

Bishkek, House of Government as on November 30, 2005 N 546

RESOLUTION OF THE GOVERNMENT OF THE KYRGYZ REPUBLIC

On the National Institute of Standards And Metrology of the Kyrgyz Republic

With the purpose of realization of the Law of the Kyrgyz Republic "On fundamental principles of technical regulation in the Kyrgyz Republic" and in pursuance of decrees of Acting President of the Kyrgyz Republic "On institutional and structural reforms in the field of technical regulation in the Kyrgyz Republic" dated April 30, 2005 N 149 and "On Amendments and Supplements to the Decree of Acting President of the Kyrgyz Republic" "On institutional and structural reforms in the field of technical regulation in the Kyrgyz Republic" dated April 30, 2005" as on June 13, 2005 N 227 the Government of the Kyrgyz Republic decides:

1. To ratify the enclosed Provisions on the National Institute of Standards and Metrology of Kyrgyz Republic "Kyrgyzstandart" (hereinafter referred to as the NISM).

2. To retain the limiting number of the NISM employees financed from the means of the republican budget, in quantity of 97 regular staff positions (without service staff), with the subsequent transfer of 11 staff positions according to the Decision of the Government of the Kyrgyz Republic in sphere of accreditation.

3. The National Institute of Standards and Metrology and the Ministry of Industry, Trade and Tourism of the Kyrgyz Republic till April, 1, 2006 shall develop and submit for consideration to the Government of the Kyrgyz Republic a draft law of the Kyrgyz Republic "On maintenance of uniformity of measurements".

4. To establish that from the republican budget shall be financed:

- Development and realization of the national standards development program of which the state shall be a customer, including making an examination of national standards;

- Fulfilment of obligations of the WTO Agreement on Technical Barriers in Trade in the field of standardization;

- Formation and conducting of the National Information Fund of technical regulations and standards;

- Payment of fees and participation in international (regional) organizations on standardization and metrology the list of which shall be identified by the Government of the Kyrgyz Republic;

- Works on holding contest for quality awards of the Kyrgyz Republic;

- Works on creation and improvement of national reference base, maintenance of uniformity of measurements in the Kyrgyz Republic and measurement traceability under the International System of Units (SI), conducting the state register of measurement means and standard samples, research works in the field of metrology, participation in intercomparison of standards at international, regional, national levels, in development and certification of measuring techniques.

5. The State Committee of the Kyrgyz Republic for the State Property Management jointly with the National Institute of Standards and Metrology shall solve property issues in connection with the state enterprise "Kyrgyz Center of Tests and Certification" reorganization (take-over) by the Institute

6. Control over execution of the present decision shall be assigned to economic development management of the Prime minister's Office of the Kyrgyz Republic.

Prime minister of the Kyrgyz Republic

F.Kulov

Approved by
Resolution of the Government
Of the Kyrgyz Republic
As on November 30, 2005 N 546

PROVISIONS
On the National Institute of Standards and Metrology
Of the the Kyrgyz Republic

- I. General provisions
- II. Basic goals of the NISM
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- V. Rights and responsibility of the NISM
- VI. Activity organization of the NISM
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I. General provisions

1. The National Institute of Standards and Metrology of the the Kyrgyz Republic "Kyrgyzstandart" (hereinafter referred to as the NISM) is an official body, it has the status of a national body on standardization and maintenance of measurements uniformity.

2. The NISM in its activity shall be guided by the Constitution of the Kyrgyz Republic and laws of the Kyrgyz Republic, decrees and orders of the President of the Kyrgyz Republic, resolutions and orders of the Government of the Kyrgyz Republic, international contracts and agreements having come into force in the established by the law order, participant of which is the Kyrgyz Republic, and by the present Provisions as well.

3. The NISM is a legal person, it has a seal with the image of the State Emblem of the Kyrgyz Republic, with its name in the state and official languages, and also other seals, stamps and forms necessary for carrying out the activity.

The NISM shall have the right to open in the established order settlement and other necessary accounts in banks, in the Treasury system of the Ministry of Economy and Finance of the Kyrgyz Republic; it has an independent balance.

4. The NISM shall be an assignee of the State Inspectorate for Standardization and Metrology under the Government of the Kyrgyz Republic, except for the rights and responsibilities following from functions on the state supervision over observance of technical regulations and standards.

5. Location of the NISM is Bishkek city, Panfilovsa street, 197.

II. Basic goals of the NISM

6. The basic goals of the NISM are as follows:

- Creation and development of national standardization system in compliance with the international rules and recommendations;
- Carrying out of works in the field of metrology for maintenance of measurements uniformity in the Kyrgyz Republic;
- Maintenance of national reference base.

III. Primary objectives of the NISM

7. The primary objectives NISM are as follows:

7.1. In the field of standardization:

- Promotion of scientific and technical progress;
- Increase of competitiveness of produce, works and services in line with development level of science, technics and technology;
- Improvement of objects safety level with account of the occurrence risk degree of emergency situations of natural and man-caused character;
- Promotopm of economical and rational use of resources;
- Ensuring of technical and information compatibility, comparability of of measurements and tests results, interchangeability of production;
- Improvement of safety level of life, health of the population, and also life and health of animals and plants, property of physical and legal persons, the state and municipal property, environment, including that to promote meeting requirements of technical regulations, application of international standards, norms and rules.

7.2. In the field of metrology:

- Maintenance of uniformity of measurements in the Kyrgyz Republic;
- Maintenance of measurement system conformity with the International system of units (SI) for strengthening the role of measurements and standards in development of national economy.

7.3. In the field of the technical information:

- Information provision, delivery of services and training on matters connected to the NISM activity.

7.4. In the field of the international cooperation:

- Harmonization of the national system of standardization, metrology of the Kyrgyz Republic and other requirements connected with these areas, within the NISM competence limits, with international, regional, progressive national systems of standardization, metrology of other countries with the purpose of technical barriers removal in trade.

IV. Functions of the NISM

8. The NISM with a view of performance of assigned tasks shall carry out the following functions:

8.1. In the field of standardization:

- Maintenance of conformity of national standardization system with interests of national economy, development level of science, technics and technologies;
- Development of strategy in the field of standardization, organization of its implementation arrangements;
- Establishment of the order of development, adoption and application of standards, rules, procedures and recommendations according to the Agreement on Technical Barriers in Trade of the World Trade Organization based on the "Code of diligent practice on standards development, acceptance and application";
- Adoption of the national standards development program;
- Approval of national standards;
- Carrying out of standardization documents harmonization in line with the international requirements;
- Participation in development of draft agreements in the field of standardization, metrology, certification;
- Organizational arrangements of development, examination of draft standards and other documents on standardization, accessible to broad consumership, physical persons and legal entities on paid basis;
- Record keeping and providing access to the population in application of national standards, rules, procedures and recommendations on standardization;
- Organization of work of technical committees on standardization and coordination of their activity;
- Organization of work on holding contest for quality prizes of the Kyrgyz Republic.

8.2. In the field of metrology:

- Development, storage and improvement of national reference valuation units, reproduction and transfer of sizes of basic and derivative units of the International system of units;
- Delivery of metrological services to economic entities (calibration, checking of measurement means, certification of testing and diagnostic equipment, etc.);
- Confirmation of such measurement means;
- Keeping the state register of measurement means and standard samples;
- Assessment monitoring of the measurement uniformity condition status and representation of the corresponding information to the Government of the Kyrgyz Republic;
- Metrological certification of means;
- Adjustment of measurement means;
- Participation in intercomparison of standards on international, regional and national levels to provide international recognition of the national standards and calibration and measurement certificates;
- Participation in development and attestation of measuring techniques;
- Carrying out research works in the field of metrology.

8.3. In the field of conformity assessment:

- Performance of functions of the production and services certification body;
- Testing of production (services) at undertaking works on conformity certification;
- Delivery of services on testing and other technological services upon applications and inquiries of specially authorized state bodies for the state supervision, governmental bodies, public organizations on protection of consumers, and physical persons and legal entities as well, on contractual basis;
- Confirmation of the image of the national standards conformity sign;
- Submission to the Government of the Kyrgyz Republic of proposals on joining the regional and international certification systems in the established order;
- Keeping the register of the issued by the NISM certificates of conformity, registration of strict reporting forms (forms of obligatory conformity certificates, copies of the conformity certificates forms, copies of attachments to the conformity certificates) and other forms used by the Institute and its structural subdivisions or lower organizations.

8.4. In the field of information provision:

- Formation and keeping the National Information Fund of technical regulations and standards, edition and provision of users with national standards and information production of the Fund; translation of the standards, guidelines, procedural documents of international, regional organizations and national bodies of foreign countries according to the order established by the Government of the Kyrgyz Republic;

- Performance of functions of the national reference service for maintenance of fulfillment of provisions of the Agreement on Technical Barriers in Trade of the World Trade Organization on standardization issues;
- Delivery of consulting services in the field of standardization, metrology and quality management according to the definitions used in the international practice;
- Rendering services on carrying out works in the field of standardization, metrology, testing and other questions assigned to the NISM competence;
- Organization of professionalization courses for specialists and carrying out other training activities (seminars, training, probation, etc.) for all parties - representatives of both public and private sectors - on issues of standardization, metrology, conformity assessment, quality management and other subject matters concerning this area.

8.5. In the field of international cooperation:

- Conducting of cooperation with international, regional organizations and national bodies of foreign countries working in the field of standardization, metrology and other areas relating to these areas, including cooperation on basis of bilateral and multilateral treaties and agreements;
- Representation of the Kyrgyz Republic in the regional and international organizations on standardization, metrology and other matters relating to these areas, within the NISM limits of authority.

V. Rights and responsibility of the NISM

9. The NISM within the limits of its competence shall have the right:

- To approve, cancel and issue in the established order the national standards and other documents on standardization of the Kyrgyz Republic;
- To introduce proposals to technical regulations development plans;
- To publish and republish, including in foreign languages, to make copies and distribute national standards and other documents on standardization, metrology, certification, national standards of other countries, and also to grant the right to legal persons to conduct these activities;
- To render paid services to economic entities in the field of conformity attestation, maintenance of uniformity of measurements, conducting tests, training of specialists on a contractual basis and other documents standing for the contract;
- To distribute the allocated public budgetary funds according to their appropriation purpose by expenditure items;

- To carry out business contacts in the republic and abroad, to set up enterprises and services on a self-supporting basis according to the legislation of the Kyrgyz Republic;
- To conclude contracts with the international, national and regional organizations;
- To develop and apply prices and tariffs for rendered works (service) in the order established by legislation of the Kyrgyz Republic;
- To carry out other works and services accompanying the basic functions performance, not contradicting legislation of the Kyrgyz Republic, international standards, norms and rules;
- To carry out in accordance with normative legal acts of the Kyrgyz Republic and (or) standard sampling and specimen products with the purpose of carrying out its certification;
- To conduct trainings, seminars, probation and other kinds of training of specialists in the field of standardization, certification and metrology on a contractual basis;
- To establish, reorganize and liquidate in established order by legislation of the Kyrgyz Republic structural subdivisions and lower organizations in the territory of the Kyrgyz Republic which are included into the NISM structure, and also to carry out guidance and exercise control over their activity.

10. The NISM shall bear responsibility for its activity in accordance with legislation of the Kyrgyz Republic.

VI. Activity organization of the NISM

11. The NISM shall be headed by Director appointed by the President of the Kyrgyz Republic.

12. The Director shall have two deputies appointed by the Prime minister of the Kyrgyz Republic on presentation of the Director.

13. The Director shall manage the NISM activity, organize performance of tasks assigned to the NISM and shall bear personal responsibility for their performance.

The Director of the NISM shall:

- Distribute official duties between his deputies;
- Approve the NISM structure and list of members of staff;
- Appoint and remove from the office the NISM employees, and also apply to them incentives, including putting forward for the state awards of the Kyrgyz Republic, or impose penalties on them;
- Approve regulations on the NISM structural subdivisions and lower units;

- Approve provisions on payment and labor incentives of the NISM employees in the order established by legislation of the Kyrgyz Republic;
- Issue orders, directions, give instructions, obligatory for performance by the NISM employees;
- Decide in the order established by legislation of the Kyrgyz Republic, on matters of establishment, reorganization and liquidation of lower units subordinated to the NISM, for ensuring performance of tasks assigned to the Institute;
- Sign in the established order contracts and agreements on cooperation with national bodies on standardization, metrology of foreign countries, and also with the corresponding international and regional organizations, within its competence limits.

14. With the purpose of collective consideration of the issues relating to performance of tasks, assigned to the NISM, and decision of scientific and technical problems concerning its competence, the NISM scientific and technical council shall be formed.

Provisions on scientific and technical council and its personal membership structure shall be approved by the Director.

Other consultative and advisory bodies can be created within the NISM.

15. The NISM shall provide direct participation of all interested parties (representatives both of private and public sectors) by development of the action plan in the field of standardization and maintenance of measurement uniformity.

16. The NISM shall have the right to request and receive from state bodies documents and data necessary for performance of assigned to it tasks and functions.

17. The NISM shall submit to the Government of the Kyrgyz Republic the annual performance report.

VII. Property and financial and economic activity of the NISM

18. The state property under the NISM authority shall be secured for it on the right of day-to-day management, while the property acquired at the expense of economic activities, shall be at the NISM independent disposal and will be taken into account on a separate balance.

19. As the NISM sources of financing shall be:

- Means of the republican budget;
- Own means from earnings from paid services delivery to economic entities on certification, metrology, standardization and other industrial and economic activities not contradicting the legislation of the Kyrgyz Republic;

– Grants, credits and other sources which are not contradicting the legislation of the Kyrgyz Republic.

20. The NISM shall have the right to dispose independently of earnings received from rendering services to economic entities and other industrial activity, and also the property acquired at the expense of these proceeds.

21. Reorganization and liquidation of the NISM shall be carried out in cases and the order, stipulated by legislation of the Kyrgyz Republic.