

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

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Abbreviations

MD	Moldova
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 fundamental role in ensuring the quality of products and services belongs to technical regulations and standardization of goods and services.

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

1. Regulatory framework (documents of mandatory technical regulation)

1.1. Legislative base

a) Laws

- On Technical Regulation, № 420-XVI dated 22.12.2006 (amended № 280-XVI of 14.12.2007, №131-XVIII of 23.12.2009, № 109 of 04.06.2010, № 66 of 07.04.2011, and № 184 of 11.07.2012)
- On general safety of products, № 422-XVI dated 22.12.2006
- On consumer rights protection, №105-XV dated 13.03.2003 (amended № 526-XV of 18.12.2003, № 60-XVI of 28.04.2005, № 64-XVI of 30.03.2006, № 148-XVI of 08.06.2006, № 280-XVI of 14.12.2007, №131-XVIII of 23.12.2009, №109 of 04.06.2010, №140 of 28.07.2011)
- On accreditation and conformity assessment, № 235 dated 01.12.2011

b) Governmental decrees

- On approval of Provisions for conformity assessment of industrial products in the regulated area (modules), № 49 dated 15.01.2013

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

- Technical regulations¹:
 - General technical regulations ²
 - Special technical regulations ³
- Interrelated (harmonized) standards ⁴

¹ Technical Regulations are the documents establishing the characteristics of the product or service that contains the technical specifications and other requirements, including the relevant administrative provisions in case of sale or use of these products, except for regulations prohibiting the manufacture, import, sale, use of products or the provision of services (Article 2 of the Law on technical regulation).

² General technical regulations apply to the products or services that are not limited by the exhaustive list, and establish, as a rule, the requirements to prevent one or more types of risks inherent to all products or all services that are covered by technical regulations (Article 3, paragraph 6 Law on technical regulation).

³ Special technical regulations establish requirements to products or services, or to groups of products or services, specifying the requirements of general technical regulations (if any). In the development of specific technical regulations, the compliance is ensured with the general safety requirements to products and services (Article 3, paragraph 7 of the Law on technical regulation).

⁴ An interrelated standard is a national standard that transforms the basic requirements set out in the relevant technical regulations, technical specifications for products and services in the regulated area, and provides presumption of conformity with the essential requirements of the applicable technical regulations (Article 2 of Law on technical regulation).

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1.3. Fundamentals of mandatory technical regulation system

a) Area of application

Fields of application of technical regulations are as follows:

- group of products or services to which the relevant technical regulations apply,
- type and nature of risks that should be excluded,
- group of products or services that are not covered by technical regulations.

b) Contents of the technical regulations (basic sections)

Contents of technical regulations include the following key elements:

- definition of regulated areas (area of application);
- definition of a group of products or services in regulated areas that are subject and are not subject to conformity assessment;
- mandatory technical requirements;
- requirements for the content of technical documentation and tools confirming compliance with the essential requirements;
- special requirements for metrological support;
- conformity assessment procedure
- requirements for conformity assessment bodies
- definition of frequency or the criteria for determining the frequency of assessments of certified products,
- criteria for the suspension or revocation of the certificates of conformity and declarations of conformity

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c) Acceptable methods of specifying mandatory technical requirements:

Technical requirements are set forth as follows:	
<ul style="list-style-type: none"> • by describing the specific technical requirements for the design (prescriptive technical regulations) 	<p style="text-align: center;">Not prohibited (differentiation between specific engineering requirements and operational requirements is not performed)</p>
<ul style="list-style-type: none"> • by describing specific operational requirements 	
<ul style="list-style-type: none"> • by describing generalised technical requirements (description of possible dangers with the definition of the required level of safety without identifying specific ways to achieve this level) 	<p style="text-align: center;">Allowed</p>
<ul style="list-style-type: none"> • as references to specific standards or technical codes of practice (in this case the referenced documents become mandatory and fall into the category of technical regulations) 	<p style="text-align: center;">Allowed</p>

d) Use of international and regional standards

In the development of technical regulations, as a rule, the relevant international or European standards are applied, or drafts that are in the final stages of development, except for cases when such standards or their relevant parts are deemed unsuitable for the purposes stipulated by the law on technical regulation, namely, for:

- national security;
- protection of life, health, heredity and safety of people;
- protection of valuable effects;

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- protection of fauna and flora;
- environmental protection;
- rational use of natural and energy resources;
- prevention of actions misleading consumers with regard to composition, purpose, origin, quality and safety of products.

e) Use of "Presumption of conformity⁵" of standardization documents, which are voluntary for application

Technical regulations may contain references to national, as well as to international, European and interstate standards being applied on the national level, which provide Presumption of Conformity with the essential requirements set forth in the applicable technical regulations (the interrelated standards).

Compliance with the requirements of interrelated standards indicates compliance with the applicable technical regulations.

1.4. Adoption of technical regulations

Adopted technical regulations

	Technical regulation	Compliance with EU
1	Appliances burning gaseous fuels, Government decree № 1089 of 26.09.2008	2009/142/EC
2	Determination of the conditions of placement on the market of lifts, Government decree № 1252 of 10.11.2008	95/16/EC

⁵ Presumption of conformity - the principle according to which it is believed that products, conforming to the requirements of the voluntary standards, meet the mandatory requirements of technical regulations, until reasonably proved otherwise

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3	On safety of low voltage equipment, Government decree № 255 of 05.03.2008	2006/95/EC
4	Radio equipment and telecommunication terminal equipment, and the assessment of their conformity Government decree № 1274 of 23.11.2007	1999/5/EC
5	Electromagnetic compatibility of technical means, Government decree № 95 of 04.02.2008	2004/108/EC
6	Tools and protective systems intended for use in potentially explosive environments, Government decree № 138 of 10.02.2009	94/9/EC
7	Equipment operating under pressure, Government decree № 262 of 03.04.2009	97/23/EEC
8	Industrial safety requirements for the design and safe operation of stationary compressor units, air ducts and gas pipelines, Ministry of Economy and Trade Decree № 13 of 31.01.2009	
9	Efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels, Government decree № 428 of 15.07.2009	
10	Radio communications and broadcasting. Effective use of the radio frequency spectrum and the avoidance of harmful interference Ministry of Information Development Decree № 52 of 28.04.2007	
11	Law on Energy, № 1525 dated 19.02.1998	

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12	Law on Gas, № 136 dated 17.09.1998	
13	Law on Electric Energy, № 137 dated 17.09.1998	
14	Law on Renewable Energy, №160 dated 12.07.2007	

1.5. The process of technical legislation development and adoption

Technical regulations are the prerogative of the State: technical regulations can be developed solely by state authorities.

Technical regulations are incorporated in the form of laws in accordance with the general rules of adoption of the laws of the Republic of Moldova, or in the form of administrative acts of the public authorities (government regulations, decrees of ministries and other state bodies within their competence).

Guidance of work of the regulatory authorities for the development of technical regulations and its coordination are carried out by the central public administration bodies that are responsible for quality infrastructure - national body for mandatory technical regulation⁶.

Development, approval, adoption and registration of technical regulations, as well as the lists of interrelated (harmonized) standards to technical regulations, is carried out according to the general rules for the development of legal normative tools established for the regulatory bodies of the Republic of Moldova

- The national body for mandatory technical regulation develops Programmes for the development of technical regulations that are communicated to all public authorities concerned to be coordinated with them, and be approved by the Government.

⁶ The Ministry of Economy of the Republic of Moldova

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- Regulatory bodies that develop draft technical regulations, publish a notice of the initiation of development in order to inform all interested parties.
- The developers of technical regulations set a maximum period of six months for all interested parties to submit their written comments on the draft technical regulations. These comments are discussed with the authors and other interested parties, and the discussion results are considered in the process of finalising the draft.
- Technical regulations and lists of interrelated (harmonized) standards of technical regulations are approved by the administrative tools of public authorities who are their developers.

2. Participation in the mandatory technical regulation activity

2.1. Participants of national technical regulating system

- a) Government
- b) National body for mandatory technical regulation - central specialised body of public administration in charge of design and promotion of the state policy in the field of technical regulation, standardization, metrology, accreditation and conformity assessment in order to ensure free circulation of goods and the removal of technical barriers to trade - Ministry of Economy
- c) Regulatory authorities - central sectoral public authorities - in their areas of competence
- d) NSB - the National Institute of Standardization:
 - expert assessment of the lists of interrelated (harmonized) standards for technical regulations
 - adoption of European standards harmonized with the European directives on the new approach, as national standards

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- Adoption of international and European standards used in conformity assessment procedures under the relevant technical regulations as national standards (including standards for test methods)

2.2. Membership in international and regional organisations

In the field of technical regulation Moldova has signed agreements and co-operates with the following regional organisations:

- Electric Power Council of the CIS countries - full member

Electric Power Council's main goal is to ensure reliable power supply for the CIS countries by taking advantage of a common technological base of electric power industry, and to organise stable parallel operation of the national electric power grids.

Documents developed within the Electric Power Council are advisory in nature and can be adopted in Moldova in accordance with the general procedure for adoption of legislative acts in the field of technical regulation.

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II. Standardization

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

3.1. Legislative base

a) Laws

- On standardization, № 590-XIII dated 22.09.1995 (amended № 919-XIV of 12.04.2000, № 707-XV of 06.12.2001, № 186-XV of 24.04.2003, № 176-XV of 03.06.2004, № 72-XVI of 05.05.2005, № 64-XVI of 30.03.2006, № 421-XVI of 22.12.2006, №281-XVI of 14.12.2007, № 32 of 06.03.2012)

3.2. Types of documents used in the standardization system

Technical normative legal acts in the field of standardization that are valid in the territory of the Republic of Moldova include:

- national, international, regional (European and interstate) standards as well as standards of other states adopted as national standards (with the abbreviation SM);
- provisional national standards (with the abbreviation SMV)⁷;
- company standards (with the abbreviation SF);
- codes of good practice in the field of standardization (with the abbreviation SBP);

Fundamental documents of the standardization system are codes of good practice that define:

⁷ Provisional national standards are accepted for a limited period of time (not exceeding five years)

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- procedure and conditions for the participation in the national standardization;
- procedure for the participation in the European and international standardization;
- procedure for the development, approval, adoption, validation, registration, use, modification and withdrawal of national standards and pre-standards;
- procedure for the dispute resolution of in the development and acceptance, validation, modification and withdrawal of the national standards and pre-standards;
- procedure for the publication of national standards and pre-standards;
- procedure for the registration of national standards and pre-standards;
- procedure for the use as national standards of international and regional (European and interstate) standards and the standards of other countries;

At present, Moldova has the following codes of good practice:

- CBP 1.0:2013 Principles and methodology of standardization. Methods for development of national standards of the Republic of Moldova;
- CBP 1-1:2013 Principles and methodology of standardization. Procedure for development of codes of good practice in the field of standardization;
- CBP 1.2-2013 Structure and organisation of the Technical Committee for Standardization;
- CBP 1.3-2013 Principles and methodology of standardization. Procedure for development of standards in Moldova;
- CBP 1-4:2013 Rules for publication of standards in the Republic of Moldova;
- CBP 1-5:2013 Principles and methodology of standardization. Structure, presentation and contents of the Moldovan standards;
- CBP 1-6:2013 Principles and methodology of standardization. Publication of normative tools in the field of standardization;

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- CBP 1-7:2013 Principles and methodology of standardization. Provisional national standards. General Provisions;
- CBP 1-8:2013 Principles and methodology of standardization. References to standards in technical regulations. General terms and methods for references;
- CBP 1-9:2013 Principles and methodology of standardization. Procedure for the development of company standards;
- CBP 1-10:2013 Principles and methodology of standardization. Adoption of interstate standards as the standards of Moldova;
- CBP 1-11:2013 Principles and methodology of standardization. Procedure for expert assessment of draft standards;
- CBP 1-12:2013 Principles and methodology of standardization. Procedure for the adoption of international standards as national standards and pre-standards;
- CBP 1-14:2013 Principles and methodology of standardization. Qualification criteria and procedure for certification of experts in the field of standardization;
- CBP 1-15:2013 Labour input norms and the procedure for determining the cost of development of normative tools on standardization;
- CBP 1-16:2013 Principles and methodology of standardization. Adoption of rules and recommendations on interstate standardization as codes of good practice;
- CBP 1-20:2013 Principles and methodology of standardization. Adoption of standards of other countries as national standards;
- CBP 1-21:2013 Principles and methodology of standardization. Adoption of European standards as national standards and pre-standards.

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3.3. Fundamentals of the standardization system

Legal status of standardization documents

National standards are voluntary for use, except for cases when:

- these standards are directly referenced in the technical regulations;
- economic entity has issued, in any form, an official statement of compliance of the products or services with the provisions of these standards.

Copyright on the documents in the field of standardization

- Normative documents in the field of standardization are subject to copyright.
- The exclusive right of publication and dissemination of national standards and pre-standards, codes of good practice in the field of standardization of the Republic of Moldova belongs to the NSB.
- The copyright for company standards belongs to their developers

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

It is allowed to use the Presumption of Conformity principle of voluntary standardization documents in carrying out procedures for conformity assessment with the mandatory technical regulations.

No additional requirements (for example, the presence of additional addendums indicating the relationship between the requirements of technical regulations and the provisions of harmonized standards) are set forth to the content of standards that have a Presumption of Conformity (harmonized standards).

Lists of voluntary standardization documents, that have a Presumption of Conformity, are part of technical regulations and, accordingly, are approved together with the 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)
2	IEC – International Electrotechnical Commission	yes (affiliates)
3	CEN - European Committee for Standardization	yes (affiliates)
4	CENELEC - European Committee for Electrotechnical Standardization	No
5	EASC - Eurasian Interstate Council for standardization, Metrology and certification	yes (full member)
6	Russian Federation	yes (Russian standards are not subject to copyright legislation)
7	Republic of Belarus	yes (Belarusian standards are not subject to copyright legislation)
8	Ukraine	yes (Ukrainian standards are not subject to copyright legislation)

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

International and regional (European and interstate) standards and the standards of other countries are adopted in the Republic of Moldova as national standards and are part of the national system of standardization. All the methods provided by international and European standards organisations (including methods described in ISO/IEC Guide 21-1:2005), can be used for their adoption in accordance with the procedure established by the NSB:

- CBP 1-12:2013 Principles and methodology of standardization. Procedure for adoption of international standards as national standards and pre-standards;
- CBP 1-20:2013 Principles and methodology of standardization. Adoption of standards of other countries as national standards;
- CBP 1-21:2013 Principles and methodology of standardization. Adoption of European standards as national standards and pre-standards;

Normative documents in the field of standardization, used in the Republic of Moldova on the basis of agreements concluded with international and regional standards organisations and standards bodies in other countries, are used in the official version in the national language or in the official version in the original language.

Methods of ISO/IEC Guide 21-1:2005	
1. Endorsement	permitted
2. Republication	
2.1. Reprinting	permitted
2.2. Translation	permitted
2.3. Redrafting	permitted

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

- Reference method ⁸ - not permitted
- References to international and regional (European and interstate) standards and the standards of other states, that are included by the regulatory authorities in the technical regulations or other normative tools without reference to the national adaptation of relevant standards, cannot be official by nature.
- Registration method ⁹ - not permitted

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 Moldova, the adoption of interstate standards, rules and guidelines is set by the following documents:

- CBP 1-10:2013 Principles and methodology of standardization. Adoption of interstate standards as the standards of the Republic of Moldova;
- CBP 1-16:2013 Principles and methodology of standardization. Adoption of rules and recommendations on interstate standardization as codes of good practice;

⁸ Application of international, regional and foreign standards, which are referenced in legal documents (including the contracts between businesses)

⁹ Application international, regional and foreign standards, which are registered by the authorised body in the prescribed manner

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In accordance with the above standards:

- Adoption of interstate standards is carried out by translation or reprinting (reproduction of the official version in the original language);
- The proposal to adopt the interstate standards, as well as the method of adoption is submitted by the national technical committee on standardization in the relevant area;
- The proposals can be submitted also by the regulatory authorities and other interested parties of the Republic of Moldova;
- When the NSB approves the interstate standards as national standards in the Republic of Moldova, it withdraws all the national standards in conflict with it (or duplicating it);
- The publication of information on the introduction of an interstate standard for use as a national standard, its publication and distribution on the territory of the Republic of Moldova, is done in accordance with the procedure established for the national standards.

3.5. The order of development and adoption of standardization documents

National standards are developed on the basis of the national programme for standardization, which is formed and approved by the NSB.

The process of the development of national standards includes the following:

- Publication of the information about the start of the development of the national standard
- Preparation of a draft standard by the developer
- Mutual approval of the draft standard with the following bodies:
 - public authorities within their competence
 - technical committees for standardization, in the relevant field of activity;
- Approval of the draft standard by the NSB

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Procedure for the development of company standards is identified by their developers without an approval of draft standards from the regulatory authorities.

4. Participants of the standardization activity

4.1. Main participants of standardization activities

a) Government:

- adopts system-wide regulations for standardization
- appoints and regulates the activities of the NSB

b) Central specialised body of public administration responsible for quality infrastructure - Ministry of Economy:

- Develops and implements the state policy in the field of standardization;
- Participates, on a proposal from the public authorities, in establishing normative tools related to the national standardization;
- participates in the activities of the Council of Standardization;
- Develops and approves within its competence, codes of good practice;
- Provides for participation of the NSB in the work of international and regional non-governmental organisations on standardization;
- approves the Provisions for supervision of NSB and carries out this supervision.

c) NSB - National Institute of Standardization:

- sets out the principles and methodology of the national standardization through the codes of good practice in the field of standardization;
- records and coordinates the work of the technical committees on standardization;
- develops and approves the Programme of national standardization;

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- accepts, approves and registers national standards and pre-standards, codes of good practice in the field of standardization, carries out their publication and distribution;
- carries out international co-operation in the field of standardization
- carries out expert assessment of the draft lists of interrelated (harmonized) standards to technical regulations;

d) Technical committees for standardization:

Technical committees for standardization are created by NSB on the basis of proposals from state agencies and stakeholders to carry out work on standardization at the national, regional and international level.

The area of activity of national technical committees for standardization should comply with the areas of activity of technical committees for standardization of international and / or European standards organisations.

The functions of the secretariat of the technical committees for standardization are performed by NSB or any interested party with the corresponding capacities.

Main functions of the technical committees for standardization are as follows:

- development of national standards
- expert assessment of interrelated (harmonized) national standards

e) Regulatory bodies (state bodies of executive power):

- develop, approve, register, modify, validate, withdraw the codes of good practice in their field of competence as well as provide for their publication and distribution;
- participate in the work of the Council of Standardization and technical committees for standardization;
- provide an official translation into the official language of official publications of international and European standards in order to adapt them as national

Overview of technical normalisation and standardization systems of the Partner Countries standards necessary for incorporation and application of the relevant technical regulations, as well as for market surveillance

f) Developers of standards

- National standards can be developed by the relevant technical committee for standardization, or other interested parties, which specialises in the relevant field of activity.

4.2. List of the existing technical committees for standardization

Gas sector – no TCs:

Electrical sector - no TCs, but there is National Committee for Electrical Engineering - SCE "CEM" (TC Secretariat holding organisation - National Institute of Standardization):

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 (affiliates)
3	CEN - European Committee for Standardization	yes (affiliates)
4	CENELEC - European Committee for Electrotechnical Standardization	no
5	EASC - Eurasian Interstate Council for Standardization, Metrology and Certification	yes (full member)

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

Abbreviations:

P – Participant

O – Observer

Gas sector:

	ISO Technical Committee		Representation of Moldova	Status
1	TC 11	Boilers and pressure vessels	National Standardization Body - NSB	O
2	TC 28	Petroleum products and lubricants	NSB	O
3	ISO TC 58	Gas cylinders	NSB	O
4	TC 67	Materials, equipment and offshore structures for petroleum, petrochemical and natural gas industries	NSB	O
5	ITC 193	Natural gas	NSB	O
6	TC 207	Environmental management	NSB	O

	EASC Technical Committee		Representation of Moldova	Status
1	ITC 007	Pipe and steel tanks	NSB	O
2	ITC 052	Natural gas	NSB	P

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3	ITC 098	Household equipment operating on gas and liquid fuels	NSB	P
4	ITC 523	Technique and technology of oil and gas extraction and processing	NSB	O

Electrical sector:

ISO Technical Committee			Representation of Moldova	Status
1	TC 178	Lifts, escalators and moving walks	NSB	O

IEC Technical Committee			Representation of Moldova	Status
1	TC 13	Electrical energy measurement, tariff- and load control	National Electrotechnical Committee - NEC	P
2	TC 34	Lamps and related equipment	NEC	P

EASC Technical Committee			Representation of Moldova	Status
1	ITC 019	Electrical machinery and apparatus	NSB	P
2	ITC 036	Power transformers	NSB	P
3	ITC 111	Energy saving	NSB	P
4	ITC 208	Air-conditioning and ventilation	NSB	O

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5	ITC 232	Apparatus for measuring electrical energy and load control	NSB	P
6	ITC 233	Measuring equipment for electrical and electromagnetic quantities	NSB	P
7	ITC 234	Alarm and anti-burglary protection systems	NSB	P
8	ITC 506	Fans, centrifugal and axial-based contactless AC and DC motors	National Electrotechnical Committee	O