

Overview of standardization and mandatory technical regulation systems of Georgia (gas and electricity)

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Abbreviations

GE	Georgia
CEN	European Committee for Standardization
CENELEC	European Committee for Electrotechnical Standardization
CIS	Commonwealth of Independent States
EASC	Eurasian Council for standardization, metrology and certification
EFTA	European Free Trade Association
EOTS	European Telecommunications Standards Institute
EU	European Union
IDT	Identical
IEC	International Electrotechnical Commission
ISO	International Organisation for Standardization
ITC	Interstate Technical Committee for standardization
MOD	Modified
NEQ	Not equivalent
NSB	National Standardization Body
TC	Technical Committee for standardization

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I. Mandatory technical regulation

The system of mandatory technical regulation includes basic legal documents (legal basis), mandatory technical regulations and participants of technical regulation activity.

Transition from the former Soviet Union system of technical regulation (a system of mandatory standards and other normative acts of ministries and other governmental bodies) to the two-level system of mandatory technical regulations and voluntary standardization documents began in Georgia in 1999 and was completed in mid-2006¹.

1. Regulatory framework (documents of mandatory technical regulation)

1.1. Legislative base

a) Laws and codes:

- Law on normative acts, of 1996 with amendment of 23.10.2009,
- Code of Safety and Free Movement of Products, of 25.05.2012

b) Government decrees

- Recognition of technical regulations and conformity assessment documents of foreign countries, access of products bearing the relevant marking without additional conformity assessment procedures and free placement of products on the market which are relevant to the regulated areas and at the same time are produced in the relevant country, decree № 50 of 07.03.2013

¹ B 2005 in accordance with the amendments to the law on standardization, mandatory certification of products was completely eliminated and application of all standards became voluntary.

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- Governmental Program in field of Standardization, Conformity Assessment, Technical Regulation and Metrology Legislative Reform, and Adoption of Technical Regulation, decree № 1140 of 25.08.2010;
- Governmental strategy in the field of Standardization, accreditation, conformity assessment, technical regulation and Metrology, decree № 965 of 16.06.2010.

c) Decrees of other governmental authorities

- Statue of Georgian National Agency for Standards and Metrology, decree of the Ministry of Economy and Sustainable Development of Georgia № 1-1/1 5 70 of 26.07.2012.

1.2. Types of documents in the system of mandatory technical regulation

- Technical regulations;
- Harmonized standards, which are voluntary for application, but have "presumption of conformity"² to the requirements of corresponding technical regulations

1.3. Fundamentals of mandatory technical regulation system

In accordance with the government decree № 50 of 07.03.2013, technical regulations of countries which are the members of Organisations for Economic Co-operation and Development, the European Union and major trade partners of Georgia, can be used for the mandatory conformity of product safety – the only requirement is that these regulations should be registered in the Ministry of Justice of Georgia.

National technical regulations are developed and adopted mainly for a particular national product (mostly products for export - wine, mineral water, etc.)

² Presumption of Conformity - the principle according to which it is believed that products, conforming to the requirements of the voluntary standards, meets the mandatory requirements of technical regulations, while otherwise is not proven reasonably.

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The principles for the registration of the foreign technical regulations in Georgia are the following:

- Technical regulation shall be recognized under the decision of the government of Georgia or on the basis of international agreement.
- Registration of foreign technical regulations in the registry of technical regulations shall be mandatory only if a particular product is being produced in Georgia in compliance with this technical regulation.
- The government of Georgia shall recognize only safety technical parameters of a foreign technical regulation and may recognize its administrative procedures.
- Technical regulation recognized in the Georgian territory, may be prohibited or restricted on the basis of the Law of Georgia under the appropriate justification.
- A recognized technical regulation becomes part of Georgian legislation.

In general Georgian legislation intends to align itself to the European New Approach Directive.

Technical regulations developed according to this approach will only include essential requirements and will have attached a list of the voluntary standards for conformity, thus ensuring conformity to the requirements of the regulation itself.

1.4. Adoption of technical regulations

Adopted technical regulations

	Technical regulation	Compliance with EU
1	Lifts ³	95/16/EC (identical)

³ Georgia also had adopted all harmonized standards of the directives 95/16/EC and 2000/9/EC.

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2	Cableway installations designed to carry persons	2000/9/EC (identical)
3	General Requirement of Gas systems safety, order of the Ministry of Economy and Sustainable Development of Georgia № 1-1/525 of 14.04.2010	-
4	Rules of Safety of Petrol Station and Stations complex, decree of the Ministry of Economy and Sustainable Development of Georgia №1-1/2935 of 08.12.2008.	-
5	Safety rules for natural gas working cars filling compression stations, order of the Head of State Technical Supervision Inspection of Georgian № 37 of 19.11.2003	-

The list of countries from which technical regulations can also be applied to products entering Georgian market is set in the same governmental decree № 50 of 07.03.2013.

Technical regulations, planned to be adopted in the nearest future

	Technical regulation	Compliance with EU
1	Efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels ⁴	92/42/EEC (identical)
2	Pressure equipment	97/23/EC (identical)

⁴ After adoption of New Approach Directives Georgia plans to adopted all relevant harmonized standards as well

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3	Simple Pressure Vessels	87/404/EEC (identical)
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2. Participation in the mandatory technical regulation activity

2.1. Participants of national technical regulating system

According to Georgian Law “On Product Safety and Free Movement of Goods”, technical regulation can be adopted only by:

- Law,
- Presidential Decree
- Government Decree

All adopted technical regulations should be published on LEPL-Addition of Legislative Gazette and Statute Book of Georgia at the Ministry of Justice.

2.2. Membership in international and regional organisations

In the field of technical regulating Georgia doesn't belong to any international or regional organisations.

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II. Standardization

3. Regulatory framework (documents in the area of standardization)

3.1. Legislative base

Key national legislation acts in the field of standardization:

a) Laws

- Code of Safety and Free Movement of Products (Chapter VI-Standardization), of 25.05.2012

b) Governmental decrees

- Recognition of technical regulations and conformity assessment documents of foreign countries, access of products bearing the relevant marking without additional conformity assessment procedures and free placement of products on the market which are relevant to the regulated area and at the same time are produced in the relevant country, decree № 50 of 07.03.2013

c) Regulations of other legal entities

- Statue of Georgian National Agency for Standards and Metrology, decree of the Ministry of Economy and Sustainable Development of Georgia № 1-1/1 5 70 of 26.07.2012.

3.2. Types of documents used in the standardization system

Normative documents on standardization applicable in the territory of Georgia include:

- Georgian standards;
- International, regional and foreign standards, registered in the national register as Georgian Standards;
- company standards
- Rules and guidelines for standardization

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Basic documents of the national standardization system:

- Code of Product Safety and Free Movement of Products;
- Government Decree of adaption of fees for Services provided by the Georgian National Agency for Standards and Metrology.
- Order of the Minister of Economy and Sustainable Development of Georgia on adaption of Statute of Georgian National Agency for Standards and Metrology
- Order of the Head of LEPL-Georgian National Agency for Standards and Metrology № 2 of 10.01.2013 on adaption of Rules of Georgian Standards Registry,
- Order of the Head of LEPL-Georgian National Agency for Standards and Metrology on adaption of Statute of the Standards Department.

3.3. Fundamentals of the standardization system

Legal status of standardization documents

- Legislated voluntary use of documents in the field of standardization
- Some standards may be mandatory, if the technical regulations contain direct instructions about this (link to specific standards or lists of standards)

Copyright on the documents in the field of standardization

- National standards are not subject to copyright
- The exclusive rights of publication of national Georgia standards in the prescribed manner owned by National Standards Body - Agency for Standards and Metrology

Application of presumption of conformity of voluntary standards to the mandatory requirements of technical regulations

Both national standards and international, regional and foreign standards, being registered in NSB, can be included in the list of standards with Presumption of Conformity to the mandatory requirements of technical regulations.

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3.4. Implementation of international, regional and foreign standards as national standards

1	ISO - International Organisation for Standardization	yes (correspondent member)
2	IEC – International Electrotechnical Commission	yes (affiliate)
3	CEN - European Committee for Standardization	yes (affiliate)
4	CENELEC - European Committee for Electrotechnical Standardization	yes (affiliates)
5	EASC - Eurasian Interstate Council for standardization, metrology and certification	yes (correspondent member)

Methods for adoption of international and regional standards as national standards (except interstate standards GOST)

The adoption of international, regional and international standards as national standards is regulated by ISO/IEC Guide 21-1:2005.

Methods of ISO/IEC Guide 21-1:2005	
1. Endorsement	permitted, but not used
2. Republication	
2.1. Reprinting	permitted and widely used
2.2. Translation	permitted, but not used
2.3. Redrafting	permitted, but not used

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Methods of incorporation of international, regional and foreign standards without their adoption as national standards:

- Reference method ⁵ - not permitted
- Registration method ⁶ - permitted

The technical standards of countries which are members of the Organisations for Economic Co-operation and Development, the European Union and are major trade partners of Georgia, can be used for the mandatory conformation of product safety – the only requirement is that these regulations should be registered in the Ministry of Justice of Georgia.

Thus any entity has the right to use the technical standards of any country in the world. For this, the entity should translate the standard into Georgian language at his own expense, and submit the original and the translation of the document to the National Agency for Standardization and Metrology for registration.

The National Agency for Standardization and Metrology maintains a database of technical standards, which makes possible the repeated use of the registered document by someone else. The Georgian government should purchase the original technical standards and licenses for their translation and dissemination.

However, the translation of the standards into national language is not always a prerequisite for registration of a document. Thus, the corresponding register of the National Agency for Standardization and Metrology include European construction standards (Eurocodes) - despite the fact that only their titles are translated into Georgian language.

⁵ Application of international, regional and international standards, which are referenced in legal documents (including the contracts between businesses)

⁶ Application of international, regional and interstate standards, which are registered by the authorised body in the prescribed manner

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The order of application of interstate standards GOST

In accordance with GOST 1.2-2009 the interstate standard is used as a national standard in the countries whose national authorities have adopted this standard (acceded to) in line with with the procedure established by these national bodies.

In Georgia:

- Interstate standards GOST are excluded from the list of national standards
- Free use of interstate standards GOST is carried out together with other international, regional and foreign standards, being registered by the NSB - National Agency for Standards and Metrology.

3.5. The order of development and adoption of standardization documents

The principles for the adoption of standards in Georgia are the following:

- Georgia shall not adopt standards in fields where international or European standards already exist;
- Standards in Georgia shall be adapted as a Georgian standard;
- Standards shall not be in conflict with Georgian legislation.
- International and regional standards shall be adopted as Georgian standards by the “cover page” method as well.

According to the Georgian Law on “Product Safety and Free Movement of Goods”(Chapter VI - Standardization, article 68 - Development and adoption of standards):

- Draft standard may be developed by any interested person in Georgia. If a person wishes to register the standard developed the, interested person shall apply to the Agency and justify the high demand for standardization in the field concerned unless the standard aims at meeting the technical regulation requirements.

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- The Agency shall take a decision on the necessity of reviewing the issue by the competent technical committee.
- If the Agency's decision is positive, the Agency must seek the consent of the Ministry of Economy and Sustainable Development and review the standard by the competent technical committee.
- Through consensus, the technical committee shall take a decision on the need for adoption of the standard, and if it should be adopted as Georgian national standard. The decision to admit it for application shall be made by the Georgian government.
- A standard may be assigned a legal status only by the Agency upon registration of this Standard.
- The number of standards established according international classification.
- If the decision of the Agency is negative, the applicant shall have the right to appeal against the decision in the Ministry of Economy and Sustainable Development of Georgia.
- The acts (standards, regulations etc.) stipulating the marking in other countries shall be registered in Georgia as a standards if product is produced in Georgia for the Georgian market.

4. Participants of the standardization activity

The Code of Safety and Free Movement of Products provides all relevant procedures and main principles for standardization by the GEOSTM.

As Georgia is a member of the WTO, GEOSTM is responsible in the standardization field for the liability of Annex 3 "Code of Good Practice for the Preparation, Adoption and Application of Standards" of Agreement on Technical Barriers to Trade of the World Trade Organization (Georgian notification G/TBT/CS/N/153, 17 December 2003).

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4.1. Main participants of standardization activities

a) NSB – National Agency for standards and metrology⁷ - whose main activities are the following:

- Maintain the registry of standards and ensure public access to their registry;
- Maintain the registry of the types of measurement means;
- Approval and authorization of calibrated measurement units types;
- Ensure exchange of information with international organizations on standards and technical regulations registered in Georgia;
- Represent, within the scope of their mandate, Georgia in the field of standardization and metrology in international and regional organizations;
- Ensure compliance of commitments assumed under Georgia's signed international agreements in the field of standardization and metrology;
- Exercise other rights and duties assigned under the Georgian legislation;

b) Technical committees for standardization

c) The developers of the first draft standard:

4.2. List of the existing technical committees for standardization

Abbreviations:

P – Participant

O – Observer

M – Mirror (the same subject-matter), indicated in the absence of official relations

S – Similar (partially overlapping with the same subject-matter), indicated in the absence of official relations

⁷ In addition to the functions of the NSB the National Agency for Standards and Metrology performs the functions of National Authority for Metrology.

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Gas sector - – no TCs

Electrical sector:

Existing National Technical Committees	Analogous international and regional Technical Committees (TC)				
	ISO	IEC	CEN	CENELEC	EASC
TC 1 - National Electrotechnical Committee ⁸ (secretariat is led by GEOSTM - National Agency for Standards and Metrology), established on February 15, 2013 by the order №13 of General director of GEOSTM					

4.3. Membership in international and regional organisations for standardization

	Organisation for standardization	yes (status) / no
1	ISO - International Organisation for Standardization	yes (correspondent)
2	IEC – International Electrotechnical Commission	yes (affiliate)
3	CEN - European Committee for Standardization	yes (affiliate)

⁸ TC 1 have two working group, one - for electricity products and installations, and the other – for gas ones.

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4	CENELEC - European Committee for Electrotechnical Standardization	yes (affiliate)
5	EASC - Eurasian Interstate Council for Standardization, Metrology and Certification	yes (correspondent)

4.4. Participation in the activities of international and regional technical committees for standardization

Abbreviations:

P – Participant

O – Observer

Gas sector:

	EASC Technical Committee		Representation of Georgia	Status
1	TC 007	Pipe and steel tanks	Agency for Standards and Metrology	P
2	TC 098	Household equipment operating on gas and liquid fuels	Agency for Standards and Metrology	O

Electrical sector:

	EASC Technical Committee		Representation of Georgia	Status
1	TC 019	Electrical machinery and apparatus	Agency for Standards and Metrology	O
2	TC 072	Welding and allied processes	Agency for Standards and Metrology	O

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3	TC 111	Energy saving	Agency for Standards and Metrology	P
4	TC 208	Air-conditioning and ventilation	Agency for Standards and Metrology	O
5	TC 232	Apparatus for measuring electrical energy and load control	Agency for Standards and Metrology	O
6	TC 234	Alarm and anti-criminal protection systems	Agency for Standards and Metrology	O