voltage Directive
2. Electromagnetic Compatibility Directive

Also a short RIA paper will be prepared on the potential issues arising while approximating with Lift Directive.

The Pilot Study will identify the differences between existing Georgian and European legislation and institutional arrangement.

However, these results are not to be deemed as final*(except the 1 Group)*, the Government of Georgia plans to carry out more complex RIA and based on empirical and survey based evidence would revisit the sequence of incorporation of Directives into the national legislation. The proposed sequence of incorporation might also be revised based on local production needs and changing trade trends to best serve free trade in Georgia.

Group # Incorporation Period		#	Consolidated Version of the Directive
I Group [36] months	I Sub-Group	1	Cableway Installations Designed to Carry Persons 2000/9/EC
		2	Lifts 95/16/EC
	II Sub-Group	3	Pressure Equipment 97/23/EC
		4	Efficiency Requirements for New Hot-water Boilers Fired with Liquid or Gaseous Fuels 92/42/EEC
		5	Simple Pressure Vessels 87/404/EEC
	III Sub-Group	6	Recreational Craft 94/25/EC
II Group	I Sub-Group	7	Explosives for Civil Uses 93/15/EEC
		8	Equipment Explosive Atmospheres (ATEX) 94/9/EC
	II Sub-Group	9	Radio Equipment and Telecommunications Terminal Equipment and the Mutual Recognition of their Conformity 1999/5/EC
		10	Electromagnetic Compatibility (EMC) 2004/108/EC
		11	Low Voltage 2006/95/EC
III Group		12	Medical Devices 93/42/EEC
		13	In Vitro Diagnostic Medical Devices 98/79/EC
		14	Active Implantable Medical Devices 90/385/EEC
IV Group		15	Appliances Burning Gaseous Fuels 90/396/EEC
		16	Personal Protective Equipment (PPE) 89/686/EEC
		17	Machinery 98/37/EC
V Group		18	Safety of Toys 88/378/EEC
		19	Construction Products 89/106/EEC
		20	Non-automatic Weighing Instruments 90/384/EEC
		21	Measuring Instruments 2004/22/EC

Group 1. Implementatiom Time Table

#	Directive	Incorporation time (months)[3]																																		
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
1	Cableway Installations Designed to Carry Persons 2000/9/EC																																				
2	Lifts 95/16/EC																																				
3	Pressure Equipment 97/23/EC																																				
4	Efficiency Requirements for New Hot-water Boilers Fired with Liquid or Gaseous Fuels 92/42/EEC																																				
5	Simple Pressure Vessels 87/404/EEC																																				
6	Recreational Craft 94/25/EC																																				

[3] Time counting starts after the adoption of the Strategy and the Programme

Group I (6 Directives)

Sub-Group 1 (2 Directives)

2000/9/EC Cableway Installations Designed to Carry Persons

Directive	Relevant harmonised Standards	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
			Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
2000/9/EC	EN 1709:2004 EN 1908:2004 EN 1909:2004 EN 12385-8:2002 EN 12385-9:2002 EN 12397:2004 EN 12927-1:2004 EN 12927-2:2004 EN 12927-3:2004 EN 12927-4:2004 EN 12927-5:2004 EN 12927-6:2004 EN 12927-7:2004 EN 12927-8:2004 EN 12929-1:2004 EN 12929-2:2004 EN 12930:2004 EN 13107:2004 EN 13223:2004 EN 13243:2004/AC: 2005 EN 13796-1:2005 EN 13796-1:2005/AC:2007 EN 13796-2:2005 EN 13796-3:2005	Ministry of Economic Development Ministry of Regional Development and Infrastructure	Ministry of Environmental Protection and Natural Resources Department of tourism and resorts Technical and Construction Inspection Agency National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers, users Ltd "bagirgza"	Decree of the Head of the State Inspection of Technical Supervision #22, from July 17, 2003 year on "Rules of Registration of Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #21, from July 17, 2003 on "Technical Exploration and Registration of Incidents without Casualties Caused in Hazardous Industrial Enterprises"	Legal base for adoption of the Technical Regulation throught [Code on Safety and Free Movement of Products] Adoption of the Technical Regulation throught Government Resolution Adoption of harmonised standards as national standards through registration thereof in the registry of standards using cover page method on the base of internal order of the Director General of GEOSTM, in accordance with international practice and rules (ISO guide 21, WTO TBT annex 3)	Budget of the Ministry of Economic Development + Technical Assistance	**0**	**12**

European Parliament and Council Directive 2000/9/EC relating to cableway installations designed to carry passengers (OJ L 106, 2000-05-03)				
ESO	**Reference and title of the harmonised standard (and reference document)**	**Reference of superseded standard**	**Date of cessation of presumption of conformity of superseded standard**	Date of first publication in OJ
CEN	EN 1709:2004 Safety requirements for cableway installations designed to carry persons - Precommissioning inspection, maintenance, operational inspection and checks	-		C 100 of 2005-04-26
CEN	EN 1908:2004 Safety requirements for cableway installations designed to carry persons - Tensioning devices	-		C 100 of 2005-04-26
CEN	EN 1909:2004 Safety requirements for cableway installations designed to carry persons - Recovery and evacuation	-		C 100 of 2005-04-26
CEN	EN 12385-8:2002 Steel wire ropes - Safety - Part 8: Stranded hauling and carrying-hauling ropes for cableway installations designed to carry persons	-		C 97 of 2003-04-24
CEN	EN 12385-9:2002 Steel wire ropes - Safety - Part 9: Locked coil carrying ropes for cableway installations designed to carry persons	-		C 97 of 2003-04-24
CEN	EN 12397:2004 Safety requirements for cableway installations designed to carry persons - Operation	-		C 100 of 2005-04-26
CEN	EN 12927-1:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 1: Selection criteria for ropes and their end fixings	-		C 100 of 2005-04-26
CEN	EN 12927-2:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 2: Safety factors	-		C 100 of 2005-04-26
CEN	EN 12927-3:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 3: Long splicing of 6 strand hauling, carrying hauling and towing ropes	-		C 100 of 2005-04-26
CEN	EN 12927-4:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 4: End fixings	-		C 100 of 2005-04-26
CEN	EN 12927-5:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 5: Storage, transportation, installation and tensioning	-		C 100 of 2005-04-26
CEN	EN 12927-6:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 6: Discard criteria	-		C 100 of 2005-04-26
CEN	EN 12927-7:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 7: Inspection, repair and maintenance	-		C 100 of 2005-04-26
CEN	EN 12927-8:2004 Safety requirements for cableway installations designed to carry persons - Ropes - Part 8: Magnetic rope testing (MRT)	-		C 100 of 2005-04-26
CEN	EN 12929-1:2004 Safety requirements for cableway installations designed to carry persons - General requirements - Part 1: Requirements for all installations	-		C 100 of 2005-04-26
CEN	EN 12929-2:2004 Safety requirements for cableway installations designed to carry persons - General requirements - Part 2: Additional requirements for reversible bicable aerial ropeways without carrier truck brakes	-		C 100 of 2005-04-26
CEN	EN 12930:2004 Safety requirements for cableway installations designed to carry persons - Calculations	-		C 100 of 2005-04-26

CEN	EN 13107:2004 Safety requirements for cableway installations designed to carry persons - Civil engineering works	-		C 100 of 2005-04-26
CEN	EN 13223:2004 Safety requirements for cableway installations designed to carry persons - Drive systems and other mechanical equipment	-		C 100 of 2005-04-26
CEN	EN 13243:2004 Safety requirements for cableway installations designed to carry persons - Electrical equipment other than for drive systems	-		C 100 of 2005-04-26
	EN 13243:2004/AC:2005			C 230 of 2005-09-20
CEN	EN 13796-1:2005 Safety requirements for cableway installations designed to carry persons - Carriers - Part 1: Grips, carrier trucks, on-board brakes, cabins, chairs, carriages, maintenance carriers, tow-hangers	-		C 230 of 2005-09-20
	EN 13796-1:2005/AC:2007			C 271 of 2007-11-14
CEN	EN 13796-2:2005 Safety requirements for cableway installations designed to carry persons - Carriers - Part 2: Slipping resistance test for grips	-		C 230 of 2005-09-20
CEN	EN 13796-3:2005 Safety requirements for cableway installations designed to carry persons - Carriers - Part 3: Fatigue tests	-		C 230 of 2005-09-20

(1) ESO: European Standardisation Organisation

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ("dow"), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise

(*) Date from which compliance with the national standard adopted pursuant to the adoption of this harmonised standard enables to invoke, subject to the provisions of article 5 of the Directive, a presumption of compliance with the essential requirements the national standard covers.

95/16/EC Lifts

Directive	Relevant Harmonised Standards	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
			Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
95/16/EC	EN 81-1:1998 EN 81-1:1998/A1:2005 EN 81-1:1998/A2:2004 EN 81-1:1998/AC:1999 EN 81-2:1998 EN 81-2:1998/A1:2005 EN 81-2:1998/A2:2004 EN 81-2:1998/AC:1999 EN 81-21:2009 EN 81-28:2003 EN 81-58:2003 EN 81-70:2003 EN 81-70:2003/A1:2004 EN 81-71:2005+A1:2006 EN 81-72:2003 EN 81-73:2005 EN 12016:2004+A1:2008 EN 12016:2004+A1:2008 EN 12385-5:2002 EN 12385-5:2002/AC:2005 EN 13015:2001+A1:2008 EN 13411-7:2006+A1:2008	Ministry of Economic Development	Technical and Construction Inspection Agency National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology Tbilisi, Kutaisi and Batumi Municipalities	Georgian Technical University Importers and users	Georgian Law "on Safety of hazardous Industrial facilities" Rules of safety for arrangement and application of Lifts (approved by the Supervision of Safety of Works in Industry under the USSR Council of Ministers and the State Committee of Mining Supervision on 26.01.1971) Decree of the Head of the State Inspection of Technical Supervision #20, from July 17, 2003 on "The rule of performing technical safety expertise of hazardous industrial facilities" Decree of the Head of the State Inspection of Technical Supervision #21, from July 17, 2003 on "Technical Exploration and Registration of Incidents without Casualties Caused in Hazardous Industrial Enterprises" Decree of the Head of the State Inspection of Technical Supervision #22, from July 17, 2003 year on "Rules of Registration of Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #8, from March 28, 2002 on "Safety Rules in Operation of Air in Enterprises and Household" Georgian Government Resolution #227, from December 20, 2005 "On appporval of the Statute of Technical Supervision State Inspection of Georgia" Decree of the Head of the State Inspection of Technical Supervision #35, from October 21, 2003 on "On License certificate form on activity related to hazardous industrial facilities"	Legal base for adoption of the Technical Regulation throught [Code on Safety and Free Movement of Products] Adoption of the Technical Regulation throught Government Resolution Adoption of harmonised standards as national standards through registration thereof in the registry of standards using cover page method on the base of internal order of the Director General of GEOSTM, in accordance with international practice and rules (ISO guide 21, WTO TBT annex 3)	Budget of the Ministry of Economic Development + Technical Assistance	**0**	**12**

Directive 95/16/EC of the European Parliament and of the Council of 29 June 1995 on the approximation of the laws of the Member States relating to lifts				
ESO	**Reference and title of the Harmonised standard (and reference document)**	First publication OJ	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard
CEN	EN 81-1:1998 Safety rules for the construction and installation of lifts - Part 1: Electric lifts	31/03/1999		
	EN 81-1:1998/A1:2005	02/08/2006	Note 3	Date expired (02/08/2006)
	EN 81-1:1998/A2:2004	06/08/2005	Note 3	Date expired (06/08/2005)
	EN 81-1:1998/AC:1999	08/09/2009		
Note 4 EN 81-28:2003 supersedes partly clause 14.2.3 of EN 81-1 and EN 81-2 with regard to alarm systems and EN 81-1 and EN 81-2 would be modified accordingly at the next revision.				
CEN	EN 81-2:1998 Safety rules for the construction and installation of lifts - Part 2: Hydraulic lifts	31/03/1999		
	EN 81-2:1998/A1:2005	02/08/2006	Note 3	Date expired (02/08/2006)
	EN 81-2:1998/A2:2004	06/08/2005	Note 3	Date expired (06/08/2005)
	EN 81-2:1998/AC:1999	08/09/2009		
Note 4 EN 81-28:2003 supersedes partly clause 14.2.3 of EN 81-1 and EN 81-2 with regard to alarm systems and EN 81-1 and EN 81-2 would be modified accordingly at the next revision.				
CEN	EN 81-21:2009 Safety rules for the construction and installation of lifts - Lifts for the transport of persons and goods - Part 21: New passenger and goods passenger lifts in existing buiilding	This is the first publication		
CEN	EN 81-28:2003 Safety rules for the construction and installation of lifts - Lifts for the transport of persons and goods - Part 28: Remote alarm on passenger and goods passenger lifts	10/02/2004		
Note 4 EN 81-28:2003 supersedes partly clause 14.2.3 of EN 81-1 and EN 81-2 with regard to alarm systems and EN 81-1 and EN 81-2 would be modified accordingly at the next revision.				
CEN	EN 81-58:2003 Safety rules for the construction and installation of lifts - Examination and tests - Part 58: Landing doors fire resistance test	10/02/2004		
CEN	EN 81-70:2003 Safety rules for the construction and installations of lifts - Particular applications for passenger and good passengers lifts - Part 70: Accessibility to lifts for persons including persons with disability	06/08/2005		
	EN 81-70:2003/A1:2004	06/08/2005	Note 3	
CEN	EN 81-71:2005+A1:2006 Safety rules for the construction and installation of lifts - Particular applications to passenger lifts and goods passenger lifts - Part 71: Vandal resistant lifts	11/10/2007	EN 81-71:2005 Note 2.1	Date expired (11/10/2007)
CEN	EN 81-72:2003 Safety rules for the construction and installation of lifts - Particular applications for passenger and goods passenger lifts - Part 72: Firefighters lifts	10/02/2004		
CEN	EN 81-73:2005 Safety rules for the construction and installation of lifts - Particular applications for passenger and goods passenger lifts - Part 73: Behaviour of lifts in the event of fire	02/08/2006		
CEN	EN 12016:2004+A1:2008 Electromagnetic compatibility - Product family standard for lifts, escalators and moving walks - Immunity	28/10/2008	EN 12016:2004 Note 2.1	28/12/2009
CEN	EN 12385-3:2004+A1:2008 Steel wire ropes - Safety - Part 3: Information for use and maintenance	28/10/2008	EN 12385-3:2004 Note 2.1	28/12/2009
CEN	EN 12385-5:2002	06/08/2005		

	Steel wire ropes - Safety - Part 5: Stranded ropes for lifts			
	EN 12385-5:2002/AC:2005	08/09/2009		
CEN	EN 13015:2001+A1:2008 Maintenance for lifts and escalators - Rules for maintenance instructions	28/10/2008	EN 13015:2001 Note 2.1	28/12/2009
CEN	EN 13411-7:2006+A1:2008 Terminations for steel wire ropes - Safety - Part 7: Symmetric wedge socket	08/09/2009	EN 13411-7:2006 Note 2.1	28/12/2009

(1) ESO: European Standardisation Organisation

(*) Date from which the use of this standard guarantees a presumption of conformity to the essential requirements it covers.

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ("dow"), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

Note 2.1: The new (or amended) standard has the same scope as the superseded standard. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

Note 2.2: The new standard has a broader scope than the superseded standard. On the date stated the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

Note 2.3: The new standard has a narrower scope than the superseded standard. On the date stated the (partially) superseded standard ceases to give presumption of conformity with the essential requirements of the directive for those products that fall within the scope of the new standard. Presumption of conformity with the essential requirements of the directive for products that still fall within the scope of the (partially) superseded standard, but that do not fall within the scope of the new standard, is unaffected.

Note 3: In case of amendments, the referenced standard is EN CCCCC:YYYY, its previous amendments, if any, and the new, quoted amendment. The superseded standard (column 4) therefore consists of EN CCCCC:YYYY and its previous amendments, if any, but without the new quoted amendment. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

Sub-Group 2 (3 Directives)
97/23/EC Pressure Equipment

Directive	Relevant Harmonised Standards	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
			Govern mental	Non Govern mental				Starting Date (month)	Ending Date (month)
97/23/EC	EN 3-8:2006/AC:2007 EN 19:2002 EN 287-1:2004 EN 287-1:2004/A2:2006 EN 287-1:2004/AC:2004 EN 334:2005+A1:2009 EN 378-2:2008+A1:2009 EN 473:2008 EN 593:2009 EN 676:2003+A2:2008 EN 676:2003+A2:2008/AC:2008 EN 764-5:2002 EN 764-7:2002 EN 764-7:2002/AC:2006 EN 1057:2006 EN 1092-1:2007 EN 1092-3:2003 EN 1092-3:2003/AC:2007 EN 1092-4:2002 EN 1171:2002 EN 1252-1:1998 EN 1252-1:1998/AC:1998 EN 1252-2:2001 EN 1349:2000 EN 1349:2000/AC:2001 EN 1562:1997 EN 1562:1997/A1:2006 EN 1563:1997 EN 1563:1997/A1:2002 EN 1563:1997/A2:2005 EN 1564:1997 EN 1564:1997/A1:2006 EN 1591-1:2001+A1:2009 EN 1626:2008 EN 1653:1997 EN 1653:1997/A1:2000 EN 1759-3:2003 EN 1759-3:2003/AC:2004 EN 1759-4:2003 EN 1797:2001 EN 1866:2005 EN 1983:2006 EN 1984:2000 EN ISO 4126-1:2004 EN ISO 4126-1:2004/AC:2006 EN ISO 4126-3:2006 EN ISO 4126-4:2004 EN ISO 4126-5:2004 EN ISO 4126-5:2004/AC:2008 EN ISO 9606-2:2004 EN ISO 9606-3:1999 EN ISO 9606-4:1999 EN ISO 9606-5:2000 EN 10028-1:2007+A1:2009 EN 10028-2:2009 EN 10028-3:2009 EN 10028-4:2009 EN 10028-5:2009 EN 10028-6:2009 EN 10028-7:2007 EN 10204:2004 EN 10213:2007 EN 10213:2007/AC:2008 EN 10216-1:2002 EN 10216-1:2002/A1:2004 EN 10216-2:2002+A2:2007 EN 10216-3:2002 EN 10216-3:2002/A1:2004 EN 10216-4:2002 EN 10216-4:2002/A1:2004 EN 10216-5:2004 EN 10216-5:2004/AC:2008 EN 10217-1:2002 EN 10217-1:2002/A1:2005 EN 10217-2:2002 EN 10217-2:2002/A1:2005 EN 10217-3:2002 EN 10217-3:2002/A1:2005 EN 10217-4:2002 EN 10217-4:2002/A1:2005 EN 10217-5:2002 EN 10217-5:2002/A1:2005 EN 10217-6:2002 EN 10217-6:2002/A1:2005 EN 10217-7:2005 EN 10222-1:1998 EN 10222-1:1998/A1:2002 EN 10222-2:1999 EN 10222-2:1999/AC:2000 EN 10222-3:1998 EN 10222-4:1998 EN 10222-4:1998/A1:2001 EN 10222-5:1999 EN 10222-5:1999/AC:2000 EN 10253-2:2007 EN 10253-4:2008 EN 10253-4:2008/AC:2009 EN 10269:1999 EN 10269:1999/A1:2006 EN 10269:1999/A1:2006/AC:2008 EN 10272:2007 EN 10273:2007 EN 10305-4:2003 EN 10305-6:2005 EN ISO 10931:2005 EN 12178:2003 EN 12263:1998 EN 12266-1:2003 EN 12284:2003 EN 12288:2003 EN 12334:2001 EN 12334:2001/A1:2004 EN 12334:2001/AC:2002 EN 12392:2000 EN 12420:1999 EN 12434:2000 EN 12434:2000/AC:2001 EN 12451:1999 EN 12452:1999 EN 12516-1:2005 EN 12516-1:2005/AC:2007 EN 12516-2:2004 EN 12516-3:2002 EN 12516-3:2002/AC:2003 EN 12516-4:2008 EN 12542:2002 EN 12542:2002/A1:2004 EN 12735-1:2001 EN 12735-1:2001/A1:2005 EN 12735-2:2001 EN 12735-2:2001/A1:2005 EN 12778:2002 EN 12778:2002/A1:2005 EN 12778:2002/AC:2003 EN 12952-1:2001 EN 12952-2:2001 EN 12952-3:2001 EN 12952-5:2001 EN 12952-6:2002 EN 12952-7:2002 EN 12952-8:2002 EN 12952-9:2002 EN 12952-10:2002 EN 12952-11:2007 EN 12952-14:2004 EN 12952-16:2002 EN 12953-1:2002 EN 12953-2:2002 EN 12953-3:2002 EN 12953-4:2002 EN 12953-5:2002 EN 12953-6:2002 EN 12953-7:2002 EN 12953-8:2001 EN 12953-8:2001/AC:2002 EN 12953-9:2007 EN 12953-12:2003 EN 13121-1:2003 EN 13121-2:2003 EN 13121-3:2008 EN 13133:2000 EN 13134:2000 EN 13136:2001 EN 13136:2001/A1:2005 EN 13175:2003+A2:2007 EN 13348:2008 EN 13371:2001 EN 13397:2001 EN 13445-1:2009 EN 13445-2:2009 EN 13445-3:2009 EN 13445-4:2009 EN 13445-5:2009 EN 13445-6:2009 EN 13445-8:2009 EN 13458-1:2002 EN 13458-2:2002 EN 13458-2:2002/AC:2006 EN 13458-3:2003 EN 13458-3:2003/A1:2005 EN 13480-1:2002 EN 13480-1:2002/A1:2005 EN 13480-1:2002/A2:2008 EN 13480-2:2002 EN 13480-3:2002 EN 13480-3:2002/A1:2005 EN 13480-3:2002/A2:2006 EN 13480-3:2002/A3:2009 EN 13480-4:2002 EN 13480-5:2002 EN 13480-6:2004 EN 13480-6:2004/A1:2005 EN 13480-8:2007 EN 13611:2007 EN 13648-1:2008 EN 13648-2:2002 EN 13648-3:2002 EN 13709:2002 EN 13789:2002 EN 13799:2002 EN 13799:2002/AC:2007 EN 13831:2007 EN 13835:2002 EN 13835:2002/A1:2006 EN 13923:2005 EN 14071:2004 EN 14075:2002 EN 14075:2002/A1:2004 EN 14129:2004 EN 14197-1:2003 EN 14197-2:2003 EN 14197-2:2003/A1:2006 EN 14197-2:2003/AC:2006 EN 14197-3:2004 EN 14197-3:2004/A1:2005 EN 14197-3:2004/AC:2004 EN 14222:2003 EN 14276-1:2006 EN 14276-2:2007 EN 14341:2006 EN 14359:2006 EN 14382:2005+A1:2009 EN 14382:2005+A1:2009/AC:2009 EN 14394:2005+A1:2008 EN 14570:2005 EN 14570:2005/A1:2006 EN 14585-1:2006 EN 14917:2009 EN 15001-1:2009 EN ISO 15493:2003 EN ISO 15494:2003 EN ISO 15613:2004 EN ISO 15614-1:2004 EN ISO 15614-1:2004/A1:2008 EN ISO 15614-2:2005 EN ISO 15614-2:2005/AC:2009 EN ISO 15614-4:2005 EN ISO 15614-4:2005/AC:2007 EN ISO 15614-5:2004 EN ISO 15614-6:2006 EN ISO 15614-7:2007 EN ISO 15614-8:2002 EN ISO 15614-11:2002 EN ISO 15620:2000 EN ISO 16135:2006 EN ISO 16136:2006 EN ISO 16137:2006 EN ISO 16138:2006 EN ISO 16139:2006 EN ISO 21787:2006	Ministry of Economic Development	Technical and Construction Inspection Agency National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	Decree of the Head of the State Inspection of Technical Supervision #37, from November 19, 2003 on "Rules of Safety in the Station of the Natural Gas for Automobiles" Decree of the Head of the State Inspection of Technical Supervision #20, from July 17, 2003 on "Rules of Technical Safety Examination in the Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #21, from July 17, 2003 on "Technical Exploration and Registration of Incidents without Casualties Caused in Hazardous Industrial Enterprises" Decree of the Head of the State Inspection of Technical Supervision #22, from July 17, 2003 on "Rules of Registration of Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #8, from March 28, 2002 on "Safety Rules in Operation of Air in Enterprises and Household" Decree of Head of technical supervision inspection #11 from March 28, 2002 on "The rule of instalation of gaseus fuel sistem for automotive transport in Georgia"	Legal base for adoption of the Technical Regulation throught [Code on Safety and Free Movement of Products] Adoption of the Technical Regulation throught Government Resolution Adoption of harmonised standards as national standards through registration thereof in the registry of standards using cover page method on the base of internal order of the Director General of GEOSTM, in accordance with international practice and rules (ISO guide 21, WTO TBT annex 3)	Budget of the Ministry of Economic Development + Technical Assistance	**12**	**30**

Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment (OJ No L 181 of 1997-07-09)			
ESO	**Reference and title of the Harmonised standard (and reference document)**	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard
CEN	EN 3-8:2006 Portable fire extinguishers - Part 8: Additional requirements to EN 3-7 for the construction, resistance to pressure and mechanical tests for extinguishers with a maximum allowable pressure equal to or lower than 30 bar		
	EN 3-8:2006/AC:2007		
CEN	EN 19:2002 Industrial valves - Marking of metallic valves		
CEN	EN 287-1:2004 Qualification test of welders - Fusion welding - Part 1: Steels		
	EN 287-1:2004/A2:2006		Date expired (30/09/2006)
	EN 287-1:2004/AC:2004		
CEN	EN 334:2005+A1:2009 Gas pressure regulators for inlet pressures up to 100 bar	EN 334:2005	31/07/2009
CEN	EN 378-2:2008+A1:2009 Refrigerating systems and heat pumps - Safety and environmental requirements - Part 2: Design, construction, testing, marking and documentation	EN 378-2:2008 Note 2.1	28/12/2009
CEN	EN 473:2008 Non-destructive testing - Qualification and certification of NDT personnel - General principles	EN 473:2000 Note 2.1	Date expired (31/12/2008)
CEN	EN 593:2009 Industrial valves - Metallic butterfly valves	EN 593:2004 Note 2.1	31/12/2009
CEN	EN 676:2003+A2:2008 Automatic forced draught burners for gaseous fuels		
	EN 676:2003+A2:2008/AC:2008		
CEN	EN 764-5:2002 Pressure Equipment - Part 5: Compliance and Inspection Documentation of Materials		
CEN	EN 764-7:2002 Pressure equipment - Part 7: Safety systems for unfired pressure equipment		
	EN 764-7:2002/AC:2006		
CEN	EN 1057:2006 Copper and copper alloys - Seamless, round copper tubes for water and gas in sanitary and heating applications		
CEN	EN 1092-1:2007 Flanges and their joints - Circular flanges for pipes, valves, fittings and accessories, PN designated - Part 1: Steel flanges		
CEN	EN 1092-3:2003 Flanges and their joints - Circular flanges for pipes, valves, fittings and accessories, PN designated - Part 3: Copper alloy flanges		
	EN 1092-3:2003/AC:2007		
CEN	EN 1092-4:2002 Flanges and their joints - Circular flanges for pipes, valves, fittings and accessories, PN designated - Part 4: Aluminium alloy flanges		
CEN	EN 1171:2002 Industrial valves - Cast iron gate valves		
CEN	EN 1252-1:1998		

	Cryogenic vessels - Materials - Part 1: Toughness requirements for temperatures below -80°C		
	EN 1252-1:1998/AC:1998		
CEN	EN 1252-2:2001 Cryogenic vessels - Materials - Part 2: Toughness requirements for temperatures between -80°C and -20°C		
CEN	EN 1349:2000 Industrial process control valves		
	EN 1349:2000/AC:2001		
CEN	EN 1562:1997 Founding - Malleable cast irons		
	EN 1562:1997/A1:2006	Note 3	Date expired (31/12/2006)
CEN	EN 1563:1997 Founding - Spheroidal graphite cast irons		
	EN 1563:1997/A1:2002	Note 3	Date expired (30/11/2002)
	EN 1563:1997/A2:2005	Note 3	Date expired (31/01/2006)
CEN	EN 1564:1997 Founding - Austempered ductile cast irons		
	EN 1564:1997/A1:2006	Note 3	Date expired (31/07/2006)
CEN	EN 1591-1:2001+A1:2009 Flanges and their joints - Design rules for gasketed circular flange connections - Part 1: Calculation method	EN 1591-1:2001 Note 2.1	30/09/2009
CEN	EN 1626:2008 Cryogenic vessels - Valves for cryogenic service	EN 1626:1999 Note 2.1	31/05/2009
CEN	EN 1653:1997 Copper and copper alloys - Plate, sheet and circles for boilers, pressure vessels and hot water storage units		
	EN 1653:1997/A1:2000	Note 3	Date expired (28/02/2001)
CEN	EN 1759-3:2003 Flanges and their joints - Circular flanges for pipes, valves, fittings and accessories, Class designated - Part 3: Copper alloy flanges		
	EN 1759-3:2003/AC:2004		
CEN	EN 1759-4:2003 Flanges and their joint - Circular flanges for pipes, valves, fittings and accessories, class designated - Part 4: Aluminium alloy flanges		
CEN	EN 1797:2001 Cryogenic vessels - Gas/material compatibility	EN 1797-1:1998 Note 2.1	Date expired (31/01/2002)
CEN	EN 1866:2005 Mobile fire extinguishers		
CEN	EN 1983:2006 Industrial valves - Steel ball valves		
CEN	EN 1984:2000 Industrial valves - Steel gate valves		
CEN	EN ISO 4126-1:2004 Safety devices for protection against excessive pressure - Part 1: Safety valves (ISO 4126-1:2004)		
	EN ISO 4126-1:2004/AC:2006		
CEN	EN ISO 4126-3:2006 Safety devices for protection against excessive pressure - Part 3: Safety valves and bursting disc safety devices in combination (ISO 4126-3:2006)		
CEN	EN ISO 4126-4:2004 Safety devices for protection against excessive pressure - Part 4: Pilot operated safety valves (ISO 4126-4:2004)		
CEN	EN ISO 4126-5:2004		

	Safety devices for protection against excessive pressure - Part 5: Controlled safety pressure relief systems (CSPRS) (ISO 4126-5:2004)		
	EN ISO 4126-5:2004/AC:2008		
CEN	EN ISO 9606-2:2004 Qualification test of welders - Fusion welding - Part 2: Aluminium and aluminium alloys (ISO 9606-2:2004)		
CEN	EN ISO 9606-3:1999 Approval testing of welders - Fusion welding - Part 3: Copper and copper alloys (ISO 9606-3:1999)		
CEN	EN ISO 9606-4:1999 Approval testing of welders - Fusion welding - Part 4: Nickel and nickel alloys (ISO 9606-4:1999)		
CEN	EN ISO 9606-5:2000 Approval testing of welders - Fusion welding - Part 5: Titanium and titanium alloys, zirconium and zirconium alloys (ISO 9606-5:2000)		
CEN	EN 10028-1:2007+A1:2009 Flat products made of steels for pressure purposes - Part 1: General requirements	EN 10028-1:2007 Note 2.1	31/10/2009
CEN	EN 10028-2:2009 Flat products made of steels for pressure purposes - Part 2: Non-alloy and alloy steels with specified elevated temperature properties	EN 10028-2:2003 Note 2.1	31/12/2009
CEN	EN 10028-3:2009 Flat products made of steels for pressure purposes - Part 3: Weldable fine grain steels, normalized	EN 10028-3:2003 Note 2.1	31/12/2009
CEN	EN 10028-4:2009 Flat products made of steels for pressure purposes - Part 4: Nickel alloy steels with specified low temperature properties	EN 10028-4:2003 Note 2.1	31/12/2009
CEN	EN 10028-5:2009 Flat products made of steels for pressure purposes - Part 5: Weldable fine grain steels, thermomechanically rolled	EN 10028-5:2003 Note 2.1	31/12/2009
CEN	EN 10028-6:2009 Flat products made of steels for pressure purposes - Part 6: Weldable fine grain steels, quenched and tempered	EN 10028-6:2003 Note 2.1	31/12/2009
CEN	EN 10028-7:2007 Flat products made of steels for pressure purposes - Part 7: Stainless steels	EN 10028-7:2000 Note 2.1	Date expired (30/06/2008)
CEN	EN 10204:2004 Metallic products - Types of inspection documents		
CEN	EN 10213:2007 Steel castings for pressure purposes	EN 10213-3:1995 EN 10213-4:1995 EN 10213-2:1995 EN 10213-1:1995 Note 2.1	Date expired (31/05/2008)
	EN 10213:2007/AC:2008		
CEN	EN 10216-1:2002 Seamless steel tubes for pressure purposes - Technical delivery conditions - Part 1: Non-alloy steel tubes with specified room temperature properties		
	EN 10216-1:2002/A1:2004	Note 3	Date expired (30/09/2004)
CEN	EN 10216-2:2002+A2:2007 Seamless steel tubes for pressure purposes - Technical delivery conditions - Part 2: Non-alloy and alloy steel tubes with specified elevated temperature properties	EN 10216-2:2002 Note 2.1	Date expired (29/02/2008)
CEN	EN 10216-3:2002 Seamless steel tubes for pressure purposes - Technical delivery conditions - Part 3: Alloy fine grain steel tubes		
	EN 10216-3:2002/A1:2004	Note 3	Date expired (30/09/2004)
CEN	EN 10216-4:2002 Seamless steel tubes for pressure purposes - Technical delivery conditions - Part 4: Non-alloy and alloy steel tubes with specified low temperature properties		
	EN 10216-4:2002/A1:2004	Note 3	Date expired (30/09/2004)
CEN	EN 10216-5:2004 Seamless steel tubes for pressure purposes - Technical delivery conditions - Part 5: Stainless steel tubes		

	EN 10216-5:2004/AC:2008		
CEN	EN 10217-1:2002 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 1: Non-alloy steel tubes with specified room temperature properties		
	EN 10217-1:2002/A1:2005	Note 3	Date expired (31/07/2005)
CEN	EN 10217-2:2002 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 2: Electric welded non-alloy and alloy steel tubes with specified elevated temperature properties		
	EN 10217-2:2002/A1:2005	Note 3	Date expired (31/07/2005)
CEN	EN 10217-3:2002 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 3: Alloy fine grain steel tubes		
	EN 10217-3:2002/A1:2005	Note 3	Date expired (31/07/2005)
CEN	EN 10217-4:2002 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 4: Electric welded non-alloy steel tubes with specified low temperature properties		
	EN 10217-4:2002/A1:2005	Note 3	Date expired (31/07/2005)
CEN	EN 10217-5:2002 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 5: Submerged arc welded non-alloy and alloy steel tubes with specified elevated temperature properties		
	EN 10217-5:2002/A1:2005	Note 3	Date expired (31/07/2005)
CEN	EN 10217-6:2002 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 6: Submerged arc welded non-alloy steel tubes with specified low temperature properties		
	EN 10217-6:2002/A1:2005	Note 3	Date expired (31/07/2005)
CEN	EN 10217-7:2005 Welded steel tubes for pressure purposes - Technical delivery conditions - Part 7: Stainless steel tubes		
CEN	EN 10222-1:1998 Steel forgings for pressure purposes - Part 1: General requirements for open die forgings		
	EN 10222-1:1998/A1:2002	Note 3	Date expired (31/10/2002)
CEN	EN 10222-2:1999 Steel forgings for pressure purposes - Part 2: Ferritic and martensitic steels with specified elevated temperature properties		
	EN 10222-2:1999/AC:2000		
CEN	EN 10222-3:1998 Steel forgings for pressure purposes - Part 3: Nickel steels with specified low temperature properties		
CEN	EN 10222-4:1998 Steel forgings for pressure purposes - Part 4: Weldable fine grain steels with high proof strength		
	EN 10222-4:1998/A1:2001	Note 3	Date expired (31/01/2002)
CEN	EN 10222-5:1999 Steel forgings for pressure purposes - Part 5: Martensitic, austenitic and austenitic-ferritic stainless steels		
	EN 10222-5:1999/AC:2000		
CEN	EN 10253-2:2007 Butt-welding pipe fittings - Part 2: Non alloy and ferritic alloy steels with specific inspection requirements		
CEN	EN 10253-4:2008 Butt-welding pipe fittings - Part 4: Wrought austenitic and austenitic-ferritic (duplex) stainless steels with specific inspection requirements		
	EN 10253-4:2008/AC:2009		
CEN	EN 10269:1999 Steels and nickel alloys for fasteners with specified elevated and/or low temperature properties		

	EN 10269:1999/A1:2006	Note 3	Date expired (31/10/2006)
	EN 10269:1999/A1:2006/AC:2008		
CEN	EN 10272:2007 Stainless steel bars for pressure purposes	EN 10272:2000 Note 2.1	Date expired (30/04/2008)
CEN	EN 10273:2007 Hot rolled weldable steel bars for pressure purposes with specified elevated temperature properties	EN 10273:2000 Note 2.1	Date expired (30/06/2008)
CEN	EN 10305-4:2003 Steel tubes for precision applications - Technical delivery conditions - Part 4: Seamless cold drawn tubes for hydraulic and pneumatic power systems		
CEN	EN 10305-6:2005 Steel tubes for precision applications - Technical delivery conditions - Part 6: Welded cold drawn tubes for hydraulic and pneumatic power systems		
CEN	EN ISO 10931:2005 Plastics piping systems for industrial applications - Poly(vinylidene fluoride) (PVDF) - Specifications for components and the system (ISO 10931:2005)		
CEN	EN 12178:2003 Refrigerating systems and heat pumps - Liquid level indicating devices - Requirements, testing and marking		
CEN	EN 12263:1998 Refrigerating systems and heat pumps - Safety switching devices for limiting the pressure - Requirements and tests		
CEN	EN 12266-1:2003 Industrial valves - Testing of valves - Part 1: Pressure tests, test procedures and acceptance criteria - Mandatory requirements		
CEN	EN 12284:2003 Refrigerating systems and heat pumps - Valves - Requirements, testing and marking		
CEN	EN 12288:2003 Industrial valves - Copper alloy gate valves		
CEN	EN 12334:2001 Industrial valves - Cast iron check valves		
	EN 12334:2001/A1:2004	Note 3	Date expired (28/02/2005)
	EN 12334:2001/AC:2002		
CEN	EN 12392:2000 Aluminium and aluminium alloys - Wrought products - Special requirements for products intended for the production of pressure equipment		
CEN	EN 12420:1999 Copper and copper alloys - Forgings		
CEN	EN 12434:2000 Cryogenic vessels - Cryogenic flexible hoses		
	EN 12434:2000/AC:2001		
CEN	EN 12451:1999 Copper and copper alloys - Seamless, round tubes for heat exchangers		
CEN	EN 12452:1999 Copper and copper alloys - Rolled, finned, seamless tubes for heat exchangers		
CEN	EN 12516-1:2005 Industrial valves - Shell design strength - Part 1: Tabulation method for steel valve shells		
	EN 12516-1:2005/AC:2007		
CEN	EN 12516-2:2004 Industrial valves - Shell design strength - Part 2: Calculation method for steel valve shells		
CEN	EN 12516-3:2002 Valves - Shell design strength - Part 3: Experimental method		
	EN 12516-3:2002/AC:2003		

CEN	EN 12516-4:2008 Industrial valves - Shell design strength - Part 4: Calculation method for valve shells manufactured in metallic materials other than steel		
CEN	EN 12542:2002 Static welded steel cylindrical tanks, serially produced for the storage of Liquefied Petroleum Gas (LPG) having a volume not greater than 13m³ and for installation above ground - Design and manufacture		
	EN 12542:2002/A1:2004	Note 3	Date expired (31/05/2005)
CEN	EN 12735-1:2001 Copper and copper alloys - Seamless, round copper tubes for air conditioning and refrigeration - Part 1: Tubes for piping systems		
	EN 12735-1:2001/A1:2005	Note 3	Date expired (31/10/2005)
CEN	EN 12735-2:2001 Copper and copper alloys - Seamless, round copper tubes for air conditioning and refrigeration - Part 2: Tubes for equipment		
	EN 12735-2:2001/A1:2005	Note 3	Date expired (31/10/2005)
CEN	EN 12778:2002 Cookware - Pressure cookers for domestic use		
	EN 12778:2002/A1:2005	Note 3	Date expired (31/12/2005)
	EN 12778:2002/AC:2003		
CEN	EN 12952-1:2001 Water-tube boilers and auxiliary installations - Part 1: General		
CEN	EN 12952-2:2001 Water-tube boilers and auxiliary installations - Part 2: Materials for pressure parts of boilers and accessories		
CEN	EN 12952-3:2001 Water-tube boilers and auxilliary installations - Part 3: Design and calculation for pressure parts		
CEN	EN 12952-5:2001 Water-tube boilers and auxiliary installations - Part 5: Workmanship and construction of pressure parts of the boiler		
CEN	EN 12952-6:2002 Water-tube boilers and auxiliary installations - Part 6: Inspection during construction; documentation and marking of pressure parts of the boiler		
CEN	EN 12952-7:2002 Water-tube boilers and auxiliary installations - Part 7: Requirements for equipment for the boiler		
CEN	EN 12952-8:2002 Water-tube boilers and auxiliary installations - Part 8: Requirements for firing systems for liquid and gaseous fuels for the boiler		
CEN	EN 12952-9:2002 Water-tube boilers and auxiliary installations - Part 9: Requirements for firing systems for pulverized solid fuels for the boiler		
CEN	EN 12952-10:2002 Water-tube boilers and auxiliary installations - Part 10: Requirements for safeguards against excessive pressure		
CEN	EN 12952-11:2007 Water-tube boilers and auxiliary installations - Part 11: Requirements for limiting devices of the boiler and accessories		
CEN	EN 12952-14:2004 Water-tube boilers and auxiliary installations - Part 14: Requirements for flue gas DENOX-systems using liquefied pressurized ammonia and ammonia water solution		
CEN	EN 12952-16:2002 Water-tube boilers and auxiliary installations - Part 16: Requirements for grate and fluidized-bed firing systems for solid fuels for the boiler		
CEN	EN 12953-1:2002 Shell boilers - Part 1: General		
CEN	EN 12953-2:2002 Shell boilers - Part 2: Materials for pressure parts of boilers and accessories		

CEN	EN 12953-3:2002 Shell boilers - Part 3: Design and calculation for pressure parts		
CEN	EN 12953-4:2002 Shell boilers - Part 4: Workmanship and construction of pressure parts of the boiler		
CEN	EN 12953-5:2002 Shell boilers - Part 5: Inspection during construction, documentation and marking of pressure parts of the boiler		
CEN	EN 12953-6:2002 Shell boilers - Part 6: Requirements for equipment for the boiler		
CEN	EN 12953-7:2002 Shell boilers - Part 7 : Requirements for firing systems for liquid and gaseous fuels for the boilers		
CEN	EN 12953-8:2001 Shell boilers - Part 8: Requirements for safeguards against excessive pressure		
	EN 12953-8:2001/AC:2002		
CEN	EN 12953-9:2007 Shell boilers - Part 9: Requirements for limiting devices of the boiler and accessories		
CEN	EN 12953-12:2003 Shell boilers - Part 12: Requirements for grate firing systems for solid fuels for the boiler		
CEN	EN 13121-1:2003 GRP tanks and vessels for use above ground - Part 1: Raw materials - Specification conditions and acceptance conditions		
CEN	EN 13121-2:2003 GRP tanks and vessels for use above ground - Part 2: Composite materials - Chemical resistance		
CEN	EN 13121-3:2008 GRP tanks and vessels for use above ground - Part 3: Design and workmanship		
CEN	EN 13133:2000 Brazing - Brazer approval		
CEN	EN 13134:2000 Brazing - Procedure approval		
CEN	EN 13136:2001 Refrigerating systems and heat pumps - Pressure relief devices and their associated piping - Methods for calculation		
	EN 13136:2001/A1:2005	Note 3	Date expired (31/12/2005)
CEN	EN 13175:2003+A2:2007 LPG equipment and accessories - Specification and testing for Liquefied Petroleum Gas (LPG) tank valves and fittings	EN 13175:2003 Note 2.1	Date expired (30/09/2007)
CEN	EN 13348:2008 Copper and copper alloys - Seamless, round copper tubes for medical gases or vacuum	EN 13348:2001 Note 2.1	Date expired (28/02/2009)
CEN	EN 13371:2001 Cryogenic vessels - Couplings for cryogenic service		
CEN	EN 13397:2001 Industrial valves - Diaphragm valves made of metallic materials		
CEN	EN 13445-1:2009 Unfired pressure vessels - Part 1: General	EN 13445-1:2002 Note 2.1	31/12/2009
CEN	EN 13445-2:2009 Unfired pressure vessels - Part 2: Materials	EN 13445-2:2002 Note 2.1	31/12/2009
CEN	EN 13445-3:2009 Unfired pressure vessels - Part 3: Design	EN 13445-3:2002 Note 2.1	31/12/2009
CEN	EN 13445-4:2009	EN 13445-4:2002	31/12/2009

	Unfired pressure vessels - Part 4: Fabrication	Note 2.1	
CEN	EN 13445-5:2009 Unfired pressure vessels - Part 5: Inspection and testing	EN 13445-5:2002 Note 2.1	31/12/2009
CEN	EN 13445-6:2009 Unfired pressure vessels - Part 6: Requirements for the design and fabrication of pressure vessels and pressure parts constructed from spheroidal graphite cast iron	EN 13445-6:2002 Note 2.1	31/12/2009
CEN	EN 13445-8:2009 Unfired pressure vessels - Part 8: Additional requirements for pressure vessels of aluminium and aluminium alloys	EN 13445-8:2006 Note 2.1	31/12/2009
CEN	EN 13458-1:2002 Cryogenic vessels - Static vacuum insulated vessels - Part 1: Fundamental requirements		
CEN	EN 13458-2:2002 Cryogenic vessels - Static vacuum insulated vessels - Part 2: Design, fabrication, inspection and testing		
	EN 13458-2:2002/AC:2006		
CEN	EN 13458-3:2003 Cryogenic vessels - Static vacuum insulated vessels - Part 3: Operational requirements		
	EN 13458-3:2003/A1:2005	Note 3	Date expired (31/12/2005)
CEN	EN 13480-1:2002 Metallic industrial piping - Part 1: General		
	EN 13480-1:2002/A1:2005	Note 3	Date expired (31/12/2005)
	EN 13480-1:2002/A2:2008	Note 3	Date expired (30/11/2008)
CEN	EN 13480-2:2002 Metallic industrial piping - Part 2: Materials		
CEN	EN 13480-3:2002 Metallic industrial piping - Part 3: Design and calculation		
	EN 13480-3:2002/A1:2005	Note 3	Date expired (28/02/2006)
	EN 13480-3:2002/A2:2006	Note 3	Date expired (31/05/2007)
	EN 13480-3:2002/A3:2009	Note 3	31/07/2009
CEN	EN 13480-4:2002 Metallic industrial piping - Part 4: Fabrication and installation		
CEN	EN 13480-5:2002 Metallic industrial piping - Part 5: Inspection and testing		
CEN	EN 13480-6:2004 Metallic industrial piping - Part 6: Additional requirements for buried piping		
	EN 13480-6:2004/A1:2005	Note 3	Date expired (30/06/2006)
CEN	EN 13480-8:2007 Metallic industrial piping - Part 8: Additional requirements for aluminium and aluminium alloy piping		
CEN	EN 13611:2007 Safety and control devices for gas burners and gas burning appliances - General requirements		
CEN	EN 13648-1:2008 Cryogenic vessels - Safety devices for protection against excessive pressure - Part 1: Safety valves for cryogenic service	EN 13648-1:2002 Note 2.1	31/05/2009

CEN	EN 13648-2:2002 Cryogenic vessels - Safety devices for protection against excessive pressure - Part 2: Bursting disc safety devices for cryogenic service		
CEN	EN 13648-3:2002 Cryogenic vessels - Safety devices for protection against excessive pressure - Part 3: Determination of required discharge - Capacity and sizing		
CEN	EN 13709:2002 Industrial valves - Steel globe and globe stop and check valves		
CEN	EN 13789:2002 Industrial valves - Cast iron globe valves		
CEN	EN 13799:2002 Contents gauges for LPG tanks		
	EN 13799:2002/AC:2007		
CEN	EN 13831:2007 Closed expansion vessels with built in diaphragm for installation in water		
CEN	EN 13835:2002 Founding - Austenitic cast irons		
	EN 13835:2002/A1:2006	Note 3	Date expired (31/12/2006)
CEN	EN 13923:2005 Filament-wound FRP pressure vessels - Materials, design, manufacturing and testing		
CEN	EN 14071:2004 Pressure relief valves for LPG tanks - Ancillary equipment		
CEN	EN 14075:2002 Static welded steel cylindrical tanks, serially produced for the storage of Liquefied Petroleum Gas (LPG) having a volume not greater than 13 m³ and for installation underground - Design and manufacture		
	EN 14075:2002/A1:2004	Note 3	Date expired (30/06/2005)
CEN	EN 14129:2004 Pressure relief valves for LPG tanks		
CEN	EN 14197-1:2003 Cryogenic vessels - Static non-vacuum insulated vessels - Part 1: Fundamental requirements		
CEN	EN 14197-2:2003 Cryogenic vessels - Static non-vacuum insulated vessels - Part 2: Design, fabrication, inspection and testing		
	EN 14197-2:2003/A1:2006	Note 3	Date expired (28/02/2007)
	EN 14197-2:2003/AC:2006		
CEN	EN 14197-3:2004 Cryogenic vessels - Static non-vacuum insulated vessels - Part 3: Operational requirements		
	EN 14197-3:2004/A1:2005	Note 3	Date expired (31/12/2005)
	EN 14197-3:2004/AC:2004		
CEN	EN 14222:2003 Stainless steel shell boilers		
CEN	EN 14276-1:2006 Pressure equipment for refrigerating systems and heat pumps - Part 1: Vessels - General requirements		
CEN	EN 14276-2:2007		

	Pressure equipment for refrigerating systems and heat pumps - Part 2: Piping - General requirements		
CEN	EN 14341:2006 Industrial valves - Steel check valves		
CEN	EN 14359:2006 Gas-loaded accumulators for fluid power applications		
CEN	EN 14382:2005+A1:2009 Safety devices for gas pressure regulating stations and installations - Gas safety shut-off devices for inlet pressures up to 100 bar	EN 14382:2005 Note 2.1	30/09/2009
	EN 14382:2005+A1:2009/AC:2009		
CEN	EN 14394:2005+A1:2008 Heating boilers - Heating boilers with forced draught burners - Nominal heat output not exceeding 10 MW and maximum operating temperature of 110 °C		
CEN	EN 14570:2005 Equipping of LPG tanks, overground and underground		
	EN 14570:2005/A1:2006	Note 3	Date expired (31/08/2006)
CEN	EN 14585-1:2006 Corrugated metal hose assemblies for pressure applications - Part 1: Requirements		
CEN	EN 14917:2009 Metal bellows expansion joints for pressure applications		
CEN	EN 15001-1:2009 Gas Infrastructure - Gas installation pipework with an operating pressure greater than 0,5 bar for industrial installations and greater than 5 bar for industrial and non-industrial installations - Part 1: Detailed functional requirements for design, materials, construction, inspection and testing		
CEN	EN ISO 15493:2003 Plastics piping systems for industrial applications - Acrylonitrile-butadiene-styrene (ABS), unplasticized poly(vinyl chloride) (PVC-U) and chlorinated poly(vinyl chloride) (PVC-C) - Specifications for components and the system - Metric series (ISO 15493:2003)		
CEN	EN ISO 15494:2003 Plastics piping systems for industrial applications - Polybutene (PB), polyethylene (PE) and polypropylene (PP) - Specifications for components and the system - Metric series (ISO 15494:2003)		
CEN	EN ISO 15613:2004 Specification and qualification of welding procedures for metallic materials - Qualification based on pre-production welding test (ISO 15613:2004)		
CEN	EN ISO 15614-1:2004 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 1: Arc and gas welding of steels and arc welding of nickel and nickel alloys (ISO 15614-1:2004)		
	EN ISO 15614-1:2004/A1:2008	Note 3	Date expired (31/08/2008)
CEN	EN ISO 15614-2:2005 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 2: Arc welding of aluminium and its alloys (ISO 15614-2:2005)		
	EN ISO 15614-2:2005/AC:2009		
CEN	EN ISO 15614-4:2005 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 4: Finishing welding of aluminium castings (ISO 15614-4:2005)		
	EN ISO 15614-4:2005/AC:2007		
CEN	EN ISO 15614-5:2004 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 5: Arc welding of titanium, zirconium and their alloys (ISO 15614-5:2004)		

CEN	EN ISO 15614-6:2006 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 6: Arc and gas welding of copper and its alloys (ISO 15614-6:2006)		
CEN	EN ISO 15614-7:2007 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 7: Overlay welding (ISO 15614-7:2007)		
CEN	EN ISO 15614-8:2002 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 8: Welding of tubes to tube-plate joints (ISO 15614-8:2002)		
CEN	EN ISO 15614-11:2002 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 11: Electron and laser beam welding (ISO 15614-11:2002)		
CEN	EN ISO 15620:2000 Welding - Friction welding of metallic materials (ISO 15620:2000)		
CEN	EN ISO 16135:2006 Industrial valves - Ball valves of thermoplastics materials (ISO 16135:2006)		
CEN	EN ISO 16136:2006 Industrial valves - Butterfly valves of thermoplastics materials (ISO 16136:2006)		
CEN	EN ISO 16137:2006 Industrial valves - Check valves of thermoplastics materials (ISO 16137:2006)		
CEN	EN ISO 16138:2006 Industrial valves - Diaphragm valves of thermoplastics materials (ISO 16138:2006)		
CEN	EN ISO 16139:2006 Industrial valves - Gate valves of thermoplastics materials (ISO 16139:2006)		
CEN	EN ISO 21787:2006 Industrial valves - Globe valves of thermoplastics materials (ISO 21787:2006)		

(1)ESO: European Standardisation Organisation

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ("dow"), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

Note 2.1: The new (or amended) standard has the same scope as the superseded standard. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

Note 2.2: The new standard has a broader scope than the superseded standard. On the date stated the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

Note 2.3: The new standard has a narrower scope than the superseded standard. On the date stated the (partially) superseded standard ceases to give presumption of conformity with the essential requirements of the directive for those products that fall within the scope of the new standard. Presumption of conformity with the essential requirements of the directive for products that still fall within the scope of the (partially) superseded standard, but that do not fall within the scope of the new standard, is unaffected.

Note 3: In case of amendments, the referenced standard is EN CCCCC:YYYY, its previous amendments, if any, and the new, quoted amendment. The superseded standard (column 4) therefore consists of EN CCCCC:YYYY and its previous amendments, if any, but without the new quoted amendment. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

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

Directive	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
92/42/EEC **93/68/EEC** **2004/8/EC**	Ministry of Economic Development	Ministry of Energy Ministry of Environmental Protection and Natural Resources Technical and Construction Inspection Agency National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	Decree of the Head of the State Inspection of Technical Supervision #37, from November 19, 2003 on "Rules of Safety in the Station of the Natural Gas for Automobiles" Decree of the Head of the State Inspection of Technical Supervision #20, from July 17, 2003 on "Rules of Technical Safety Examination in the Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #21, from July 17, 2003 on "Technical Exploration and Registration of Incidents without Casualties Caused in Hazardous Industrial Enterprises" Decree of the Head of the State Inspection of Technical Supervision #22, from July 17, 2003 on "Rules of Registration of Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #8, from March 28, 2002 on "Safety Rules in Operation of Air in Enterprises and Household" Decree of Head of technical supervision inspection #11 from March 28, 2002 on "The rule of instalation of gaseus fuel sistem for automotive transport in Georgia"	Legal base for adoption of the Technical Regulation throught [Code on Safety and Free Movement of Products] Adoption of the Technical Regulation throught Government Resolution	Budget of the Ministry of Economic Development + Technical Assistance	**12**	**30**

87/404/EEC Simple Pressure Vessels

Directive	Relevant Harmonised Standards	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
			Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
87/404/EEC 90/488/EEC 93/68/EEC	EN 286-1:1998 EN 286-1:1998/A1:2002 EN 286-1:1998/A2:2005 EN 286-1:1998/AC:2002 EN 286-2:1992 EN 286-2:1992/AC:1992 EN 286-3:1994 EN 286-4:1994 EN 287-1:2004 EN 287-1:2004/A2:2006 EN 287-1:2004/AC:2004 EN 571-1:1997 EN 583-1:1998 EN 970:1997 EN 1011-1:1998 EN 1290:1998 EN 1330-3:1997 EN 1714:1997 EN 10207:2005 EN 12062:1997 EN ISO 15614-1:2004 EN ISO 15614-1:2004/A1:2008 EN ISO 15614-2:2005	Ministry of Economic Development	Technical and Construction Inspection Agency National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers, local producers, users	Decree of the Head of the State Inspection of Technical Supervision #37, from November 19, 2003 on "Rules of Safety in the Station of the Natural Gas for Automobiles" Decree of the Head of the State Inspection of Technical Supervision #20, from July 17, 2003 on "Rules of Technical Safety Examination in the Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #21, from July 17, 2003 on "Technical Exploration and Registration of Incidents without Casualties Caused in Hazardous Industrial Enterprises" Decree of the Head of the State Inspection of Technical Supervision #22, from July 17, 2003 on "Rules of Registration of Hazardous Enterprises" Decree of the Head of the State Inspection of Technical Supervision #8, from March 28, 2002 on "Safety Rules in Operation of Air in Enterprises and Household" Decree of Head of technical supervision inspection #11 from March 28, 2002 on "The rule of instalation of gaseus fuel sistem for automotive transport in Georgia"	Legal base for adoption of the Technical Regulation throught [Code on Safety and Free Movement of Products] Adoption of the Technical Regulation throught Government Resolution Adoption of harmonised standards as national standards through registration thereof in the registry of standards using cover page method on the base of internal order of the Director General of GEOSTM, in accordance with international practice and rules (ISO guide 21, WTO TBT annex 3)	Budget of the Ministry of Economic Development + Technical Assistance	**12**	**30**

Directive 2009/105/EC of the European Parliament and of the Council of 16 September 2009 relating to simple pressure vessels *(codified version)* ***OJ L 264 of 2009-10-08*** (ex- Council Directive 87/404/EEC of 25 June 1987)			
ESO	**Reference and title of the harmonised standard (and reference document)**	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard
CEN	EN 286-1:1998 Simple unfired pressure vessels designed to contain air or nitrogen - Part 1: Pressure vessels for general purposes	EN 286-1:1991	Date expired (31.08.1998)
	EN 286-1:1998/A1:2002	Note 3	Date expired (31.01.2003)
	EN 286-1:1998/A2:2005	Note 3	Date expired (30.04.2006)
	EN 286-1:1998/AC:2002		
CEN	EN 286-2:1992 Simple unfired pressure vessels designed to contain air or nitrogen - Part 2: Pressure vessels for air braking and auxiliary systems for motor vehicles and their trailers	-	
	EN 286-2:1992/AC:1992		
CEN	EN 286-3:1994 Simple unfired pressure vessels designed to contain air or nitrogen - Part 3: Steel pressure vessels designed for air braking equipment and auxiliary pneumatic equipment for railway rolling stock	-	
CEN	EN 286-4:1994 Simple unfired pressure vessels designed to contain air or nitrogen - Part 4: Aluminium alloy pressure vessels designed for air braking equipment and auxiliary pneumatic equipment for railway rolling stock	-	
CEN	EN 287-1:2004 Qualification test of welders - Fusion welding - Part 1: Steels	-	
	EN 287-1:2004/A2:2006	Note 3	Date expired (30.09.2006)
	EN 287-1:2004/AC:2004		
CEN	EN 571-1:1997 Non destructive testing - Penetrant testing - Part 1: General principles	-	
CEN	EN 583-1:1998 Non-destructive testing - Ultrasonic examination - Part 1: General principles	-	
CEN	EN 970:1997 Non-destructive examination of fusion welds - Visual examination	-	
CEN	EN 1011-1:1998 Welding - Recommendations for welding of metallic materials - Part 1: General guidance for arc welding	-	
CEN	EN 1290:1998 Non-destructive examination of welds - Magnetic particle examination of welds	-	
CEN	EN 1330-3:1997 Non-destructive testing - Terminology - Part 3: Terms used in industrial radiographic testing	-	
CEN	EN 1714:1997 Non-destructive examination of welds - Ultrasonic examination of welded joints	-	
CEN	EN 10207:2005 Steels for simple pressure vessels - Technical delivery requirements for plates, strips and bars	-	
CEN	EN 12062:1997 Non-destructive examination of welds - General rules for metallic materials	-	

CEN	EN ISO 15614-1:2004 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 1: Arc and gas welding of steels and arc welding of nickel and nickel alloys (ISO 15614-1:2004)	-	
	EN ISO 15614-1:2004/A1:2008	Note 3	Date expired (31.08.2008)
CEN	EN ISO 15614-2:2005 Specification and qualification of welding procedures for metallic materials - Welding procedure test - Part 2: Arc welding of aluminium and its alloys (ISO 15614-2:2005)	-	

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ("dow"), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

Note 3: In case of amendments, the referenced standard is EN CCCCC:YYYY, its previous amendments, if any, and the new, quoted amendment. The superseded standard (column 3) therefore consists of EN CCCCC:YYYY and its previous amendments, if any, but without the new quoted amendment. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

Sub-Group 3

94/25/EC Recreational Craft

Directive	Relevant Harmonised Standards		Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
				Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
94/25/EC 2003/44/EC	EN ISO 6185-1:2001 EN ISO 6185-2:2001 EN ISO 6185-3:2001 EN ISO 7840: 1995 /A1: 2000 EN ISO 7840:2004 EN ISO 8099: 2000 EN ISO 8469: 1995 EN ISO 8469: 1995 /A1: 2000 EN ISO 8469: 2006 EN ISO 8665: 1994 EN ISO 8665: 1995/A1: 2000 EN ISO 8665: 2006 EN ISO 8666: 2002 EN ISO 8847:2004 EN ISO 8847:2004 / AC:2005 EN ISO 8849:2003 EN ISO 9093-1: 1997 EN ISO 9093-2:2002 EN ISO 9094-1:2003 EN ISO 9094-2:2002 EN ISO 9097: 1994 EN ISO 9097: 1994/A1: 2000 EN ISO 10087: 1996 EN ISO 10087: 1996/A1: 2000 EN ISO 10087: 2006 EN ISO 10088: 2001 EN ISO 10133:2000 EN ISO 10239: 2008 EN ISO 10240: 1995 EN ISO 10240: 2004 EN ISO 10592: 1995 EN ISO 10592: 1995/A1: 2000 EN ISO 11105: 1997 EN ISO 11192:2005 EN ISO 11547: 1994 EN ISO 11547: 1995/A1: 2000 EN ISO 11591: 2000 EN ISO 11592: 2001	EN ISO 11812: 2001 EN ISO 12215-1: 2000EN ISO 12215-2:2002 EN ISO 12215-3:2002 EN ISO 12215-4:2002 EN ISO 12215-5:2008 EN ISO 12215-6:2008 EN ISO 12216:2002 EN ISO 12217-1:2002 EN ISO 12217-2:2002 EN ISO 12217-3:2002 EN ISO 13297: 2000 EN ISO 13590: 2003 EN ISO 13590: 2003 / AC:2004 EN ISO 13929: 2001 EN ISO 14509-1:2008 EN ISO 14509-2:2006 EN ISO 14895:2003 EN ISO 14945: 2004 EN ISO 14945:2004 / AC:2005 EN ISO 14946: 2001 EN ISO 14946:2001 / AC:2005 EN ISO 15083:2003 EN ISO 15084:2003 EN ISO 15085:2003 EN ISO 15584: 2001 EN 15609:2008 EN ISO 15652: 2005 EN ISO 16147:2002 EN ISO 21487:2006 EN 28846: 1993 EN 28846: 1993 /A1: 2000 EN 28848:1993 EN 28848: 1993 /A1: 2000 EN 28849: 1993/A1: 2000 EN 29775: 1993 EN 29775: 1993/A1: 2000 EN 60092-507: 2000	Ministry of Regional Development and Infrastructure of Georgia Ministry of Economic Development	Ministry of Environmental Protection and Natural Resources Technical and Construction Inspection Agency United Transport Administration	Georgian Technical University Importers and local producers	Draft Decree of the Minister of Economic Development on Registration Procedures of Recreational Craft is prepared	Legal base for adoption of the Technical Regulation throught [Code on Safety and Free Movement of Products] Adoption of the Technical Regulation throught Government Resolution Adoption of Harmonised standards as national standards through registration thereof in the registry of standards using cover page method on the base of internal order of the Director General of GEOSTM, in accordance with international practice and rules (ISO guide 21, WTO TBT annex 3)	Budget of the Ministry of Regional Development and Infrastructure of Georgia Budget of the Ministry of Economic Development + Technical Assistance	**28**	**36**

Directive 94/25/EC of 16 June 1994 (OJ No L 164/15 of 1994-06-30)
Directive 2003/44/EC of the European Parliament and of the Council of 16 June 2003 amending Directive 94/25/EC on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (OJ L 214/18 of 2003-08-26)

ESO	Reference of the harmonised standard	Title of the harmonised standard (and reference document)	Reference of the superseded standard	Date of cessation of presumption of conformity of superseded standard	First publication in the OJ
CEN	EN ISO 6185-1:2001	Inflatable boats - Part 1: Boats with a maximum motor power rating of 4,5 kW (ISO 6185-1:2001)			C 91 of 2002-04-17
CEN	EN ISO 6185-2:2001	Inflatable boats - Part 2: Boats with a maximum motor power rating of 4,5 kW to 15 kW inclusive (ISO 6185-2:2001)			C 91 of 2002-04-17
CEN	EN ISO 6185-3:2001	Inflatable boats - Part 3: Boats with a maximum motor power rating of 15 kW and greater (ISO 6185-3:2001)			C 91 of 2002-04-17
CEN	EN ISO 7840: 1995 / A1: 2000	Small craft - Fire resistant fuel hoses (ISO 7840:1994)			C 138 of 2001-05-11
	EN ISO 7840:2004	Small craft - Fire-resistant fuel hoses (ISO 7840:2004)	EN ISO 7840:1995	2004-08-31	C 5 of 2005-01-08
CEN	EN ISO 8099: 2000	Small craft - Toilet waste retention systems (ISO 8099:2000)			C 138 of 2001-05-11
CEN	EN ISO 8469: 1995	Small craft - Non-fire resistant fuel hoses			C 59 of 1998-02-25
CEN	EN ISO 8469: 1995 / A1: 2000	Small craft - Non-fire-resistant fuel hoses (ISO 8469:1994)			C 138 of 2001-05-11
CEN	EN ISO 8469: 2006	Small craft - Non-fire resistant fuel hoses (ISO 8469:2006)	EN ISO 8469: 1995	2007-01-31	C 301 of 2006-12-12
CEN	EN ISO 8665: 1994	Small craft - Marine propulsion engines and systems - Power measurements and declarations			C 384 of 1997-12-18
CEN	EN ISO 8665: 1995/ A1: 2000	Small craft - Marine propulsion engines and systems - Power measurements and declarations (ISO 8665:1994)			C 138 of 2001-05-11
CEN	EN ISO 8665: 2006	Small craft - Marine propulsion reciprocating internal combustion engines - Power measurements and declarations (ISO 8665:2006)	EN ISO 8665:1995	2006-12-31	C 223 of 2006-09-16
CEN	EN ISO 8666: 2002	Small craft - Principal data (ISO 8666: 2002)			C 118 of 2003-05-20
CEN	EN ISO 8847:2004	Small craft - Steering gear - Cable and pulley systems (ISO 8847:2004)	EN 28847:1989	2004-11-30 Date expired	C 5 of 2005-01-08
	EN ISO 8847:2004 / AC:2005				C 61 of 2006-03-14
CEN	EN ISO 8849:2003	Small craft - Electrically operated direct-current bilge-pumps (ISO 8849:2003)	EN 28849:1993	2004-04-30	C 5 of 2005-01-08
CEN	EN ISO 9093-1: 1997	Small craft - Seacocks and through-hull fittings - Part 1: Metallic (ISO 9093-1:1994)			C 138 of 2001-05-11
CEN	EN ISO 9093-2:2002	Small craft - Seacocks and through-hull fittings - Part 2: Non-metallic (ISO 9093-2:2002)			C 80 of 2003-04-03
CEN	EN ISO 9094-1:2003	Small craft - Fire protection - Part 1: Craft with a hull length of up to and including 15 m (ISO 9094-1:2003)			C 163 of 2003-07-12
CEN	EN ISO 9094-2:2002	Small craft - Fire protection - Part 2: Craft with a hull length of over 15 m (ISO 9094-2:2002)			C 118 of

					2003-05-20
CEN	EN ISO 9097: 1994	Small craft - Electric fans			C 59 of 1998-02-25
CEN	EN ISO 9097: 1994/ A1: 2000	Small craft - Electric fans (ISO 9097:1991)			C 138 of 2001-05-11
CEN	EN ISO 10087: 1996	Small craft - Hull identification - Coding system			C 384 of 1997-12-18
CEN	EN ISO 10087: 1996/ A1: 2000	Small craft - Hull identification - Coding system (ISO 10087:1995)			C 138 of 2001-05-11
CEN	EN ISO 10087: 2006	Small craft - Craft identification - Coding system (ISO 10087:2006)	EN ISO 10087: 1996	2006-09-30	C 113 of 2006-05-13
CEN	EN ISO 10088: 2001	Small craft - Permanently installed fuel systems and fixed fuel tanks (ISO 10088:2001)			C 91 of 2002-04-17
CEN	EN ISO 10133:2000	Small craft - Electrical systems - Extra-low voltage d.c. installations (ISO 10133:2000)			C 59 of 2002-03-06
CEN	EN ISO 10239: 2008	Small craft - Liquefied petroleum gas (LPG) systems (ISO 10239:2008)	EN ISO 10239: 2000	2008-08-31	C 109 of 2008-04-30
CEN	EN ISO 10240: 1995	Small craft - Owner's manual			C 384 of 1997-12-18
	EN ISO 10240: 2004	Small craft - Owner's manual (ISO 10240:2004)	EN ISO 10240:1996	2005-04-30	C 107 of 2005-05-03
CEN	EN ISO 10592: 1995	Small craft - Hydraulic steering systems			C 59 of 1998-02-25
CEN	EN ISO 10592: 1995/ A1: 2000	Small craft - Hydraulic steering systems (ISO 10592:1994)			C 138 of 2001-05-11
CEN	EN ISO 11105: 1997	Small craft - Ventilation of petrol engine and/or petrol tank compartments			C 384 of 1997-12-18
CEN	EN ISO 11192:2005	Small craft - Graphical symbols (ISO 11192:2005)	-		C 61 of 2006-03-14
CEN	EN ISO 11547: 1994	Small craft - Start-in-gear protection			C 384 of 1997-12-18
CEN	EN ISO 11547: 1995/ A1: 2000	Small craft - Start-in-gear protection (ISO 11547:1994)			C 138 of 2001-05-11
CEN	EN ISO 11591: 2000	Small craft, engine-driven - Field of vision from helm position (ISO 11591:2000)			C 59 of 2002-03-06
CEN	EN ISO 11592: 2001	Small craft less than 8 m length of hull - Determination of maximum propulsion power rating (ISO 11592:2001)			C 59 of 2002-03-06
CEN	EN ISO 11812: 2001	Small craft - Watertight cockpits and quick-draining cockpits (ISO 11812:2001)			C 91 of 2002-04-17
CEN	EN ISO 12215-1: 2000	Small craft - Hull construction and scantlings - Part 1: Materials: Thermosetting resins, glass-fibre reinforcement, reference laminate (ISO 12215-1:2000)			C 138 of 2001-05-11
CEN	EN ISO 12215-2:2002	Small craft - Hull construction and scantlings - Part 2: Materials: Core materials for sandwich construction, embedded materials (ISO 12215-2:2002)			C 235 of 2002-10-01
CEN	EN ISO 12215-3:2002	Small craft - Hull construction and scantlings - Part 3: Materials: Steel, aluminium alloys, wood, other materials (ISO 12215-3:2002)			C 235 of 2002-10-01

CEN	EN ISO 12215-4:2002	Small craft - Hull construction and scantlings - Part 4: Workshop and manufacturing (ISO 12215-4:2002)			C 235 of 2002-10-01
CEN	EN ISO 12215-5:2008	Small craft - Hull construction and scantlings - Part 5: Design pressures for monohulls, design stresses, scantlings determination (ISO 12215-5:2008)			C 308 of 2008-12-03
CEN	EN ISO 12215-6:2008	Small craft - Hull construction and scantlings - Part 6: Structural arrangements and details (ISO 12215-6:2008)			C 308 of 2008-12-03
CEN	EN ISO 12216:2002	Small craft - Windows, portlights, hatches, deadlights and doors - Strength and watertightness requirements (ISO 12216:2002)			C 318 of 2002-12-19
CEN	EN ISO 12217-1:2002	Small craft - Stability and buoyancy assessment and categorisation - Part 1: Non-sailing boats of hull length greater than or equal to 6 m (ISO 12217-1:2002)			C 235 of 2002-10-01
CEN	EN ISO 12217-2:2002	Small craft - Stability and buoyancy assessment and categorisation - Part 2: Sailing boats of hull length greater than or equal to 6 m (ISO 12217-2:2002)			C 235 of 2002-10-01
CEN	EN ISO 12217-3:2002	Small craft - Stability and buoyancy assessment and categorisation ? Part 3 : Boats of hull length less than 6 m (ISO 12217-3 :2002)			C 235 of 2002-10-01
CEN	EN ISO 13297: 2000	Small craft - Electrical systems - Alternating current installations (ISO 13297:2000)			C 59 of 2002-03-06
CEN	EN ISO 13590: 2003	Small craft - Personal watercraft - Construction and system installation requirements (ISO 13590:2003)	-		C 5 of 2005-01-08
	EN ISO 13590: 2003 / AC:2004				C 107 of 2005-05-03
CEN	EN ISO 13929: 2001	Small craft - Steering gear - Geared link systems (ISO 13929:2001)			C 59 of 2002-03-06
CEN	EN ISO 14509-1:2008	Small craft - Airborne sound emitted by powered recreational craft - Part 1: Pass-by measurement procedures (ISO 14509-1:2008)	-		C 51 of 2009-03-04
CEN	EN ISO 14509-2:2006	Small craft - Airborne sound emitted by powered recreational craft - Part 2: Sound assessment using reference craft (ISO 14509-2:2006)	-		C 165 of 2007-07-19
CEN	EN ISO 14895:2003	Small craft - Liquid-fuelled galley stoves (ISO 14895:2000)			C 261 of 2003-10-30
CEN	EN ISO 14945: 2004	Small craft - Builder's plate (ISO 14945:2004)			C 5 of 2005-01-08
	EN ISO 14945:2004 / AC:2005		-		C 61 of 2006-03-14
CEN	EN ISO 14946: 2001	Small craft - Maximum load capacity (ISO 14946:2001)			C 59 of 2002-03-06
	EN ISO 14946:2001 / AC:2005		-		C 61 of 2006-03-14
CEN	EN ISO 15083:2003	Small craft - Bilge-pumping systems (ISO 15083:2003)			C 261 of 2003-10-30
CEN	EN ISO 15084:2003	Small craft - Anchoring, mooring and towing - Strong points (ISO 15084:2003)			C 163 of 2003-07-12
CEN	EN ISO 15085:2003	Small craft - Man-overboard prevention and recovery (ISO 15085:2003)			C 261 of

					2003-10-30
CEN	EN ISO 15584: 2001	Small craft - Inboard petrol engines - Engine-mounted fuel and electrical components (ISO 15584:2001)			C 59 of 2002-03-06
CEN	EN 15609:2008	LPG equipment and accessories - LPG propulsion systems for boats, yachts and other craft - Installation requirements	-		C 51 of 2009-03-04
CEN	EN ISO 15652: 2005	Small craft - Remote steering systems for inboard mini jet boats (ISO 15652:2003)			C 219 of 2005-09-07
CEN	EN ISO 16147:2002	Small craft - Inboard diesel engines - Engine mounted fuel and electrical components (ISO 16147:2002)			C 80 of 2003-04-03
CEN	EN ISO 21487:2006	Small craft - Permanently installed petrol and diesel fuel tanks (ISO 21487:2006)			C 165 of 2007-07-19
CEN	EN 28846: 1993	Electrical devices - Protection against ignition of surrounding flammable gases			C 255 of 1995-09-30
CEN	EN 28846: 1993 / A1: 2000	Small craft - Electrical devices - Protection against ignition of surrounding flammable gases (ISO 8846:1990)			C 138 of 2001-05-11
CEN	EN 28848:1993	Remote steering systems			C 255 of 1995-09-30
CEN	EN 28848: 1993 / A1: 2000	Small craft - Remote steering systems (ISO 8848:1990)			C 138 of 2001-05-11
CEN	EN 28849: 1993/ A1: 2000	Small craft - Electrically operated bilge-pumps (ISO 8849:1990)			C 138 of 2001-05-11
CEN	EN 29775: 1993	Remote steering systems for single outboard motors of 15 kW to 40 kW power			C 255 of 1995-09-30
CEN	EN 29775: 1993/ A1: 2000	Small craft - Remote steering systems for single outboard motors of 15 kW to 40 kW power (ISO 9775:1990)			C 138 of 2001-05-11
CEN ELEC	EN 60092-507: 2000	Electrical installations in ships - Part 507: Pleasure craft (IEC 60092-507:2000)			C 137 of 2003-06-12

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ("dow"), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

Note 3: In case of amendments, the referenced standard is EN CCCCC:YYYY, its previous amendments, if any, and the new, quoted amendment. The superseded standard therefore consists of EN CCCCC:YYYY and its previous amendments, if any, but without the new quoted amendment. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

(*) Date from which compliance with the national standard adopted pursuant to the adoption of this harmonised standard enables to invoke, subject to the provisions of article 5 of the Directive, a presumption of compliance with the essential requirements the national standard covers.

Group II (5 Directives)

Sub-Group 1 (2 Directives)

93/15/EEC Explosives for Civil Uses

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
93/15/EEC	Ministry of Economic Development Technical and Construction Inspection Agency	Ministry of Internal Affairs Ministry of Environmental Protection and Natural Resources	Georgian Technical University Importers and local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

94/9/EC Equipment Explosive Atmospheres (ATEX)

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
94/9/EC	Ministry of Economic Development Technical and Construction Inspection Agency	Ministry of Internal Affairs	Georgian Technical University Importers and local producers	TBI	Nature and number of legal acts TBI	Required resources TBI Including TA	TBI after the incorporation of the first group	TBI after the incorporation of the first group

Sub-Group 2 (3 Directives)

1999/5/EC Radio Equipment and Telecommunications Terminal Equipment and the Mutual Recognition of their Conformity

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
1999/5/EC	Ministry of Economic Development Georgians National Comunications Commision	Ministry of Internal Affairs National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

2004/108/EC Electromagnetic Compatibility (EMC)

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
2004/108/EC	*TBI*	National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

2006/95/EC Low Voltage

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
2006/95/EC	Ministry of Economic Development National Agency for Standards, Technical Regulations and Metrology	National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

Group III (3 Directives)

93/42/EEC Medical Devices

Text of directive and amendments	Responsible Institution	Involved Public Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
93/42/EEC	Ministry of Labor, Health and Social Affairs Agency of State Regulation of Medical Activities	National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Tbilisi State Medical University Importers and local producers Health care providers	Law of Georgia on Health Care, from 1997 Law of Georgia on Drug and Pharmaceutical Activities from 1997 Decree of the Minister of Labor, Health, and Social Affairs of Georgia N318/n from December 10, 2003 "On Approval of the State Registration Rules of Medical Devices" Decree of the Minister of Labor, Health, and Social Affairs of Georgia N41/n from April 4, 2003 "On Approval of Sanitary Norms of Radiation Protection during Medical Diagnostic-Radiological Procedures and Treatment" Decree of the Minister of Labor Protection N 1/o, from November 6,1999 "On exploitation and safety of Medical Technical Devices in Healthcare System, also on Urgent Measures for Bringing into Compliance of Procurement Work with the Established Rules" Decree of the Minister of Labor, Health, and Social Affairs of Georgia N282/n, from September 27, 2007 "On Approval of the Obligatory Norms for Function of Blood Pour Out Service Institutions"	Nature and number of legal acts TBI	Required resources TBI Including TA	TBI after the incorporation of the first group	TBI after the incorporation of the first group

98/79/EC In Vitro Diagnostic Medical Devices

Text of directive and amendments	Responsible Institution	Involved Public Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
98/79/EC	Ministry of Labor, Health and Social Affairs Agency of State Regulation of Medical Activities	National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Tbilisi State Medical University Importers and local producers Health care providers, Medical Associations	Law of Georgia on Drug and Pharmaceutical Activities from 1997 Law of Georgia on Health Care, from 1997 Decree of the Minister of Labor, Health, and Social Affairs of Georgia N318/n, from December 10, 2003 "On Approval of the State Registration Rules of Medical Technical Devices" Decree of the Minister of Labor, Health, and Social Affairs of Georgia N282/n, from September 27, 2007 "On Approval of the Obligatory Norms for Functioning of Blood Pour Out Service Institutions"	Nature and number of legal acts TBI	Required resources TBI Including TA	TBI after the incorporation of the first group	TBI after the incorporation of the first group

90/385/EEC Active Implantable Medical Devices

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
90/385/EEC	Ministry of Labor, Health and Social Affairs Agency of State Regulation of Medical Activities	National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Tbilisi State Medical University Importers and local producers Health care providers, Medical Associations	Law of Georgia on Drug and Pharmaceutical Activities from 1997 Decree of the Minister of Labor, Health, and Social Affairs of Georgia N318/n, from December 10, 2003 "On Approval of the State Registration Rules of Medical Technical Devices" Decree of the Minister of Labor, Health, and Social Affairs of Georgia N282/n from September 27, 2007 "On Approval of the Obligatory Norms for Functioning of Blood Pour Out Service Institutions"	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group
93/42/EEC								
93/68/EEC								
2007/47/EC								

Group IV (3 Directives)

90/396/EEC Appliances Burning Gaseous Fuels

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
90/396/EEC	Ministry of Economic Development Technical and Construction Inspection Agency	Ministry of Energy National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group
93/68/EEC								

89/686/EEC Personal ProtectiveEequipment (PPE)

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
89/686/EEC	Ministry of Economic Development Technical and Construction Inspection Agency	Ministry of Regional Development and Infrastructure of Georgia Ministry of Energy Ministry of Labor, Health and Social Affairs Ministry of Environmental Protection and Natural Resources Ministry of Internal Affairs National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers Georgian Builders Association Tourism Associations	TBI	Nature and number of legal acts TBI	Required resources TBI Including TA	TBI after the incorporation of the first group	TBI after the incorporation of the first group
93/68/EEC								
93/95/EEC								
96/58/EC								

98/37/EC Machinery

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
98/37/EC	Ministry of Economic Development Technical and Construction Inspection Agency	Ministry of Energy National Centre of Accreditation National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Importers and local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group
98/79/EC								

Group V (4 Directives)

88/378/EEC Safety of Toys

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
88/378/EEC	Ministry of Health, Labor and Social Affairs	National Agency for Standards, Technical Regulations and Metrology	Tbilisi State Medical University Importers and local producers Health care providers, Medical Associations	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

89/106/EEC Construction Products

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
89/106/EEC	Ministry of Regional Development and Infrastructure Head Architecture and Building Inspection Ministry of Economic Development Technical and Construction Inspection Agency	National Agency for Standards, Technical Regulations and Metrology	Georgian Technical University Georgian Builder Association Importers and exporters, local producers	TBI	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group
93/68/EEC								

90/384/EEC Non-automatic Weighing Instruments

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
90/384/EEC	Ministry of Economic Development National Agency for Standards, Technical Regulations and Metrology	National Centre of Accreditation	Georgian Technical University Importers and local producers	Law of Georgia on Uniformity of Measurements, from 1996	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

2004/22/EC Measuring Instruments

Text of directive and amendments	Responsible Institution	Involved Bodies		Existing Relevant Legal Framework Analysis	Legal Incorporation mode	Resources	Incorporation	
		Governmental	Non Governmental				Starting Date (month)	Ending Date (month)
2004/22/EC	Ministry of Economic Development National Agency for Standards, Technical Regulations and Metrology	National Centre of Accreditation	Georgian Technical University Importers and local producers	Law of Georgia on Uniformity of Measurements, from 1996	*Nature and number of legal acts TBI*	*Required resources TBI Including TA*	TBI after the incorporation of the first group	TBI after the incorporation of the first group

Relevant Legal Activities Sub-Programme

Introduction

The Relevant Legal Activities Sub-Programme describes what legislative acts/amendments to the existing laws should be adopted in order to reflect the principles and provisions of the Strategy, as well as defines the governmental bodies that are responsible to fulfill this activities and sets applicable timeframes for them.

The Working Group while analysing the legislation found it most efficient to adopt a unified *[Code on Safety and Free Movement of Products]* The drafting is almost finalized, its planned to be finalised by the end of [April, 2010] *[Code]* embraces all legislative issues related to ensuring products safety and quality infrastructure, thus the issues covered by this *[Code]* are strongly interrelated and represent different sides of one umbrella framework - quality infrastructure. The principles and main topics are common for all the issues and having separate laws would face the risk of repetition and duplication of most of the provisions. In addition, Georgia would like to use the window for opportunity to revisit and revise its legislation in the concerned areas and build the unified and efficient base for ensuring adequate level of quality infrastructure.

With this aim the Working Group analyzed the Georgian Law on *Protection of Consumers' Rights* and as legal analysis confirmed, the Law needs up-dated and incorporation in a wider legal framework. The Law does not reflect any reform undertaken by the Government of Georgia after 2004.

As a result, it has been decided to incorporate the issues attributed to the issue of protection of consumers' rights into the unified *[Code]* and use as a basement the principles and provisions of the General Product Safety Directive and the Liability for Defective Products Directive.

The *[Code]* will be composed of the following sections:

- Section on General part (GSPD, LDPD, Protection of Consumers' Rights)
- Section on Technical Regulations
- Section on Standardisation
- Section on Metrology
- Section on Conformity Assessment
- Section on Accreditation
- Section on Technical hazard control

After Government of Georgia will adopt the Governmental Strategy on Market Surveillance, the respective legal topics will also become an integral part of the unified *[Code]*.

The Sub-Programme envisages among others replacement of the current Law on *Hazardous Enterprises* with the new law on *Technical Hazard Control* which will become a section on Technical hazard control in the *[Code on Safety and Free Movement of Products]*

The Law on *Technical Hazard Control* is drafted and submitted to the Parliament of Georgia in the beginning of February 2010

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Technical Regulations	Section will provide with definition, scope and legal force of technical regulations; assign a competent governmental body for adoption technical regulations; and define procedures of unilateral recognition of other countries' technical regulations	**Law on Standardisation** **Law on Certification of Goods and Services**
	Technical regulations are adopted through the Governmental Resolutions	**Law on Certification of Goods and Services**
	Recognised technical regulations become an integral part of the national legislation	**To be reflected**
	If there are discrepancies in the national and recognized technical regulations this shall not be deemed as inconsistency rather both of the acts shall be equally enforceable	**To be reflected**
	Unilateral recognition, of documents of technical regulations of all of 25 EU countries, Israel and of 10 OECD countries (Australia, Canada, Japan, Iceland, South Korea, Mexico, New Zealand, USA, Switzerland, Norway) in those spheres which are regulated by the Georgian legislation	**Law on Certification of Goods and Services** **Governmental Resolution #45, 2006**
	Interested party should have the legal right to file a claim against those technical regulations or standards which are not in compliance with the international best practices	**To be reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Technical Regulations	No market placement barriers for products produced in the countries with developed safety and quality infrastructure and no additional conformity assessment requirements for placing on Georgian market	**Partially reflected** **Law on Certification of Goods and Services**
	If the technical regulation is not included in the Registry it is not considered to be a technical regulation in force	**To be reflected**
	The initiator of the technical regulation and the Government of Georgia shall be deemed responsible for ensuring registration of adopted technical regulation into the Registry	**To be reflected**
	The body text of any law containing technical norms/specifications or technical regulation should explicitly stipulate that it should be considered to be a technical regulation, otherwise it will not be considered as such	**To be reflected**
	GEOSTM shall be granted the right to bring the case of any normative act containing technical norms but not registered as technical regulation before the Government of Georgia with the aim to register the normative act under question in the Registry	**To be reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Technical Regulations	Detailed definition of technical norms and the rule of considering the normative acts containing technical norms as technical regulations	**To be reflected**
	When any law contains a technical norm, this law shall be registered in the Registry with indication to the specific Article containing the technical norm	**To be reflected**
	All persons are entitled to send their comments concerning any normative act that contains technical norms and is not registered in the Registry, and with the obligation of the authorities to react	**To be reflected**
	All persons are entitled to bring claims to the courts against any technical regulation or standard that allegedly contradicts with international standards or EU Directives	**To be reflected**
	The transitional provision of the [*Code on Safety and Free Movement of Products*] should be retroactive in relation to those technical regulations that have been adopted before the Code enters into force, and governmental bodies that issued a technical regulation under question should ensure inclusion into the Registry until [December 31, 2012] after which date all technical regulations not registered in the Registry shall be deemed as forfeited its legal force	**To be reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products] Section on Standardisation	Standards are voluntary and developed by state and any interested party	**Law on Standardisation** **Law on Certification of Goods and Services**
	Superiority of international standards will be ensured	**To be reflected**
	Georgia will refrain to adopt any national standards in the spheres where relevant international standards are in place	**To be reflected**
	Interested party will be entitled to file a claim against those technical regulations or standards which are not in compliance with the international best practices	**To be reflected**
	Cover Page Method will be used for introduction of harmonised EU and international standards as the most preferable method	**To be reflected**
	Ensuring availability of information on harmonised international and European standards to all interested parties	**To be reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Accreditation	Accreditation is implemented by the Georgian Accreditation Centre (GAC) which is a national accreditation body responsible for accreditation of conformity assessment bodies	**Law on Certification of Goods and Services**
	The law will provide for a permanent Accreditation Council composed of representatives of government, accreditation centre, producers, conformity assessment bodies, non-governmental organisations and will be responsible for development of policy advices in accreditation and conformity assessment, provide necessary degree of protection of impartiality of the Accreditation Center, as well as monitor the Center's activities	**To be reflected**
	Ensure that GAC is not entitled to introduce new rules different from the international standards, guidelines etc. or increase TBT by overregulation or excessive procedures	**Partially reflected** **Law on Certification of Goods and Services**
	Practice the accreditation tool according to the European and international rules	**Law on Certification of Goods and Services**
	Accreditation shall be deemed as preferable mean to demonstrate competence of CABs; Accreditation is voluntary unless the national Law sets requirement of mandatory accreditation for a particular sphere	**To be reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Conformity Assessment	No obligation to involve third party certification for pre-market testing unless differently stipulated by the relevant Technical Regulations	**To be reflected**
	Conformity assessment is performed by accredited third party conformity assessment bodies where stipulated by law	**To be reflected**
	Manufacturers may apply all internationally accepted forms of conformity assessment including self-declaration on conformity to regulations and/or standards, or as defined by a relevant technical regulation	**To be reflected**
	Acceptance of conformity assessment results/documents issued by producers/suppliers/conformity assessment bodies accredited in the countries with developed safety and quality infrastructure (e.g. EU, OECD) identification of which will be delegated the GoG	**Partially reflected** **Law on Certification of Goods and Services**
	No additional conformity assessment for the products with marking of the systems with developed safety and quality infrastructure in the regulated field	**Partially reflected** **Law on Certification of Goods and Services**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Conformity Assessment	Ensuring institutional impartiality of third party conformity assessment bodies	**Partially reflected** **Law on Certification of Goods and Services**
	Laboratories accredited in systems with developed quality infrastructure are entitled to be active in Georgia	**To be reflected**
	Relevant conformity assessment procedures might be carried out by the CABs accredited in Georgia or in other countries signatories of MRA/MLA, e.g. ILAC, IAF, EA	**To be reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Metrology	GEOSTM is responsible for development and maintenance of state measurements standards, maintenance of the register of types of legal measuring instruments; Georgia will admit all internationally acknowledged practices in the field of application of reference materials	**Partially reflected**
	GEOSTM is responsible for development, adoption and registration of standards and technical regulations and maintenance of the register	**Partially reflected**
	Amendments are being elaborated to be introduced in the Georgian law on "Ensuring Uniformity of Measurements" provision due to gaps existing in legal metrology, that later are to be incorporated as separate chapter in the "Code on Safety and Free Movement of Products". According to the amendments concerned the clarification of terms and definitions and further alignment thereof with those of VIM (International Vocabulary of Metrology) are to be achieved.	**Reflected**
	Ministry o is responsible for maintenance of the register of technical regulations	**Partially reflected**
	The WTO TBT Information Center will fulfill the formal requirements of the TBT Agreement and serve as a national informational contact point for communications on technical regulations to WTO and its member states	**Partially reflected** **Governmental Resolution**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Metrology	Ensure that GEOSTM is not entitled to introduce new rules different from the international standards, guidelines etc. in the fields which are covered by the relevant international documents	**To be reflected**
	Provide for ensuring traceability to SI units of national measurements standards in priority fields	**To be reflected**
	Transform the Law on *Uniformity of Measurements* into the Section on *Metrology* of the *[Code on Safety and Free Movement of Products]* and define the list of measurement instruments subject to obligatory verification procedures by the GoG in accordance with OIML recommendations and national needs	**To be reflected**
	Provide for publishing the List of Applicable Standards related to the regulated area based on international practice by the GEOSTM	**Partially reflected**

Relevant Legal Act	Provision to be Introduced	Current Regulation
[Code on Safety and Free Movement of Products], Section on Protection of Consumers' Rights	Outdated Law on *Protection of Consumers' Rights* replace with the Section on *Protection of Consumers' Rights* of the [*Code on Safety and Free Movement of Products]* that will be in compliance with the requirements of the General Product Safety Directive	**To be reflected**
Market Surveillance [the Code will be amended by the Section on Market Surveillance]	Market surveillance body (bodies) will be defined based on the Governmental Strategy on Market Surveillance; As a result a suitable market surveillance strategy for Georgia shall be elaborated by the end of 2011, and necessary institutional restructuring shall be conducted pursuant to EU requirements and good practice	**To be reflected**

General Legislative Approximation Sub-Programme

Introduction

The General Legislative Approximation Sub-Programme is based on the principles of the Guide to the Implementation of Directives Based on the New Approach and the Global Approach and suited to the Georgian (non-EU, non-candidate country) realities.

The Sub-Programme embraces legal issues to be incorporated into the national legislation in order to bring it in compliance with best international and EU practices. The Sub-Programme addresses significant legal and regulatory topics such as: Essential Requirements, Harmonised Standards, Technical Regulations, Placing on the Market, Product Liability, Conformity Assessment, Principles of Marking, Mutual Recognition Agreements and Unilateral Recognition.

The Sub-Programme also identifies the relevant Georgian legal act these provisions should be incorporated into, and defines the current status of drafting respective amendments.

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	General Regulatory Principles		
1	Public intervention is limited to what is essential and leave business and industry the greatest possible choice on how to meet their safety requirements.	*[Code on Safety and Free Movement of Products]*, Preamble	Drafted
2	The regulatory mechanisms in place are based on prevention of new barriers to trade, mutual and unilateral recognition and technical harmonisation; Ensuring the open market economy and free trade; Highest possible affordability of products at the possible lowest risk; No TBT for products produced in the countries with developed safety and quality infrastructure and no additional conformity assessment requirements for placing on Georgian market; Symmetric and non-discriminatory market placement for same quality products; Superiority of International Standards	*[Code on Safety and Free Movement of Products]*, General Regulatory Principles	Drafted
3	Products legally manufactured or marketed in other countries can in principle be imported freely to the territory of Georgia, where such products meet adequate levels of safety and where they are marketed in the territory of the exporting country with developed safety and quality infrastructure.	*[Code on Safety and Free Movement of Products]*, General Regulatory Principles	Drafted
4	Barriers to trade, which result from differences between national legislations, may only be accepted in exceptional cases defined by law whereas they are necessary to satisfy exceptional mandatory requirements (such as health, safety, consumer protection and environmental protection)	*[Code on Safety and Free Movement of Products]*, General Regulatory Principles	Drafted
5	Application of standards whether national or international remains voluntary, and the manufacturer may always develop and apply other technical specifications to meet the requirements.	*[Code on Safety and Free Movement of Products]*, General Regulatory Principles	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
6	Products manufactured in compliance with harmonised international standards benefit from a presumption of conformity with the corresponding essential requirements	*[Code on Safety and Free Movement of Products]*, General Regulatory Principles	Drafted
7	Legislation on foodstuffs, chemical products, pharmaceutical products are subject to separate laws	*[Code on Safety and Free Movement of Products]*, General Regulatory Principles	Drafted
8	Provisions of the New Approach and the Global Approach directives as and when incorporated into the Georgian legislation supersede all corresponding national provisions.	*[Code on Safety and Free Movement of Products]*, Section on Technical Regulations	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Essential Requirements		
9	Essential requirements of technical regulations lay down the necessary elements for protecting the public interest – health, life, environment and property. Essential requirements are mandatory. Only products complying with essential requirements may be placed on the market and put into service where technical regulations exist. Essential requirements must be applied as a function of the hazards inherent to a given product.	*[Code on Safety and Free Movement of Products]*, Section on Technical Regulations	Drafted
10	Legislative regulation is limited to essential requirements that products placed on Georgian market or intended for export must meet. Only products fulfilling the essential requirements may be placed on the market and put into service. Products may be placed on the market and put into service only if they are in compliance with the essential requirements of technical regulations that are generally designed to cover all hazards related to the public interest that the technical regulation intends to protect.	*[Code on Safety and Free Movement of Products]*, Section on Technical Regulations	Drafted
11	The technical specifications of products meeting the essential requirements set out in technical regulations can be laid down in standards that are registered at the National Agency of Standardisation, Technical Regulations and Metrology and corresponding harmonised Standards which also possible to register using a Cover Page Method.	*[Code on Safety and Free Movement of Products]*, Section on Technical Regulations	Drafted
12	Application of harmonised standards or other technical specifications remains voluntary, and manufacturers are free to choose any technical solution that provides compliance with the essential requirements.	*[Code on Safety and Free Movement of Products]*, Section on Standardisation	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Harmonised Standards		
13	Harmonised standards are European standards, which are adopted by European standards organisations, prepared in accordance with the General Guidelines agreed between the Commission and the European standards organisations, and follow a mandate issued by the Commission after consultation with the Member States. A harmonised standard which matches the essential requirements of the relevant directive may contain provisions relating not only to essential requirements but also to other provisions. In such a case, these provisions should be clearly distinguished from those covering the essential requirements. A harmonised standard does not necessarily cover all essential requirements. This would oblige the manufacturer to use other relevant technical specifications in order to meet all the essential requirements of the directive. The application of harmonised standards, which give a presumption of conformity, remains voluntary in the field of New Approach directives. Thus, the product may be manufactured directly on the basis of the essential requirements	*[Code on Safety and Free Movement of Products],* Section on Standardisation	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Technical Regulations		
14	The objects submitted to the technical regulation are referred to, for instance, as products, equipment, apparatus, devices, appliances, instruments, material, assemblies, components or safety components, units, fittings, accessories or systems. It is the responsibility of the manufacturer to verify whether or not the product is within the scope of a certain technical regulation. Where the same product or hazard is covered by two or more technical regulations, the application of other regulations can sometimes be excluded following an approach that includes a risk analysis of the product with a view to intended use as defined by the manufacturer. Manufacturers are obliged to place only safe products on the market. They are obliged, within the limits of their respective activities, to provide consumers with the relevant information to enable them to assess the risks inherent in a product, where such risks are not immediately obvious without adequate warnings, and to take precautions against those risks.	*[Code on Safety and Free Movement of Products],* Section on Technical Regulations and Section on Protection of Consumer's Rights	Drafted
15	The scope defines the range of products covered by the technical regulation, or the nature of hazards the technical regulation is intended to avert. It usually covers hazards related to a product or to a phenomenon. Accordingly, several technical regulations may apply to the same product.	*[Code on Safety and Free Movement of Products],* Section on Technical Regulations	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
16	Products submitted to technical regulations: Technical regulations apply to products which are intended to be placed (or put into service) on the market for the first time. Consequently, the technical regulations apply to new products manufactured or imported to Georgia, and to new, as well as used and second-hand, products imported from other countries Products that have been subject to important changes may be considered as new products that have to comply with the provisions of the applicable technical regulation when placed on the market and put into service. This has to be assessed on a case-by-case basis, unless otherwise provided for. Products, which have been repaired without changing the original performance, purpose or type, are not subject to conformity assessment according to the technical regulations. Products specially or exclusively intended for military or police purposes are explicitly excluded from the scope of this law.	*[Code on Safety and Free Movement of Products],* Section on Technical Regulations	Drafted
17	Maintenance operations are basically excluded from the scope of the directives. However, at the design stage of the product the intended use and maintenance must be taken into account	*[Code on Safety and Free Movement of Products],* Section on Technical Regulations	Drafted
18	For products used at the workplace the employer must take all measures necessary to ensure that work equipment is suitable and safe. For instance, the user of repaired machinery must ensure that it is no less safe than the original.	*[Code on Safety and Free Movement of Products]*	Drafted
19	In case the product is not covered by the technical regulation or other national legislation or not all aspects of safety or categories of risk are covered by the technical regulation or other national legislation, general product safety criteria apply to consumer products supplied in the course of commercial activity	*[Code on Safety and Free Movement of Products],* Section on Protection of Consumers' Rights	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
20	The provisions on general product safety cover new, used and reconditioned products intended for consumers or likely to be used by consumers, supplied in the course of commercial activity	*[Code on Safety and Free Movement of Products],* Section on Protection of Consumers' Rights	Drafted
21	Consumer products outside the field of application of technical regulations and other national legislation (for example products not complying with the definition laid down by the technical regulation in question, used and second-hand products that were originally placed on the market before the respective technical regulation entered into force, and repaired products, where they are supplied in the course of commercial activity) come under the general product safety criteria as defined by the *[Code on Safety and Free Movement of Products]*	*[Code on Safety and Free Movement of Products],* Section on Protection of Consumers' Rights	Drafted
22	Product liability provisions of the *Civil Code* are applicable to all products covered by the technical regulations	a) Civil Code of Georgia b) *[Code on Safety and Free Movement of Products],* Section on Protection of Consumers' Rights	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Placing on the Market		
23	Placing on the market is the initial action of making a product available for the first time on the market, with a view to distribution or use in the country. Making available can be either for payment or free of charge. Putting into service takes place at the moment of first use within the country by the end user. However, the need to ensure, in the framework of market surveillance, that products are in compliance with the provisions of the technical regulations when being put into service is limited. A product must comply with the technical regulations when it is placed on the market for the first time and put into service	a) Strategy b) *[Code on Safety and Free Movement of Products],* Section on Protection of Consumers' Rights	Drafted
24	Georgia is obliged: a) not to prohibit, restrict or impede the placing on the market and putting into service of products that comply with the applicable technical regulations; and b) to take any measures necessary to ensure that products are placed on the market and put into service only if they do not endanger the safety and health of persons, or other interests covered by the applicable technical regulations, when correctly constructed, installed, maintained, and used in accordance with their purpose.	*[Code on Safety and Free Movement of Products]*	Drafted
25	Placing on the market and putting into service: Necessary measures have to be taken to ensure that products are placed on the market and put into service only if they do not endanger the safety and health of persons, or other public interests covered by the directive, when properly installed, maintained and used for the intended purposes. This entails an obligation for adequate market surveillance on the part of Government. However, these provisions may neither require modifications of the product nor influence the conditions for its placing on the market.	*[Code on Safety and Free Movement of Products], Section* on Protection of Consumers' Rights	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
26	Placing on the market is considered not to take place where a product is: a) transferred from the manufacturer in a third country to an authorised representative in the national territory whom the manufacturer has engaged to ensure that the product complies with the technical regulation; b) transferred to a manufacturer for further measures (for example assembling, packaging, processing or labelling); c) not (yet) granted release for free circulation by customs, or has been placed under another customs procedure (for example transit, warehousing or temporary importation), or is in a free zone; d) manufactured in Georgia with a view to exporting it to another country; e) displayed at trade fairs, exhibitions or demonstrations; or f) in the stocks of the manufacturer, or the authorised representative established in Georgia, where the product is not yet made available, unless otherwise provided for in the applicable technical regulations.	*[Code on Safety and Free Movement of Products]*	Drafted
27	Products designed and manufactured in countries with developed safety and quality infrastructure (EU, OECD) may as a principle be freely placed on the market and put into service.	*[Code on Safety and Free Movement of Products]*	Drafted
28	Georgia is obliged to take all appropriate measures to prohibit or restrict the placing on the market of products bearing a marking or to withdraw them from the market, if these products might compromise the safety and health of individuals or other public interests covered by the applicable technical regulations, when the products are used for their intended purpose. Georgia must inform the EU Commission when it takes such a measure in regard of goods bearing EC marking.	*[Code on Safety and Free Movement of Products]*	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Manufacturer		
29	A manufacturer is the person who is responsible for designing and manufacturing a product with a view to placing it on the market on his own behalf. The manufacturer has an obligation to ensure that a product intended to be placed on the market is designed and manufactured, and its conformity assessed, to the essential requirements in accordance with the provisions of the applicable technical regulations. The manufacturer may use finished products, ready-made parts or components, or may subcontract these tasks. However, he must always retain the overall control and have the necessary competence to take the responsibility for the product. The manufacturer of the product is when he is established in Georgia. 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, is also the producer. A producer is also the manufacturer's representative when the manufacturer is not established in Georgia or if there is no representative established in Georgia, the importer. Other professionals in the supply chain are producers insofar as their activities may affect the safety properties of a product on the market.	*[Code on Safety and Free Movement of Products]*	Drafted
30	Technical documentation The manufacturer must draw up a technical file (technical documentation). The technical documentation is intended to provide information on the design, manufacture and operation of the product.	*[Code on Safety and Free Movement of Products]*	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
31	Authorised representative: The manufacturer may appoint any natural or legal person to act on his behalf as an authorised representative . The authorised representative is explicitly designated by the manufacturer, and he may be addressed by the authorities of the country instead of the manufacturer with regard to the latter's obligations under the technical regulation in question. The manufacturer remains generally responsible for actions carried out by an authorised representative on his behalf.	*[Code on Safety and Free Movement of Products]*	Drafted
32	**Importer/person responsible for placing on the market:** An importer (a person responsible for placing on the market) is any natural or legal person established in Georgia who places a product from another country on the Georgian market. The importer must ensure that he is able to provide the market surveillance authority with the necessary information regarding the product, where the manufacturer is not established in Georgia, and has no authorised representative in Georgia. The natural or legal person who imports a product into Georgia may, in some situations, be considered as the person who must assume the responsibilities placed on the manufacturer according to the applicable technical regulations.	*[Code on Safety and Free Movement of Products]*	Drafted
33	The importer (person responsible for placing on the market) must be able to provide the surveillance authority with a copy of declaration of conformity, and make the technical documentation available. This responsibility is placed on the importer (person responsible for placing on the market) only where the manufacturer is not established in Georgia, and has no authorised representative in Georgia. The importer must ensure, in order to fulfill his responsibilities, that a contact with the manufacturer can be established.	*[Code on Safety and Free Movement of Products]*	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
34	**Distributor** Distributor is defined as any professional in the supply chain whose activity does not affect the safety properties of a product. Distributors are obliged to act with due care in order to help to ensure compliance with the general safety requirements, in particular by not supplying products that they know or should have presumed, on the basis of the information in their possession and as professionals, not to comply with this requirement. In particular, within the limits of their activities, they must participate in monitoring the safety of products placed on the market, especially by passing on information on product risks and cooperating in the action taken to avoid these risks. A distributor is to be considered as any natural or legal person in the supply chain who takes subsequent commercial actions after the product has been placed on the market. The distributor shall act with due care in order not to place clearly non-compliant products on the market. He shall also be capable of demonstrating this to the national surveillance authority. Accordingly, he may not supply products that he knows or should have assumed, on the basis of information in his possession and as a professional, not to be in compliance with the legislation. Further, he should cooperate in actions taken to avoid or minimise these risks. The person in charge of the distribution conditions shall take the necessary measures to protect the compliance of the product.	*[Code on Safety and Free Movement of Products]*	Drafted
35	**Assembler and installer** The installer and assembler of a product, which is already placed on the market, should take necessary measures to ensure that it still complies with the essential requirements at the moment of first use within the country. This applies to products where the technical regulation in question covers putting into service, and where such manipulations may have an impact on the compliance of the product.	*[Code on Safety and Free Movement of Products]*	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
36	**User (employer)** National legislation concerning the health and safety of the workplace has an impact on the maintenance and use of products covered by technical regulations that are used at the workplace. The employer must take all measures necessary to ensure that the work equipment (for example machinery and apparatus) made available to the workers is suitable for the work carried out, and may be used by workers without impairment to their safety or health; Workers have a general responsibility to take care, as far as possible, of their own safety and health and that of other persons affected by their acts at work. In accordance with the training and the instructions given by their employer they must, for instance, make correct use of machinery, apparatus, and other means of production, and the personal protective equipment.	*[Code on Safety and Free Movement of Products]*	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Product Liability		
37	The provisions on product liability cover any product manufactured or imported into Georgia, which causes damage to individuals or private property. The provisions on product liability establish proportionate liability regime on manufacturers and importers in Georgia. The producer must compensate for damages caused by the defective product to individuals (death, personal injury) and private property (goods for private use). The law does not cover the destruction of the defective product itself and, therefore, there is no obligation to compensate for it under the product liability provisions.	Civil Code of Georgia	In force
38	The producer will not have to pay, if he proves: he did not place the product on the market (for example the product was stolen); the product was not defective when he placed it on the market (thus he proves that the defect was caused subsequently); the product was not manufactured to be sold; the defect was caused due to compliance with mandatory regulations issued by the public authorities (which excludes national, European and international standards) the state of scientific and technical knowledge at the time when the product was put on the market could not as such enable the existence of the defect to be discovered (the development risks defence); or, where he is a subcontractor, that the defect was due either to the design of the finished product or to defective instructions given to him by the producer of the finished product.	Civil Code of Georgia	In force

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Conformity Assessment and the Modules		
39	Conformity Assessment is based on the following principles: Standards are voluntary and developed by state and private bodies; All obligatory requirements related to protection of health and safety are set by mandatory technical regulations; There exists no obligation to involve third party certification for pre-market testing; No conformity assessment or inspection from market surveillance body; Conformity assessment for industrial goods are performed by accredited third party conformity assessment bodies; Manufacturer apply all internationally accepted forms of conformity assessment including self-declaration on conformity to regulations or standards; Acceptance of conformity assessment results/documents issued by conformity assessment bodies accredited in the countries with developed safety and quality infrastructure (EU, OECD); No additional conformity assessment for the products with marking of the countries with developed safety and quality infrastructure; Institutional impartiality of conformity assessment bodies.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
40	The guiding principles for conformity assessment are as follow: A consistent approach is developed in the legislation by devising modules for the various phases of conformity assessment procedures, and by laying down criteria for the use of these procedures, for the designation of bodies operating these procedures European and international standards relating to quality assurance and to the requirements to be fulfilled by conformity assessment bodies operating quality assurance are registered and used Setting up of accreditation system and the use of inter-comparison techniques are promoted. Mutual and unilateral recognition concerning testing and certification are promoted. Manufacturers may choose between different conformity assessment procedures provided for in the applicable technical regulation.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
41	Conformity assessment is performed by technically competent conformity assessment bodies, accreditation is to be deemed as preferable mean for demonstrating competence of CABs Third party conformity assessment can be carried out by conformity assessment bodies holding EU or OECD countries accreditation.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
42	Conformity assessment is based on: - Manufacturers' internal design and production control activities; -Third party type examination combined with manufacturers' internal production control activities; - Third party type or design examination combined with third party approval of product or production quality assurance systems, or third party product verification; -Third party approval of product or production quality assurance systems and third party product verification can also be provided for without third party type or design examination - Third party unit verification of design and production; - Third party approval of full quality assurance systems.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
43	Before placing a product on the market, the manufacturer must subject the product to a conformity assessment procedure provided for in the applicable legislation	*[Code on Safety and Free Movement of Products],* Section on Protection of Consumers' Rights	Drafted
44	Georgia presumes that products bearing the adequate marking comply with all the provisions of the applicable technical regulation providing for its affixing. Accordingly, Georgia may not prohibit, restrict or impede the placing on the market and putting into service in its territory of products bearing the particular marking, unless the provisions relating to the marking under question are incorrectly applied.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
45	Conformity assessment is subdivided into modules, which comprise a limited number of different procedures applicable to the widest range of products. -The modules relate to the design phase of products, their production phase or both. The eight basic modules and their eight possible variants can be combined with each other in a variety of ways in order to establish complete conformity assessment procedures. - As a general rule, a product is subject to conformity assessment according to a module during the design as well as the production phase. - Technical regulation describes the range and contents of possible conformity assessment procedures, which are considered to give the necessary level of protection. The technical regulations also set out the criteria governing the conditions under which the manufacturer can make a choice, if more than one option is provided for.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
46	The principle of proportionality also requires that the technical regulation should not include unnecessary procedures, which are too onerous relative to the objectives, in particular as laid down in the essential requirements. Alternatively, the directives can also establish, for all the products covered by the scope, a range of procedures from which the manufacturer shall choose.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
47	Basic modules: A - Internal control of production - Covers internal design and production control. This module does not require a notified body to take action. B -examination - Covers the design phase, and must be followed up by a module providing for assessment in the production phase. Examination certificate is issued by a notified body. C - Conformity to type - Covers the production phase and follows module B. Provides for conformity with the type as described in the Examination certificate issued according to module B. This module does not require a notified body to take action. D - Production quality assurance - Covers the production phase and follows module B. Derives from quality assurance standard EN ISO 9002, with the intervention of a notified body responsible for approving and controlling the quality system for production, final product inspection and testing set up by the manufacturer. E - Product quality assurance - Covers the production phase and follows module B. Derives from quality assurance standard EN ISO 9003, with the intervention of a notified body responsible for approving and controlling the quality system for final product inspection and testing set up by the manufacturer. F - Product verification - Covers the production phase and follows module B. A notified body controls conformity to the type as described in the Examination certificate issued according to module B, and issues a certificate of conformity. G - Unit verification -Covers the design and production phases. Each individual product is examined by a notified body, which issues a certificate of conformity. H - Full quality assurance - Covers the design and production phases. Derives from quality assurance standard EN ISO 9001, with the intervention of a notified body responsible for approving and controlling the quality system for design, manufacture, final product inspection and testing set up by the manufacturer.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
48	For the purpose of complying with the applicable technical regulations the manufacturer shall ensure that the quality system is implemented and applied in such a way that it ensures the full application of the essential requirements in question.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
49	Application of quality system standards _ The use of quality systems for the purpose of conformity assessment procedures in the directives is described in modules D, E and H and their variants. _ Compliance with relevant standards gives a presumption of conformity with the corresponding quality assurance modules as regards the provisions covered by the standard in question, provided that the quality system takes into consideration —as necessary —the specific requirements of the products for which they are implemented. _ Compliance with modules D, E, H and their variants does not require a certified quality system according to the relevant standards, although it provides a useful means of establishing compliance. The manufacturer is free to apply other quality system models than those based on relevant standards for the purpose of complying with these modules.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment; the Governmental Resolution	Drafted
50	The technical documentation must be kept for at least [10] years from the last date of manufacture of the product, unless the relevant technical regulation or law expressly provides for any other duration. This is the responsibility of the manufacturer or the authorised representative established in Georgia. In some cases the importer or the person placing the product on the market must take on this responsibility.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
51	Declaration of Conformity _ The manufacturer or the authorised representative established in Georgia must draw up a declaration of conformity as part of the conformity assessment procedure provided for in the technical regulations. _ Declaration of conformity should contain all relevant information to identify the technical regulations according to which it is issued, as well as the manufacturer, the authorised representative, the notified body if applicable, the product, and where appropriate a reference to harmonised standards or other normative documents.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
52	As a minimum the following information should be provided: _ the name and address of the manufacturer or the authorised representative issuing the declaration; _ the identification of the product (name, type or model number, and any relevant supplementary information, such as lot, batch or serial number, sources and numbers of items); _ all relevant provisions complied with; the referenced standards or other normative documents (such as national technical standards and specifications) in a precise, complete and clearly defined way; _ all supplementary information that may be required (for example grade, category), if applicable; _ the date of issue of the declaration; signature and title or an equivalent marking of authorised person; and _ the statement that the declaration is issued under the sole responsibility of the manufacturer and, if applicable, the authorised representative.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
53	Where several technical regulations apply to a product, the manufacturer or the authorised representative can, basically, merge all the declarations into a single document.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Principles of Marking		
	Protection of CE Marking		
54	_ The CE marking symbolises the conformity of the product with the applicable Community requirements imposed on the manufacturer. _ The CE marking affixed to products is a declaration by the person responsible that: * the product conforms to all applicable Community provisions, and * the appropriate conformity assessment procedures have been completed. The CE marking must be affixed visibly, legibly and indelibly to the product or to its data plate. However, where this is not possible or not warranted on account of the nature of the product, it must be affixed to the packaging, if any, and to the accompanying documents, where the directive concerned provides for such documents. Where a notified body is involved in the production control phase according to the applicable directives, its identification number must follow the CE marking. The manufacturer or the authorised representative established in the Community affixes the identification number, under the responsibility of the notified body. The manufacturer, whether established inside or outside the Community, is the person ultimately responsible for the conformity of the product with the provisions of the directive and for the affixing of the CE marking.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted
55	CE marking: Products in compliance with all provisions of the applicable directives providing for the CE marking must bear this marking. Thus, the CE marking is, in particular, an indication that the products comply with the essential requirements of applicable directives and that the products have been subject to a conformity assessment procedure provided for in the directives.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Other Marks		
56	Products legally manufactured, designed and marked on territories of countries with developed quality and safety infrastructure and bearing the relevant marking symbolise the conformity of the product with the applicable requirements imposed on the manufacturer in the country of production. Marking affixed to products is a declaration by the person responsible that: * the product conforms to all applicable provisions of the country of production, and * the appropriate conformity assessment procedures have been completed.	*[Code on Safety and Free Movement of Products]*, Section on Conformity Assessment	Drafted

#	Provisions to be Implemented into the Georgian Legislation	Respective Georgian Law	Current Status of the Georgian Law
	Mutual Recognition Agreements and Unilateral Recognition		
57	If and when Mutual Recognition Agreements are established between Georgia and other countries, which are on a comparable level of technical development and have a compatible approach concerning conformity assessment. The agreements of mutual recognition are based upon acceptance of certificates, marks of conformity and test reports issued by the conformity assessment bodies of either party in conformity with the legislation of the other party. Government of Georgia is entitled unilaterally recognize technical regulations of countries/systems with developed quality infrastructure and make equally applicable these technical regulations on the territory of Georgia.	*[Code on Safety and Free Movement of Products]*	Drafted

Directive Concerning Liability for Defective Products

Introduction

One of the aims of the Working Group was to investigate a current status of incorporation of the Directive concerning the Liability for Defective Products into the national legislation, consequently the legislation was analysed. As legal analysis confirmed, the requirements of the LDPD are already fully addressed by the *Civil Code* of Georgia and by the *Law on Consumer Protection.*

The table below demonstrates how the respective provisions of the LDPD are reflected into the corresponding Articles of the Georgian *Civil Code.* It also indicates the provisions of the LDPD that should be reflected into the national legislation in the future.

Liability for Defective Products Directive	Georgian Legislation	Text of the Law	Status of implementation
Article 1 The producer shall be liable for damage caused by a defect in his product.	**Civil Code of Georgia**	**Article 1009.** **Liability of a Producer of a Defective Product** 1. Producer of a defective product shall be liable for damage caused by such product irrespective of existence or absence of a contractual relation with the injured party.	In compliance
	Law of Georgia on Protection of Consumer	**Rights Article 3. Section 5.**A producer is obligated to ensure product safety during the established term of its validity. In case of non-observance of this requirement, any damage incurred by a consumer shall be subject to reimbursement in accordance with Article 10 of this Law. **Article 9. Liability of a Seller (Producer, Provider) for Violation of Consumer Rights** Seller (Producer, provider) shall be liable in accordance with this Law, the effective legislation of Georgia or an agreement between a consumer and the seller (provider). When satisfying claims of consumers (public union of consumers) envisaged under this Law the court may adopt a decision on obligating the seller (Producer, provider) to pay a penalty. The amount of the penalty shall be determined on the basis of value of the claim regarding non-observance of voluntary rules of satisfying consumer claims. **Article 10. Material Liability** 1. Damage incurred by a consumer due to a constructional, production and receptive defect of a product shall be compensated fully, unless legislative acts of Georgia envisage higher degree of liability. 2. Damage to life, health and assets of a consumer shall be compensated within the terms of validity of a product, or if no such term is established - within 10 years from the date of its manufacturing. 3. Damage incurred as a result of a product defect revealed during the term of its validity, or if no validity term is established - within a longer term established under Article 14.1 and 24.2 of this law or an agreement, shall be compensated by the seller or Producer. 4. Producer (provider, seller) shall be released from liability if it is established that damages were caused by force majeure events or violation of conditions of storage or use of a product by the consumer.	
Article 2 For the purpose of this Directive 'product' means all movables, with the exception of primary agricultural products and game, even though incorporated into another movable or into an immovable. 'Primary agricultural products' means the products of the soil, of stock-farming and of fisheries, excluding products which have undergone initial processing. 'Product' includes electricity.	**Civil Code of Georgia**	**Article 1011. Definition of a Product** 1. For the purposes of this Code, all movable items, including electricity, even when such items constitute part of other movable or immovable items, shall be considered as products. Such items shall not include unprocessed agricultural products (natural agricultural products) received from stock-farming, apiculture, fish-breeding and farming. Same rules shall apply in relation to products received by hunting.	In compliance
	Law on Certification of Products and Services	**Article 3, subparagraph "m"** - Product – goods or services traded in Georgia regardless of whether intended for consumers and is supplied or available for commercial or noncommercial purposes;	

Liability for Defective Products Directive	Georgian Legislation	Text of the Law	Status of implementation
Article 3 1. 'Producer' means the manufacturer of a finished product, the producer of any raw material or the manufacturer of a component part and any person who, by putting his name, trade mark or other distinguishing feature on the product presents himself as its producer. 2. Without prejudice to the liability of the producer, any person who imports into the Community a product for sale, hire, leasing or any form of distribution in the course of his business shall be deemed to be a producer within the meaning of this Directive and shall be responsible as a producer. 3. Where the producer of the product cannot be identified, each supplier of the product shall be treated as its producer unless he informs the injured person, within a reasonable time, of the identity of the producer or of the person who supplied him with the product. The same shall apply, in the case of an imported product, if this product does not indicate the identity of the importer referred to in paragraph 2, even if the name of the producer is indicated	**Civil Code of Georgia**	**Article 1011.** 2. A Producer shall be defined under this Code as a person who has manufactured a final product, main elements or components of a product. All persons who act as producers in their own name, under a trademark or other distinctive feature shall also be considered as Producers. 3. The definition of a Producer shall also include a person who offers a product for sale, rent, lease or other economic purpose within the scope of its business activities in accordance with the rules stipulated under this Code. 4. When a Producer can not be identified, all suppliers shall be treated as Producers except when within one month from the date of receipt of a respective request, such supplier provides to the injured person information on the Producer or a person who has supplied him with such product. The said rule shall also apply to imported goods, when the initial seller can not be identified, even if the name of the Producer is known.	In compliance
	Law for consumer protection definitions	**Preamble -** Producer - an enterprise, organization, institution or a citizen -entrepreneur manufacturing products with an intension of their sale or exchange	
	Law on Certification of Products and Services	**Atricle 3, subparagraph "p"** - Producer: p.a) the manufacturer of the product or 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; p.b) the manufacturer's representative on the Georgian territory or person placing product on the market when foreign manufacturer has no representative; *(29.12.2006 N4291)* p.c) other professionals in the supply chain, insofar as their activities may affect the safety properties of a product placed on the market;	
Article 4 The injured person shall be required to prove the damage, the defect and the causal relationship between defect and damage	**Civil Code of Georgia**	**Article 1012. Burden of Proof** In cases of liability for damages caused by defective products, the burden of proof shall be borne by the injured party.	In compliance

Liability for Defective Products Directive	Georgian Legislation	Text of the Law	Status of implementation
Article 5 Where, as a result of the provisions of this Directive, two or more persons are liable for the same damage, they shall be liable jointly and severally, without prejudice to the provisions of national law concerning the rights of contribution or recourse	**Civil Code of Georgia**	**Article 1013. Joint Liability of Producers of Defective Products** If several producers are liable for the same damages, they shall be held jointly liable for such damages.	In compliance
Article 6 1. A product is defective when it does not provide the safety which a person is entitled to expect, taking all circumstances into account, including: (a) the presentation of the product; (b) the use to which it could reasonably be expected that the product would be put; (c) the time when the product was put into circulation. 2. A product shall not be considered defective for the sole reason that a better product is subsequently put into circulation	**Civil Code of Georgia**	**Article 1010. Definition of a Defective Product** 1. A Product is considered defective when if does not provide the safety which could be expected from such product taking into account all the circumstances. 2. A product shall not be considered defective for the sole reason that a better product was later introduced into circulation.	In compliance

Liability for Defective Products Directive	Georgian Legislation	Text of the Law	Status of implementation
Article 7 The producer shall not be liable as a result of this Directive if he proves: (a) that he did not put the product into circulation; or (b) that, having regard to the circumstances, it is probable that the defect which caused the damage did not exist at the time when the product was put into circulation by him or that this defect came into being afterwards; or (c) that the product was neither manufactured by him for sale or any form of distribution for economic purpose nor manufactured or distributed by him in the course of his business; or (d) that the defect is due to compliance of the product with mandatory regulations issued by the public authorities; or (e) that the state of scientific and technical knowledge at the time when he put the product into circulation was not such as to enable the existence of the defect to be discovered; or (f) in the case of a manufacturer of a component, that the defect is attributable to the design of the product in which the component has been fitted or to the instructions given by the manufacturer of the product.	**Civil Code of Georgia**	**Article 1009. Liability of a Producer of a Defective Product** 1. Producer of a defective product shall be held liable for damage caused by such product irrespective of existence or absence of a contractual relation with the injured party, except when: a. he has not put such product into circulation; b. based on the circumstances, it can be assumed that at the time the product was put into circulation, it did not contain the defect which caused the damage; c. the producer has not manufactured the product for sale or other economic purposes, nor within the scope of his business activities; d. the product has a defect which complied with effective regulations at the time it was put into circulation; or e. the level of scientific and technical knowledge existing at the time the product was put into circulation did not enable detection of the defect. 2. Liability of a producer of a product component is also excluded if a defect is caused by the design of a product where the component was used. 3. Liability of a producer to compensate damages shall be reduced or excluded altogether if damages were caused by illegal actions of an injured party or a person responsible for actions of such injured party. 4. Liability of a producer shall not be reduced if damages were caused by a defect of a product and actions of a third party at the same time.	In compliance

Liability for Defective Products Directive	Georgian Legislation	Text of the Law	Status of implementation
Article 8 1. Without prejudice to the provisions of national law concerning the right of contribution or recourse, the liability of the producer shall not be reduced when the damage is caused both by a defect in product and by the act or omission of a third party. 2. The liability of the producer may be reduced or disallowed when, having regard to all the circumstances, the damage is caused both by a defect in the product and by the fault of the injured person or any person for whom the injured person is responsible.	**Civil Code of Georgia**	**Article 1009. Liability of Producer of Defective Products** 3. Liability of a producer to compensate damages shall be reduced or excluded altogether if damages were caused by illegal actions of the injured party or a person responsible for actions of such injured party. 4. Liability of a producer shall not be reduced if damages were caused by a defect of a product and actions of a third party at the same time.	In compliance
Article 9 For the purpose of Article 1, 'damage' means: (a) damage caused by death or by personal injuries; (b) damage to, or destruction of, any item of property other than the defective product itself, with a lower threshold of 500 ECU, provided that the item of property: (i) is of a type ordinarily intended for private use or consumption, and (ii) was used by the injured person mainly for his own private use or consumption. This Article shall be without prejudice to national provisions relating to non-material damage.	**Civil Code of Georgia**	**Article 1014. Compensation of Damages caused by Health Injury** Obligation to compensate damages under Article 1009 shall apply to damages caused by death or bodily and/or health injuries.	Partially implemented

Liability for Defective Products Directive	Georgian Legislation	Text of the Law	Status of implementation
Article 10 1. Member States shall provide in their legislation that a limitation period of three years shall apply to proceedings for the recovery of damages as provided for in this Directive. The limitation period shall begin to run from the day on which the plaintiff became aware, or should reasonably have become aware, of the damage, the defect and the identity of the producer. 2. The laws of Member States regulating suspension or interruption of the limitation period shall not be affected by this Directive.	**Civil Code of Georgia**	**Article 1015. Statute of Limitations of the Claim** 1. Statute of limitations on claims under Article 1009 shall equal to three years starting from a moment the person entitled to claim damages became aware or was expected to become aware of the damage, defect and/or a person liable to compensate damages.	In compliance
Article 11 Member States shall provide in their legislation that the rights conferred upon the injured person pursuant to this Directive shall be extinguished upon the expiry of a period of 10 years from the date on which the producer put into circulation the actual product which caused the damage, unless the injured person has in the meantime instituted proceedings against the producer.	**Civil Code of Georgia**	**Article 1015. Statute of Limitations of the Claim** 2. Claims under Article 1009 shall be considered extinguished after expiry of a ten year period from the moment the producer introduced into circulation a product which caused the damage.	In compliance
Article 12 The liability of the producer arising from this Directive may not, in relation to the injured person, be limited or excluded by a provision limiting his liability or exempting him from liability.	**Civil Code of Georgia**	**Article 1016. Inadmissibility of Preliminary Waiver of Liability** Liability of a producer for defective products may not be waived or limited in advance. Any different agreement shall be considered void.	In compliance

General Product Safety Directive

Introduction

One of the aims of the Working Group was to investigate a current status of incorporation of the General Product Safety Directive into the national legislation, consequently the legislation was analysed. As legal analysis confirmed, the requirements of the GPSD almost fully incorporated into the Georgian legislation (*Law on Certification of Products and Services, low on on Consumer Protection and the Code of Georgia on Administrative Breaches.*

The table below demonstrates how the respective provisions of the GPSD are reflected into the corresponding Articles of the Law on *Consumer Protection* and the Code of Georgia on *Administrative Breaches*. It also indicates the provisions of the GPSD that should be reflected into the national legislation in the future.

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
1	**article 2.** definitions: 'product' shall mean any product —including in the context of providing a service —which is intended for consumers or likely, under reasonably foreseeable conditions, to be used by consumers even if not intended for them, and is supplied or made available, whether for consideration or not, in the course of a commercial activity, and whether new, used or reconditioned.	**Law on Certification of Products and Services**	**Article 3, subparagraph "m" -** Product – goods or services traded in Georgia regardless of whether intended for consumers and is supplied or available for commercial or noncommercial purposes;	In compliance
2	'safe product' shall mean any product which, under normal or reasonably foreseeable conditions of use including duration and, where applicable, putting into service, installation and aintenance requirements, 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, taking into account the following points in particular:(i) the characteristics of the product, including its composition, packaging, instructions for assembly and, where applicable, for installation and maintenance; (ii) the effect on other products, where it is reasonably foreseeable that it will be used with other products; (iii) the presentation of the product, the labelling, any warnings and instructions for its use and disposal and any other indication or information regarding the product; (iv) the categories of consumers at risk when using the product, in particular children and the elderly.	**Law on Certification of Products and Services**	**1) Article 3, subparagraph "n"** - Product – goods or services traded in Georgia regardless of whether intended for consumers and is supplied or available for commercial or noncommercial purposes; **2) Article 6 General Requirements of the Product Safety and Placing on the Market** In the course of determining high level of product safety and protection of health following should be envisaged: a) product characteristics, including its composition, packaging, instructions for assembly and maintenance; b) influence on other products when their combined use is probable; c) presentation of the product, the labelling, instruction for its use and sale, any other information or indication provided by the producer; d) category of consumers which are vulnerable to the danger posed by the product under consideration, in particular children.	In compliance

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
3	'dangerous product' shall mean any product which does not meet the definition of 'safe product' in (b);	**Law on Certification of Products and Services**	**Article 3, subparagraph "o"** - Dangerous product – product or service which does not meet the definition of "safe product" provided in this Article;	In compliance
4	'serious risk' shall mean any serious risk, including those the effects of which are not immediate, requiring rapid intervention by the public authorities;	N/A	N/A	Not reflected in Georgian legislation
5	'producer' shall mean: (i) the manufacturer of the product, when he is stablished in the Community, 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; (ii) the manufacturer's representative, when the manufacturer is not established in the Community or, if there is no representative established in the Community, the importer of the product; (iii) other professionals in the supply chain, insofar as their activities may affect the safety properties of a product;	**Law for consumer protection definitions**	**Preamble** - Producer - an enterprise, organization, institution or a citizen -entrepreneur manufacturing products with an intension of their sale or exchange	In compliance
		Law on Certification of Products and Services	**Atricle 3, subparagraph "p"**- Producer: p.a)the manufacturer of the product or 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; p.b) the manufacturer's representative on the Georgian territory or person placing product on the market when foreign manufacturer has no representative; p.c) other professionals in the supply chain, insofar as their activities may affect the safety properties of a product placed on the market;	
6	'distributor' shall mean any professional in the supply chain whose activity does not affect the safety properties of a product;	**Law on Certification of Products and Services**	**Article 3, subparagraph "q"** - Distributor – a professional in the product supply chain whose activity does not affect the safety properties of a product	In compliance

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
7	'recall' 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' shall mean any measure aimed at preventing the distribution, display and offer of a product dangerous to the consumer.	**Law on Certification of Products and Services**	**Article 25, paragraph 1** Competent body has the outhority to take following measures: d) for any product that could be dangerous, for the period needed for the evaluation, temporarily to ban its supply; e) for any dangerous product which is not yet placed on the market, to ban its marketing and introduce the accompanying measures required to ensure the ban is complied with; f) for any dangerous product already on the market: f.a) to order and organize its immediate withdrawal from the market; disseminate information on the risks; f.b) to ensure in coordination with the producer/distributor, and where impossible, independently, its recall from consumers and destruction, and where impossible, independently.	In compliance
8	**chapter II, article 3:** 1. Producers shall be obliged to place only safe products on the market.	**Law on Consumer Protection**	**Article 3, paragraph 5** - The producer is obligated to ensure product safety within the term of its established validity.	In compliance
		Law on Certification of Products and Services	**Article 7, paragraph** 1- Producer is obliged to place on the market only safe product.	

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
9	conformity of a product 2. A product shall be deemed safe, as far as the aspects covered by the relevant national legislation are concerned, when, in the absence of specific Community provisions governing the safety of the product in question, it conforms to the specific rules of national law of the Member State in whose territory the product is marketed, such rules being drawn up in conformity with the Treaty, and in particular Articles 28 and 30 thereof, and laying down the health and safety requirements which the product must satisfy in order to be marketed. A product shall be presumed safe as far as the risks and risk categories covered by relevant national standards are concerned when it conforms to voluntary national standards transposing European standards, the references of which have been published by the Commission in the Official Journal of the European Communities in accordance with Article 4. The Member States shall publish the references of such national standards.	**Law on Certification of Products and Services**	**Article 8 -** If safety of the product is regulated by a technical norm, producer is obliged to place on the market such product, which complies with the requirements of the regulatory, effective in Georgia or recognized technical regulations or other rules and norms effective in Georgia which establish mandatory requirements in relation to the product.	Adequate provisions

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
10	3. In circumstances other than those referred to in paragraph 2, the conformity of a product to the general safety requirement shall be assessed by taking into account the following elements in particular, where they exist: (a) voluntary national standards transposing relevant European standards other than those referred to in paragraph 2; (b) the standards drawn up in the Member State in which the product is marketed; (c) Commission recommendations setting guidelines on product safety assessment; (d) product safety codes of good practice in force in the sector concerned; (e) the state of the art and technology; (f) reasonable consumer expectations concerning safety. 15.1.2002 EN Official Journal of the European Communities L 11/9	**Law on Standardization**	**Article 2** - Standard – document registered by a competent authority, intended for uniform and multiple application and establishing rules, general principles and characteristics for the products and their production related methods. Use of standards is not obligatory. Standard may also include requirements applicable to terminology, symbols, packaging, marking, labelling process or methods of production; b) International Standard – standard adopted by an international standardization organization which is available to the public; c) Foreign Country Standard – standard adopted or recognized by other country; d) Standard of Georgia – standard registered by the National Agency of Standards, Technical Regulations and Metrology of Georgia.	Adequate provisions

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
11	state supervision 4. Conformity of a product with the criteria designed to ensure the general safety requirement, in particular the provisions mentioned in paragraphs 2 or 3, shall not bar the competent authorities of the Member States from taking appropriate measures to impose restrictions on its being placed on the market or to require its withdrawal from the market or recall where there is evidence that, despite such conformity, it is dangerous.	**Law on Certification of Products and Services**	**Chapter VII. Surveillance and Control of the** **Article 24. Competent Authorities** Competent authorities act within the scope of the competencies granted by this Law and relevant normative acts. **Article 25. Rights of the Competent Authorities** 1. For the purposes of ensuring requirements of this Law and technical regulations, competent authorities shall be entitled to take following measures: a) for any product: a.a) to organize, even after its being placed on the market as being safe, checks and for that purpose take its samples; a.b) to require all necessary information from the producer or distributor; b) for any product that could pose risks in certain conditions: b.a) to require that product be marked with suitable, clearly worded warning on the risks it may present in Georgian language; b.b) to make product marketing subject to prior conditions so as to make it safe; c) for any product that could pose risks for certain persons to order that they be given warning of the risk in good time and in an appropriate form, including if necessary, the publication of special warnings; d) for any product that could be dangerous, for the period needed for the evaluation, temporarily to ban its supply; e) for any dangerous product which is not yet placed on the market, to ban its marketing and introduce the accompanying measures required to ensure the ban is complied with; f) for any dangerous product already on the market: f.a) to order and organize its immediate withdrawal from the market; disseminate information on the risks; f.b) to ensure in coordination with the producer/distributor, and where impossible, independently, its recall from consumers and destruction, and where impossible, independently. 2. If a competent authority does not possess appropriate means for implementation of professional expertise, based on a contract it may approach a corresponding body for the conduct of professional expertise. **Article 26. Duties of Competent Authorities** In the course of implementing certain measure based on the rights envisaged by Article 25 of this Law the competent authorities should act in observance of the principle of impartiality and in consideration of risk level. **Article 27. Costs of Testing** If as a result of testing product proves to be dangerous, expenses of testing procedures including the price of the sample to be tested shall be imposed on the producer or distributor, envisaging the fault of the producer or distributor respectively. **Article 28. Other Rights and Duties of the Competent Authorities**	Adequate provisions

			Additional rights and duties of the competent authorities may be determined by the special normative acts and technical regulations on safety of certain products. **Article 29. Responsibility** Responsibility for violation of the requirements envisaged by this Law shall be determined by the Georgian legislation.	

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
12	CHAPTE III _ Article 51. Within the limits of their respective activities, producersshall provide consumers with the relevant information toenable them to assess the risks inherent in a productthroughout the normal or reasonably foreseeable period of itsuse, where such risks are not immediately obvious withoutadequate warnings, and to take precautions against those risks.The presence of warnings does not exempt any person fromcompliance with the other requirements laid down in thisDirective.	**Georgian Law on Consumer Protection**	**Article 6, paragraph 6, 7, 10** - a list of main product characteristics, for food products - also its energetic value, vitamin content, in case of containing any substances dangerous to health - indication of possible counter indications if used in case of certain diseases, list of dietary supplements used during manufacturing process; z) rules and conditions of effective and safe use of products, as well as special conditions of their storage; k) measures to be taken by consumers after expiry of validity of products and expected results of failure to take such measures;	In compliance
		Law on Certification of Products and Services	**Article 7** - **Obligations of the Producers and Distributors** 1. Producer is obliged to place on the market only safe product. 2. On placing the product on the market producer is obliged to: a) provide consumers with the relevant information to enable them to assess the risks inherent in a product throughout the period of its use, where such risks are not immediately obvious without adequate warnings, and take precautions against those risks;	

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
13	Within the limits of their respective activities, producers shalladopt measures commensurate with the characteristics of the products which they supply, enabling them to: (a) be informed of risks which these products might pose;(b) choose to take appropriate action including, if necessary to avoid these risks, withdrawal from the market, adequately and effectively warning consumers or recall from consumers. The measures referred to in the third ubparagraph shall include, for example: (a) an indication, by means of the product or its packaging, of the identity and details of the producer and the product reference or, where applicable, the batch of products to which it belongs, except where not to give such indication is justified and (b) in all cases where appropriate, the carrying out of sample testing of arketed products, investigating and, if necessary, keeping a register of complaints and keeping distributors informed of such monitoring. Action such as that referred to in (b) of the third subparagraph shall be undertaken on a voluntary basis or at the request of the competent authorities in accordance with Article 8(1)(f). Recall shall take place as a last resort, where other measures would not suffice to prevent the risks involved, in instances where the producers consider it necessary or where they are obliged to do so further to a measure taken by the competent authority. It may be effected within the framework of codes of good practice on the matter in the Member State concerned, where such codes exist.	**Georgian Law on Consumer Protection**	**Article 3, paragraph 8** - If safe use, storage, transportation and utilization of a product requires observance of certain special rules, the Producer (provider) is obligated to establish rules and the seller is obligated to inform consumers regarding such rules. If it is established that in case of observance of rules during product storage, transportation and use by a consumer, they harm or may harm environment, life, health and assets of a consumer, the Producer (provider, seller) is obligated to immediately suspend its production (sale) until elimination of the causes and if required take measures for its withdrawal and recalling from consumers. If the above causes can not be eliminated, the Producer (provider) is obligated to terminate its production. In case of failure by a Producer to perform the said obligation, the products shall be removed from circulation on the basis of a resolution of a state governance body controlling product safety.	In compliance
		Law on Certification of Products and Services	**Article 7, paragraph 2 subparagraph "b"** 2. On placing the product on the market producer is obliged to: b) adopt measures commensurate with the characteristics of the products for the purposes of supplying competent authorities and distributors with the information on the risks associated with the products and avoiding these risks, including, through providing indication by means of product or its batch, carrying out sample testing and if necessary, withdrawal of the product from the market. Provision of such information does not exempt producer from the performance of other obligations envisaged by this Law.	

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
14	2. Distributors shall be required to act with due care to help to ensure compliance with the applicable safety requirements, in particular by not supplying products which they know or should have presumed, on the basis of the information in their possession and as professionals, do not comply with those requirements. Moreover, within the limits of their respective activities, they shall participate in monitoring the safety of products placed on the market, especially by passing on nformation on product risks, keeping and providing the documentation necessary for tracing the origin of products, and cooperating in the action taken by producers and competent authorities to avoid the risks. Within the limits of their respective activities they shall take measures enabling them to cooperate efficiently.	**Law on Certification of Products and Services**	**Article 7, paragraph 3** - Distributor should act with due care to help to ensure compliance of the product with the main safety requirements. In particular he should not supply products which he knows or should have presumed, on the basis of the information in his possession and as professional, do not comply with mandatory requirements. Within the limits of his respective activities, distributor should support ensuring safety of the product placed on the market, especially by passing on information on product risks and participation in the actions taken.	In compliance
15	3. Where producers and distributors know or ought to know, on the basis of the information in their possession and as professionals, that a product that they have placed on the market poses risks to the consumer that are incompatible with the general safety requirement, they shall immediately inform the competent authorities of the Member States thereof under the conditions laid down in Annex I, giving details, in particular, of action taken to prevent risk to the consumer. The Commission shall, in accordance with the procedure referred to in Article 15(3), adapt the specific requirements relating to the obligation to provide information laid down in Annex I.	**Law on Certification of Products and Services**	**Article 7, paragraph 2** - On placing the product on the market producer is obliged to: a) provide consumers with the relevant information to enable them to assess the risks inherent in a product throughout the period of its use, where such risks are not immediately obvious without adequate warnings, and take precautions against those risks; b) adopt measures commensurate with the characteristics of the products for the purposes of supplying competent authorities and distributors with the information on the risks associated with the products and avoiding these risks, including, through providing indication by means of product or its batch, carrying out sample testing and if necessary, withdrawal of the product from the market. Provision of such information does not exempt producer from the performance of other obligations envisaged by this Law	In compliance

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
16	4. Producers and distributors shall, within the limits of theirrespective activities, cooperate with the competent authorities,at the request of the latter, on action taken to avoid the risksposed by products which they supply or have supplied. Theprocedures for such cooperation, including procedures fordialogue with the producers and distributors concerned onissues related to product safety, shall be established by thecompetent authorities.	N/A	N/A	Needs to be reflected in legislation
17	Article 6 1. Member States shall ensure that producers and distributors comply with their obligations under this Directive in such a way that products placed on the market are safe. 2. Member States shall establish or nominate authorities competent to monitor the compliance of products with the general safety requirements and arrange for such authorities to have and use the necessary powers to take the appropriate measures incumbent upon them under this Directive. 3. Member States shall define the tasks, powers, organisation and cooperation arrangements of the competent authorities. They shall keep the Commission informed, and the Commission shall pass on such information to the other Member States.	**Law on Hazardous Entreprises**	**Article 7** Authorized Bodies of Executive Authorities in the Field of Production Safety 1. State policy in the field of production safety is implemented by legal entity of public law – State Inspection of Technical Supervision of Georgia (hereinafter the State Inspection of Technical Supervision of Georgia) entitled for the purposes of carrying out imposed functions to implement in conformity with this Law: a) state supervisory (normative regulatory, preventive, controlling and permitting) functions and apply state enforcement measures based on this Law; b) state supervision over observance of the requirements of this Law and safe conduct of works by Georgian enterprises (regardless of their proprietary and organizational-legal form), their officials, employees as well as citizens. c) pursuant to the requirement of authorized bodies envisaged under paragraph 3 of this Article presenting to them safety declaration. 2. Authorities of the State Inspection of Technical Supervision of Georgia do not extend to the cases envisaged by sub-paragraphs "h", "i" and "j" of paragraph 3 of this Article. 3. Other authorized bodies of the executive authorities in the field of production safety are: a) Removed b) Labor Inspection of the Ministry of Social Protection, Labor and Employment of Georgia – in the field of labor protection; c) Ministry of Urbanization and Construction of Georgia – in the field of carrying out state expertise and architectural-construction state supervision of construction projects; d) Ministry of Environment Protection and Natural Resources – in the field of ecological safety and protection of the environment and natural resources from harmful effect; e) State Department of Sanitary Supervision and Standard of Hygiene of the Ministry of Health Protection – in the field of carrying out state sanitary supervision with the aim of preventing dangerous and harmful effect caused to the human organism by	Partially implemented

			violation of sanitary-hygienic rules and norms at the industrial objects. e[1]) Emergency Situations Management Department of the Ministry of Internal Affairs of Georgia, structural divisions of Autonomous Republics of Abkhazia and Adjara of the Emergency Situations Management Department of the Ministry of Internal Affairs of Georgia, emergency situations management divisions of the local self-governance bodies – in the field of fire prevention and liquidation of results caused by fire, as well as planning and control of preventive measures and preparation of citizens for emergency situations; f) Removed g) Removed h) State Department of Standardization, Metrology and Certification of Georgia – in the field of state control and supervision over observance of mandatory requirements of state standards as well as in the field of formation and implementation of state policy in the certification field. i) Removed j) State Subordinated Entity of the Ministry of Energy of Georgia – National Oil and Gas Agency – in the field of supervision and control of the safe conduct of oil and gas operations and oil and natural gas processing, natural gas processing, oil and natural gas transportation determined by the Law of Georgia on Oil and Gas. 4. Authorities of the state bodies indicated in this Article shall be determined by the law and the bylaws approved pursuant to the established rule.	

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
18	Article 7 Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 15 January 2004 and shall also notify it, without delay, of any amendment affecting them.	**Georgian Code of Administrative Breaches**	**Article 158[1]**. Violation of Consumer rights Deliberate violation of consumer rights which has resulted in material (property) damages - shall be punishable by a penalty in the amount equal to 10 to 100 times the salary. Article 164. Violation of Rules of Entrepreneurial Activities Violation of rules of entrepreneurial activities, engaging in entrepreneurial activities without state registration, engaging in prohibited entrepreneurial activities or engaging without a permit in activities which require a special permit (license) - shall be punishable by a penalty in the amount from 400 to 500 Gel. In case of suspension of activities of an economic subject, engaging in trade operations (services) by such subject – shall be punishable by a penalty in the amount equal to 700 times the minimum salary.	Adequate provisions

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
19	Article 8 discretion of competent authorities of the member states 1. For the purposes of this Directive, and in particular of Article 6 thereof, the ompetent authorities of the Member States shall be entitled to take, inter alia, the measures in (a) and in (b) to (f) below, where appropriate: (a) for any product: (i) to organise, even after its being placed on the market as being safe, appropriate checks on its safety properties, on an adequate scale, up to the final stage of use or consumption; (ii) to require all necessary information from the partiesconcerned; (iii) to take samples of products and subject them to safety checks; (b) for any product that could pose risks in certain conditions: (i) to require that it be marked with suitable, clearly worded and easily comprehensible warnings, in the official languages of the Member State in which the product is marketed, on the risks it may present; (ii) to make its marketing subject to prior conditions so as to make it safe; (c) for any product that could pose risks for certain persons: to order that they be given warning of the risk in good time and in an appropriate form, including the publication of special warnings; (d) for any product that could be dangerous: for the period needed for the various safety evaluations, checks and controls, temporarily to ban its supply, the offer to supply it or its display; (e) for any dangerous product: to ban its marketing and introduce the accompanying measures required to ensure the ban is complied with; (f) for any dangerous product already on the market: (i) to order or organise its actual and immediate withdrawal, and alert consumers to the risks it presents; (ii) to order or coordinate or, if appropriate, to organize together with producers and distributors its recall from consumers and its destruction in suitable conditions. 15.1.2002 EN Official Journal of the European Communities L 11/11	**Law on Certification of Products and Services**	**Article 25- Rights of the Competent Authorities** 1. For the purposes of ensuring requirements of this Law and technical regulations, competent authorities shall be entitled to take following measures: a) for any product: a.a) to organize, even after its being placed on the market as being safe, checks and for that purpose take its samples; a.b) to require all necessary information from the producer or distributor; b) for any product that could pose risks in certain conditions: b.a) to require that product be marked with suitable, clearly worded warning on the risks it may present in Georgian language; b.b) to make product marketing subject to prior conditions so as to make it safe; c) for any product that could pose risks for certain persons to order that they be given warning of the risk in good time and in an appropriate form, including if necessary, the publication of special warnings; d) for any product that could be dangerous, for the period needed for the evaluation, temporarily to ban its supply; e) for any dangerous product which is not yet placed on the market, to ban its marketing and introduce the accompanying measures required to ensure the ban is complied with; f) for any dangerous product already on the market: f.a) to order and organize its immediate withdrawal from the market; disseminate information on the risks; f.b) to ensure in coordination with the producer/distributor, and where impossible, independently, its recall from consumers and destruction, and where impossible, independently. 2. If a competent authority does not possess appropriate means for implementation of professional expertise, based on a contract it may approach a corresponding body for the conduct of professional expertise.	Adequate provisions

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
20	2. When the competent authorities of the Member States take measures such as those provided for in paragraph 1, in particular those referred to in (d) to (f), they shall act in accordance with the Treaty, and in particular Articles 28 and 30 thereof, in such a way as to implement the measures in a manner proportional to the seriousness of the risk, and taking due account of the precautionary principle. In this context, they shall encourage and promote voluntary action by producers and distributors, in accordance with the obligations incumbent on them under this Directive, and in particular Chapter III thereof, including where applicable by the development of codes of good practice. If necessary, they shall organise or order the measures provided for in paragraph 1(f) if the action undertaken by the producers and distributors in fulfilment of their obligations is unsatisfactory or insufficient. Recall shall take place as a last resort. It may be effected within the framework of codes of good practice on the matter in the Member State concerned, where such codes exist.	**Law on Certification of Products and Services**	**Article 26. Duties of Competent Authorities** In the course of implementing certain measure based on the rights envisaged by Article 25 (see row 19) of this Law the competent authorities should act in observance of the principle of impartiality and in consideration of risk level.	Adequate provisions
21	3. In particular, the competent authorities shall have the power to take the necessary action to apply with due dispatch appropriate measures such as those mentioned in paragraph 1, (b) to (f), in the case of products posing a serious risk. These circumstances shall be determined by the Member States, assessing each individual case on its merits, taking into account the guidelines referred to in point 8 of Annex II.	**Law on Certification of Products and Services**	**See Item #19**	Adequate provisions

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
22	4. The measures to be taken by the competent authorities under this Article shall be addressed, as appropriate, to: (a) the producer; (b) within the limits of their respective activities, distributors and in particular the party responsible for the first stage of distribution on the national market; (c) any other person, where necessary, with a view to cooperation in action taken to avoid risks arising from a product.	N/A	N/A	Needs to be reflected in legislation
23	Article 9 obligations of member states and commission 1. In order to ensure effective market surveillance, aimed at guaranteeing a high level of consumer health and safety protection, which entails cooperation between their competent authorities, Member States shall ensure that approaches employing appropriate means and procedures are put in place, which may include in particular: (a) establishment, periodical updating and implementation of sectoral surveillance programmes by categories of products or risks and the monitoring of surveillance activities, findings and results; (b) follow-up and updating of scientific and technical knowledge concerning the safety of products; (c) periodical review and assessment of the functioning of the control activities and their effectiveness and, if necessary, revision of the surveillance approach and organisation put in place.	N/A	N/A	Needs to be reflected in legislation
24	2. Member States shall ensure that consumers and other interested parties are given an opportunity to submit complaints to the competent authorities on product safety and on surveillance and control activities and that these complaints are followed up as appropriate. Member States shall actively inform consumers and other interested parties of the procedures established to that end.	**Law on Consumer Protection**	Article 6 paragraph 2(L); Article 15 first pharagraph 1. Producer (seller) is obligated to provide consumers with required, correct and complete information regarding products, enabling consumers to make correct choices. 2. Consumers shall be provided with the following information regarding products: l) details of a venue where consumer complaints shall be accepted, address of a technical facility for the repair and maintenance of a product; Article 15. A consumer may address its complaints in relation to defective products to the seller or directly to the Producer	In compliance

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
25	Article 11 1. Where a Member State takes measures which restrict the placing on the market of products — or require their withdrawal or recall — such as those provided for in Article 8(1)(b) to (f), the Member State shall, to the extent that such notification is not required under Article 12 or any specific Community legislation, inform the Commission of the measures, specifying its reasons for adopting them. It shall also inform the Commission of any modification or lifting of such measures. If the notifying Member State considers that the effects of the risk do not or cannot go beyond its territory, it shall notify the measures concerned insofar as they involve information likely to be of interest to Member States from the product safety standpoint, and in particular if they are in response to a new risk which has not yet been reported in other notifications. In accordance with the procedure laid down in Article 15(3) of this Directive, the Commission shall, while ensuring the effectiveness and proper functioning of the system, adopt the uidelines referred to in point 8 of Annex II. These shall propose the content and standard form for the notifications provided for in this Article, and, in particular, shall provide precise criteria for determining the conditions for which notification is relevant for the purposes of the second subparagraph. L 11/12 EN Official Journal of the European Communities 15.1.2002	**Law on Certification of Products and Services**	**See Item #19**	Adequate provisions

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
26	Article 12 1. Where a Member State adopts or decides to adopt, recommend or agree with producers and distributors, whether on a compulsory or voluntary basis, measures or actions to prevent, restrict or impose specific conditions on the possible marketing or use, within its own territory, of products by reason of a serious risk, it shall immediately notify the Commission thereof through RAPEX. It shall also inform the Commission without delay of modification or withdrawal of any such measure or action. If the notifying Member State considers that the effects of the risk do not or cannot go beyond its territory, it shall follow the procedure laid down in Article 11, taking into account the relevant criteria proposed in the guidelines referred to in point 8 of Annex II. Without prejudice to the first subparagraph, before deciding to adopt such measures or to take such action, Member States may pass on to the Commission any information in their possession regarding the existence of a serious risk. In the case of a serious risk, they shall notify the Commission of the voluntary measures laid down in Article 5 of this Directive taken by producers and distributors.	N/A	N/A	To be reflected in legislation
27	4. Member States shall take all necessary measures to implement the decisions referred to in paragraph 1 within less than 20 days, unless a different period is specified in those decisions. 5. The competent authorities responsible for carrying out the measures referred to in paragraph 1 shall, within one month, give the parties concerned an opportunity to submit their views and shall inform the Commission accordingly.	N/A	N/A	To be reflected in legislation

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
28	Article 16 1. Information available to the authorities of the Member States or the Commission relating to risks to consumer health and safety posed by products shall in general be available to the public, in accordance with the requirements of transparency and without prejudice to the restrictions required for monitoring and investigation activities. In particular the public shall have access to information on product dentification, the nature of the risk and the measures taken. However, Member States and the Commission shall take the steps necessary to ensure that their officials and agents are required not to disclose information obtained for the purposes of this Directive which, by its nature, is covered by professional secrecy in duly justified cases, except for information relating to the safety properties of products which must be made public if circumstances so require, in order to protect the health and safety of consumers. 2. Protection of professional secrecy shall not prevent the dissemination to the competent authorities of information relevant for ensuring the effectiveness of market monitoring and surveillance activities. The authorities receiving information covered by professional secrecy shall ensure its protection.	**General Administrative Code**	**Article 2, subparagraphs** - Public information – official document (including draft, model, plan, scheme, photo, electronic information, video and audio record), i.e. information kept in the public entity, also received, processed, generated or sent by public entity or servant in relation to his employment activities; (2.03.2001 N772) m) Secret information – information kept in public entity, also received, processes, generated or sent by a public entity or a servant in relation to his employment activities, containing state, commercial or private secret; **Article 37**. Requesting Public Information 1. Everyone has a right to request public information regardless if its physical form and state of its maintenance and to choose form of receiving public information, if it exists in different forms, also to access information in original form. If danger of damaging original exists, public entity is obliged to ensure opportunity of accessing it under supervision or furnish a duly verified copy. 2. For receiving public information a person shall submit a written application. Application shall not necessarily indicate motivation or objective of requesting public information. In case of submitting an application requesting personal data of other individuals or commercial secret, the applicant, except for the cases envisaged by the law, shall present a consent verified notarially or by an administrative body.	In compliance

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
29	Article 17 This Directive shall be without prejudice to the application of Directive 85/374/EEC. Article 18 1. Any measure adopted under this Directive and involving restrictions on the placing of a product on the market or requiring its withdrawal or recall must state the appropriate reasons on which it is based. It shall be notified as soon as possible to the party concerned and shall indicate the remedies available under the provisions in force in the Member State in question and the time limits applying to such remedies. The parties concerned shall, whenever feasible, be given an opportunity to submit their views before the adoption of the measure. If this has not been done in advance because of the urgency of the measures to be taken, they shall be given such opportunity in due course after the measure has been implemented. Measures requiring the withdrawal of a product or its recall shall take into consideration the need to encourage distributors, users and consumers to contribute to the implementation of such measures.	N/A	N/A	To be reflected in legislation

#	General product safety directive	Georgian Legislation	Text of the Law	Status of implementation
30	2. Member States shall ensure that any measure taken by the competent authorities involving restrictions on the placing of a product on the market or requiring its withdrawal or recall can be challenged before the competent courts. 3. Any decision taken by virtue of this Directive and involving restrictions on the placing of a product on the market or requiring its withdrawal or its recall shall be without prejudice to assessment of the liability of the party concerned, in the light of the national criminal law applying in the case in question. The Member States shall provide the Commission with all the necessary ssistance and information for carrying out the assessments and preparing the reports.	**Civil Procedures Code**	**Article 2**. Protection of Rights in the Court 1. Everyone is guaranteed protection of right in the court. Court shall proceed with the review of the case upon the application of the person who shall approach it for protection of his right or the interests envisaged by the law. 2. Court may refuse to admit application and to review the case only on the grounds and under the rules prescribed by this Code.	Adequate provisions
31	When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States. 2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field covered by this Directive.	N/A	N/A	To be reflected in legislation

Conclusion

The aim of the **Governmental Programme on Adoption of Technical Regulations in the Priority Industrial Sector**, is to create the solid base to further development of removing TBT and establish the modern technical regulation and quality infrastructure system, ensure adequate level of protection human health, life and environment, as well as become an effective tool to reflect the European Commission's views and observations regarding Georgia's preparedness for the negotiations on Deep and Comprehensive Agreement (DCFTA) with the EU and to provide for implementation mechanism of **the Strategy in Standardisation, Accreditation, Conformity Assessment, Technical Regulation and Metrology.**

The Governmental Programme was designed based on the Strategy in Standardisation, Accreditation, Technical Regulations and Metrology and its purpose is to meet the goals and objectives set by the Strategy. The Governmental Programme outlined detailed activities to be taken by the Government of Georgia in the following four Sub-Programmes:

- **Institutional Development Sub-Programme** which describes what activities and development should be taken by the Government of Georgia to ensure progress in the establishment of a domestic institutional system in the area of technical regulation, standardisation, accreditation, metrology, conformity assessment and market surveillance, and achieve the progress in strengthening the institutions in charge of these respective issues
- **Sub-Programme on Incorporation of Directives** outlines the detailed agenda of incorporation of the New Approach and the Global Approach Directives into the national legislation for priority industrial sectors and sets relevant timetable for the incorporation
- **General Legislative Approximation Sub-Programme** describes how the national legislation should be amended in order to align with the requirements of EU *acquis*
- **Relevant Legal Activities Sub-Programme** outlines what relevant legal activities are needed to ensure full compliance with the EU *acquis*