



**REPUBLIC OF MACEDONIA**

**LAW ON STANDARDIZATION**

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# **LAW ON STANDARDISATION**

## **I. GENERAL PROVISIONS**

### **Article 1**

This Law sets out the objectives and principles of the Macedonian national standardisation, the status of the Standardisation Institute of the Republic of Macedonia; its assignments; membership and funding, and regulates preparation, adoption and issuing of the Macedonian national standards, and their application.

### **Article 2**

The terms used in this Law shall mean:

- 1) Standardisation – activity aimed at the establishment of the rules for common and repeated use, for the purpose of the achievement of the optimum degree of order in a given field;
- 2) International standardisation – activity in the field of standardisation which involves relevant national standardisation bodies from member countries in international community;
- 3) European standardisation - activity in the field of standardisation in which involvement is open to relevant national standardisation bodies from European countries;
- 4) National standardisation - activity in the field of standardisation at the level of one specific country;
- 5) Standards body – body recognised at national, European or international level, that has as a principal function the preparation, adoption and publishing of standards;
- 6) National standards body – standards body recognised at national level;
- 7) International standards organisation – standards organisation whose membership is open to the relevant national standard bodies from all members country in international community, such as:
  - ISO International Organisation for standardisation;
  - IEC International Electrotechnical Commission;
  - ITU International Telecommunication Union.
- 8) European standards organisation – standards organisation whose membership is open to relevant national standards bodies from European countries, such as:
  - CEN European Committee for Standardisation
  - CENELEC European Committee for Electrotechnical Standardisation;
  - ETSI European Telecommunication Standards Institute;
- 9) Standard is a document, prepared with a consensus and adopted by a recognised body, that provides, for common and repeated use, rules, guidelines or characteristics for certain activities or their results, aimed at the achievement of the optimum degree of order in a given context;
- 10) International standard – standard that is adopted by international standards organisation and is available to the public;
- 11) European standard – standard that is adopted by a European standards organisation and is available to the public;
- 12) National standard – standard that is adopted by a national standards body and is available to the public.

### **Article 3**

The Macedonian National Standardisation is an activity of public interest.

## **II. OBJECTIVES AND PRINCIPLES**

### **Article 4**

The general objectives of Macedonian standardisation shall include improvement of:

- Quality of products, procedures and services, by defining their characteristics which determine their capacity to meet the specified requirements;
- Quality of life and human health, safety of property and the protection of the environment;
- Economical and rational use of human resources, materials and energy in the production process and the exchange of goods.
- Industrial efficiency by means of reduction and approximation of the discrepancy of certain products, processes and services, as well as the possibility to substitute one product, process or service with another, meeting all the requirements and
- International trade of goods and services by elimination of trade barriers.

### **Article 5**

The Macedonian national standardisation shall be based on the following principles:

- Voluntary use of the Macedonian standards;
- The right of voluntary participation by all interested parties in the preparation and adoption of Macedonian national standards, preventing predomination of individual interests over common interest concerning the procedure for preparation of Macedonian national standards;
- Consensus of a significant part of the interested parties about the contents of the Macedonian standards;
- Transparency in the procedure for preparation of Macedonian national standards
- Mandatory publishing of the adoption of Macedonian standards;
- Approximation of the scientific and the technical level of development and culture, as well as conformance to the rules of the International and European standardisation.

## **III. INSTITUTE FOR STANDARDISATION**

### **Article 6**

For the performance of the activities and the duties concerning standardisation determined by this Law and other laws, the Government of the Republic of Macedonia shall establish the Macedonian Institute for Standardisation, (hereinafter referred to as “the Institute”) as a separate public institution.

The provisions of the law that concerns institutions shall apply to the Institute, unless this Law stipulates otherwise.

The institute shall have a status of a legal entity.

## **Article 7**

The Institute shall perform the following assignments:

- 1) Preparation and adoption of Macedonian national standards and other standardisation documents that constitute the Macedonian national standardisation;
- 2) Keeping a register of the Macedonian national standards;
- 3) Representing the interests of the Macedonian national standardisation in the International, European and regional organisations, as well as in the standards organisations of other countries;
- 4) Gathering international, European standards and standardisation documents, establishing and maintaining a database, as well as standards and standardisation documents of other national standards;
- 5) Providing information from this database to interested parties;
- 6) Publishing a bulletin which contains information on the initiation and the procedure for preparation and adoption of standards and standardisation documents of the Macedonian national standardisation, as well as information about international and European standards and standardisation documents;
- 7) Issuance and sale of standards and other standardisation documents of the Macedonian national standardisation, as well as sale of international, European and other standards and standardisation documents;
- 8) Promoting the application of the Macedonian national standards;
- 9) Participation in the work of international and regional standardisation bodies;
- 10) Sale of standards and standardisation documents on the basis of contracts and membership in international and regional organisations and other foreign standardisation bodies;
- 11) Ensuring compliance with obligations in the field of standardisation derived from ratified international treaties that the Republic of Macedonia has signed and
- 12) Performing other assignments and tasks related to the application of this and other laws.

While performing its activities and duties, the Institute shall be entitled to use the coat of arms of the Republic of Macedonia on its documents and on its seal.

The activities that the Institute performs are not aimed at making profit.

## **Article 8**

The Institute shall include an Information and Contact Body the duty of which shall be to release information on issues relating to:

- Proposed and/or adopted national technical provisions or standards;
- The bodies competent for adopting technical provisions;
- Proposed and/or adopted procedures for conformity assessment;
- Membership and participation in the work of international and regional standardisation bodies and systems for conformity assessment and delivery of copies of documents requested by interested parties, in accordance with the World Trade Organisation Treaty on technical barriers in trade.

## **Article 9**

At the request of the Government of the Republic of Macedonia, for the purpose of preparing regulations that define the technical requirements for the products, in order to ensure the safety of property and the protection of the lives and the health of people and of the environment, the Institute shall prepare, adopt and publish appropriate standards.

## **Article 10**

The Institute's Foundation Document shall include provisions for:

- The seat and activities of the Institute;
- The amount of the funds, obtained by the Republic of Macedonia, intended for foundation and beginning of work;
- The sources, the manner and the conditions for providing the Institute's operating funds, and the manner in which these funds are disposed of;
- The bodies of the Institute;
- The rights and obligations of the founder in terms of the performance of the activity for which the Institute has been established, as well as the relationship between the founder and the Institute;
- The legal rights and liability of the Institute;
- The timeframe for adoption of the Statute; and
- Other provisions in compliance with the law.

In the Foundation Document, the Director of the Institute, as a temporary executive manager, shall be appointed and authorised according to directives of the Government of the Republic of Macedonia, to execute the preparations for the beginning of the Institute's activities.

## **Article 11**

The Institute shall have a Statute adopted by the Assembly of the Institute, which regulates its name, seat and organisation, its bodies and their competencies and responsibilities, the rights and the duties of the members of the Institute, and other issues related to the performance of the activity for which the Institute has been established, in accordance with this and other laws and with the Foundation Document.

The Minister of Economy shall give accord of the Statute.

## **Article 12**

The Institute's bodies shall be:

- The Assembly;
- The Council;
- The Director;
- Board for Control of the material-financial work.

### **Article 13**

The Assembly shall consist of the members of the Institute.

A President shall chair the Assembly.

The Assembly shall elect the President.

### **Article 14**

The Council of the Institute shall manage the work of the Institute.

The Chairman and the members of the Institute's Council shall be appointed and relieved by the Institute's Assembly for a period of four years from among the ranks of prominent experts and competent persons in the field of standardisation.

### **Article 15**

The Director shall manage the Institute.

The Director of the Institute shall organise and manage the Institute's work, shall represent the institute in front of third parties, and shall be responsible for the legal operation of the Institute.

The Director of the Institute shall be nominated and released by the Council.

The decision for appointment or dismissal of the Director needs to be approved by the Government of the Republic of Macedonia.

The Director shall be appointed for period of four years and after this mandate has expired he/she may be elected again.

### **Article 16**

For the purpose of conducting material-financial control of the Institute, a Board for Control of Material and Financial Operations shall be established.

The Government of the Republic of Macedonia shall appoint the members of the Board referred to in paragraph 1 of this Article.

### **Article 17**

The Council shall establish technical committees for performance of expert activities.

#### **IV. MEMBERSHIP OF THE INSTITUTE**

##### **Article 18**

Any legal entity or individual shall be entitled to become a member of the Institute in order to realise its or his/her interests related to the Macedonian national standardisation.

#### **V. FUNDING OF THE INSTITUTE**

##### **Article 19**

The funds for the work of the Institute shall be obtained through:

- The Budget of the Republic of Macedonia;
- Membership fees paid by members;
- The sale of the standards and standardisation documents and Institute's bulletin.
- Sales of international standards and standardisation documents and information on the basis of treaties and membership in international organisations;
- Services, training, seminars etc.; and
- Copyrights, grants, donations from the country and abroad, and other recourses in compliance with law.

##### **Article 20**

The funds from the Budget of the Republic of Macedonia shall be provided for implementation of the assignments and tasks referred to in Articles 7 and 8 of this Law.

The amount of funds under paragraph 1 of this Article shall be determined on the basis of the volume of work and tasks, according to the Institute's annual work programme.

The institute shall report to the Government of the Republic of Macedonia about the performance of the activities of the Programme referred to in paragraph 2 of this Article at least once a year.

##### **Article 21**

Funds for the Institute's membership fees and representation in international and European standardisation organisation shall be provided from the Budget of the Republic of Macedonia.

#### **VI. MACEDONIAN STANDARDS**

##### **Article 22**

The Macedonian national standard shall be marked with abbreviation **MKC**. This sign shall be protected under the regulations for industrial property protection.

The Macedonian standards may be prepared on the basis of a national, European or international standard or other standardisation document.

In addition to the Macedonian language, the Macedonian standard may also be published in a foreign language.

The adoption of a foreign standard as a national standard may be done by translating into Macedonian the entire text or only its cover page, or by adoption of the foreign standard in its integrity in the foreign language.

### **Article 23**

The Macedonian national standard shall be issued as a separate publication, the copyright for it belonging to the Institute, according to the Law on copyright.

Reproduction or distribution of the Macedonian standard or of its parts, without the Institute's prior consent, is prohibited.

## **VII. APPLICATION OF MACEDONIAN NATIONAL STANDARD**

### **Article 24**

The use of the Macedonian national standard shall be voluntary.

The conformity of a product, a procedure or a service with Macedonian national standard can be confirmed by a declaration of conformity, a certificate of conformity, or a mark of conformity.

The issuer shall be the person answerable for the declaration of conformity, the certificate of conformity, or the mark of conformity under paragraph 2 of this Article.

## **VIII. TRANSITIONAL AND FINAL PROVISIONS**

### **Article 25**

The Government of the Republic of Macedonia shall adopt the Foundation document of the Institute within six months after the effective date of this Law and shall appoint a Director, as temporary executive manager.

### **Article 26**

For the performing of assignments and tasks of Macedonian national standardisation, the Founder shall provide premises for the work of the Institute, and shall transfer into its unredeemable use the material assets, equipment and the archive of the Bureau of standardisation and metrology intended for the performance of standardisation tasks.

The Employees of the Bureau of standardisation and metrology, who are performing the tasks related to standardisation, shall continue to perform those tasks in the Institute.



### **Article 27**

The application of the standards, which are in use until this law goes into effect, is voluntary.

The standards and regulations adopted according the Law on Standardisation (Official Gazette of RM no.23/95) shall remain in use until standards based on this Law are adopted.

### **Article 28**

Until the foundation of the Institute, the Bureau of Standardisation and Metrology shall perform tasks in the field of standardisation.

### **Article 29**

On the effective day of this Law, the Law on Standardisation (Official Gazette of RM no.23/95) shall cease to apply.

### **Article 30**

This Law shall become effective on the eighth day after its publication in the Official Gazette of the Republic of Macedonia.