

## LATEST AMENDMENTS TO THE KAZAKHSTAN LEGISLATION IN THE SPHERE OF TECHNICAL REGULATION

### IMPORTANT!

To bring the national legislation on technical regulation in line with the EAEU regulatory framework and improve the state control in this sphere, Kazakhstan adopted the new [Law](#) on Technical Regulation (the "Law") and introduced respective amendments into a number of codes, laws and subordinate regulatory legal acts<sup>1</sup> on 30 December 2020. The Law and relevant amendments will be put into effect on 1 July 2021. The current law of the same name adopted in 2004 will become void on the same date. Please see below the most important amendments in this sphere.

#### ■ **Implementation of a new approach to state control and supervision in the sphere of technical regulation:**

- transition from the control of accompanying documents to products;
- delimitation of functions on products safety monitoring, defining the lists of information required for in-house review and procedure for its submission by the customs authority, authorized agency in the sphere of technical regulation, authority confirming the conformity and test laboratories, and governmental authority in the sphere of sanitary and epidemiological welfare of population;
- formation of the automated information system designed for storage, processing, search, distribution, transfer and provision of information contained in the registers of technical regulation, state system for ensuring uniformity of measurements, national standardization system and unified registers of issued or accepted documents on EAEU conformity assessment integrated with information systems of other governmental authorities;
- introduction of the system of forced taking and prohibition against release of products for circulation, which fail to meet the requirements of technical regulations; and
- to improve interaction between the entrepreneurship entities and the state, introduction of the Single Reporting Day each year on the last Thursday of September in the form of a meeting in the capital, cities of national significance and administrative centers of oblasts to discuss with entrepreneurship entities the results of state control and supervision and legislation preventive control.

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<sup>1</sup> Kazakhstan Law No. 397-VI "On Introduction of Amendments into Certain Legal Acts of the Republic of Kazakhstan on the Issues of Technical Regulation, Entrepreneurship and Improvement of the System of State Management and Payments" dated 30 December 2020.

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■ **Ensuring authenticity of the conformity confirmation and accreditation procedures:**

- introduction of attestation of expert auditors on conformity confirmation;
- formation of the register of data of the state technical regulation system – electronic database of technical regulations, subjects of accreditation, issued documents on conformity assessment, expert auditors on conformity confirmation, equipment, information on products failing to meet the requirements of technical regulations, and other information in the sphere of technical regulation;
- broadening of options for independent conformity confirmation, including by establishing requirements to the procedure for voluntary conformity confirmation and assignment of the national standards conformity marks;
- mandatory requirement on photo and video recording confirming the fact of reaching the required indices and parameters in the course of tests (examinations) and product measurements, and preservation of the reference sample products by the subjects of accreditation; and
- introduction of the good laboratory practice (GLP) system.

■ **Effect of technical regulations:**

- requirements of the adopted EAEU technical regulations, which have been put into effect, are binding on all subjects of technical regulation and have direct effect throughout the entire territory of Kazakhstan;
- products with respect to which there are no effective EAEU technical regulations fall within the requirements of technical regulations and other regulatory legal acts of Kazakhstan or resolutions of the Eurasian Economic Commission.

Should you have any additional questions in connection with this Legal Update, we would be happy to provide more detailed information.

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