



On approval of the Rules for the Creation and Functioning of the Information Centre on Technical Barriers to Trade, Sanitary and Phytosanitary Measures

Invalidated Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated June 8, 2021 No. 387. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 08/03/2023 No. 641

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 08/03/2023 No. 641 (effective after ten calendar days after the date of its first official publication).

Note of the ILLI!

Shall be enforced from 01.07.2021.

In accordance with paragraph 1 of Article 12 of the Law of the Republic of Kazakhstan dated December 30, 2020 "On Technical Regulation", the Government of the Republic of Kazakhstan HEREBY RESOLVES:

1. To approve the attached Rules for the creation and functioning of the Information Centre on technical barriers to trade, sanitary and phytosanitary measures.
2. To recognize as invalid some decisions of the Government of the Republic of Kazakhstan in accordance with the annex to this resolution.
3. This resolution shall enter into force from July 1, 2021 and shall be subject to official publication.

*Prime-Minister of the
Republic of Kazakhstan*

A. Mamin

Approved
by the Resolution
of the Government
of the Republic of Kazakhstan
dated June 8, 2021 No. 387

Rules for the creation and functioning of the Information centre on technical barriers to trade, sanitary and phytosanitary measures

Chapter 1. General provisions

1. These Rules for the creation and functioning of the Information Centre on technical barriers to trade, sanitary and phytosanitary measures (hereinafter - the Rules) have been developed in accordance with paragraph 1 of Article 12 of the Law of the Republic of Kazakhstan dated December 30, 2020 "On Technical Regulation" (

hereinafter-the Law) and shall determine the procedure for the creation and functioning of the Information centre on technical barriers to trade, sanitary and phytosanitary measures (hereinafter-the Information centre).

2. The Information centre shall be a structural subdivision of the republican state enterprise on the right of economic management "Kazakhstan institute of standardization and metrology" of the Committee for technical regulation and metrology of the Ministry of Trade and Integration of the Republic of Kazakhstan and shall be created in the manner prescribed by the legislation of the Republic of Kazakhstan.

3. The Information centre in its activities shall be guided by the Constitution of the Republic of Kazakhstan, the Code of the Republic of Kazakhstan dated July 7, 2020 "On Public Health and Healthcare System", the laws of the Republic of Kazakhstan dated February 11, 1999 "On Plants Quarantine", dated July 3, 2002 "On Plants Protection", dated July 10, 2002 "On Veterinary Medicine", dated July 21, 2007 "On Food Safety", dated October 14, 2014 "On Ratification of the Treaty on the Eurasian Economic Union", dated December 30, 2020 "On Technical Regulation", other regulatory legal acts of the Republic of Kazakhstan and these Rules.

4. The Information centre shall be created for interaction with the Secretariat of the World Trade Organization (hereinafter-the WTO), WTO members, international and foreign standardization organizations in order to provide consulting services and to provide interested parties and foreign states with copies of documents and information on (about):

1) acting or developing technical regulations for veterinary-sanitary and phytosanitary measures, standardization documents, amendments to them and procedures for confirming the conformity of products, services;

2) membership or participation of the Republic of Kazakhstan in international organizations and international treaties of a bilateral and multilateral nature in the field of standardization, in the field of technical regulation, accreditation, veterinary medicine and phytosanitary, in the field of sanitary and epidemiological welfare of the population;

3) sources of publication of drafts, developed and adopted technical regulations, standardization documents, veterinary-sanitary and phytosanitary measures and procedures for confirming the conformity of products, services or information about them.

5. Interaction with the WTO Secretariat and WTO members on the issues related to the obligations of the Republic of Kazakhstan in the WTO shall be carried out through the Information centre on WTO issues in accordance with the legislation of the Republic of Kazakhstan on the regulation of trade activities.

6. The main tasks of the Information centre shall be:

1) creation of an operational system for the exchange of information on technical barriers to trade (hereinafter - TBT) and veterinary-sanitary and phytosanitary measures (hereinafter - VSPh) with legal entities and individuals;

2) information support in the field of TBT and on the application of the VSPh measures.

7. The main activities of the Information Centre shall be:

1) timely provision of the WTO Secretariat, WTO member countries, member states of the Eurasian Economic Union (hereinafter-the EAEU), international organizations and other interested parties with information on (about):

notifications related to the development processes, adopted (approved) and put into effect technical regulations, VSPh measures, standardization documents, amendments to them and procedures for confirming the conformity of products, services;

facts of violation of the requirements of technical regulations, as well as the requirements of the VSPh, including as a result of implementation of state control;

facts of harm and damage to human life and health, property, environment, life and health of animals and plants (taking into account the severity of this harm) due to violation of mandatory requirements, including the requirements of technical regulations;

measures taken to eliminate violations of the requirements of technical regulations, as well as the requirements of the VSPh;

products that pose a danger to human life and health, property, the environment, life and health of animals and plants received from international organizations and third countries;

operating procedures for control and inspection, production and quarantine rules, procedures for approval of acceptable levels of pesticides and food additives;

procedures for assessing risks, factors taken into account, as well as determining the appropriate level of veterinary or phytosanitary protection;

deterioration of the quarantine, phytosanitary, epidemiological and epizootic situation and temporary measures being introduced;

detected and spread quarantine objects (quarantine harmful organisms);

detection of infectious and mass non-infectious diseases (poisoning) among the population;

identified products that are dangerous to human life, health and environment;

possible receipts of controlled goods that do not meet uniform sanitary requirements;

national bodies coordinating work on technical regulation, VSPh measures;

accreditation body;

accredited conformity assessment bodies and testing laboratories (centres);

bodies of state control (supervision) in the field of technical regulation, VSPh measures;

conformity assessment documents;

international legal documents in the field of technical regulation, VSPh measures;

regional (interstate) standards, as well as national (state) standards, which can be applied on a voluntary basis to confirm product compliance with the requirements of technical regulations;

the list of animal diseases in which mandatory neutralization (disinfection) and processing shall be carried out without withdrawal of animals, products and raw materials of animal origin, veterinary drugs, feed and feed additives that pose a danger to animal and human health, approved by the order of the Minister of Agriculture of the Republic of Kazakhstan dated March 28, 2012 No. 18-03/127 (registered in the register of state registration of regulatory legal acts under No. 7590);

the list of goods subject to veterinary control (supervision), approved by the Decision of the EAEU Commission dated June 18, 2010 No. 317 "On the application of veterinary and sanitary measures in the Eurasian Economic Union";

the list of quarantine objects and alien species, in relation to which plant quarantine measures shall be established and carried out, and especially dangerous harmful organisms, approved by the order of the Minister of Agriculture of the Republic of Kazakhstan dated March 30, 2015 No. 4-4/282 "On approval of the list of quarantine objects and alien species, in relation to which measures for plant quarantine shall be established and carried out, and the list of especially dangerous harmful organisms" (registered in the register of state registration of regulatory legal acts under No. 11739);

the list of quarantined products approved by the order of the Minister of Agriculture of the Republic of Kazakhstan dated February 13, 2015 No. 4-4/103 "On approval of the list of quarantined products" (registered in the Register of state registration of regulatory legal acts No. 11255);

2) ensuring cooperation with information centres of WTO member countries, EAEU member states and other international organizations on TBT and VSPh measures;

3) maintenance and formation of databases and information systems, ensuring availability of information on TBT and VSPh measures.

Chapter 2. Procedure for the functioning of the Information centre

8. The Information centre, as notifications are received from the WTO Secretariat, the EAEU member states and other international organizations, shall post them on its Internet resource in the state and Russian languages in the form of notifications.

9. After receiving notifications in accordance with paragraph 8 of these Rules, the Information centre shall translate them from a foreign language into the state and

Russian languages within 1 (one) working day, and also monitor the received notifications on TBT and VSPH measures.

10. The Information centre, at the request of legal entities and individuals, shall provide them free of charge with information (clarifications) from state bodies (developers) on existing or being developed technical regulations, VSPH measures, standardization documents, amendments to them and procedures for confirming the conformity of products, services in the order established by the Administrative procedure- procedural code of the Republic of Kazakhstan dated June 29, 2020.

11. The Information centre within 1 (one) working day shall send to the WTO Secretariat, the EAEU member states and other international organizations information (clarification) of state bodies (developers) to the technical regulations developed in the Republic of Kazakhstan, VSPH measures, standardization documents, amendments to them and procedures for confirming the conformity of products, services in the manner prescribed by the legislation of the Republic of Kazakhstan in the field of technical regulation, unless otherwise established by ratified international treaties of the Republic of Kazakhstan.

12. State bodies, as TBT and VSPH measures are taken or come into effect, within 1 (one) working day shall send the information specified in subparagraph 1) of paragraph 7 of these Rules in electronic form to the Information centre.

13. The Information centre within 1 (one) working day shall generate notifications in English about the developed regulatory documents in the field of TBT and VSPH measures and send them to the authorized body in the field of regulation of trade activities.

Appendix
to the Resolution
of the Government
of the Republic of Kazakhstan
dated June 8, 2021 No. 387

List of some decisions of the Government of the Republic of Kazakhstan that have become invalid

1. Resolution of the Government of the Republic of Kazakhstan dated July 11, 2005 No. 718 “On Approval of the Rules for the Creation and Functioning of the Information Centre on Technical Barriers to Trade, Sanitary and Phytosanitary Measures”.

2. Subparagraph 2) of paragraph 1 of the resolution of the Government of the Republic of Kazakhstan dated April 28, 2008 No. 396 “On Amendments to the Resolutions of the Government of the Republic of Kazakhstan dated September 2,

2004 No. 926 and dated July 11, 2005 No. 718 and recognizing as invalid the Resolution of the Government of the Republic of Kazakhstan dated August 1, 2005 No. 800".

3. Resolution of the Government of the Republic of Kazakhstan dated September 1, 2010 No. 869 "On Amendments to the Resolution of the Government of the Republic of Kazakhstan dated July 11, 2005 No. 718".

4. Resolution of the Government of the Republic of Kazakhstan dated October 28, 2019 No. 802 "On Amendments to the Resolution of the Government of the Republic of Kazakhstan dated July 11, 2005 No. 718 "On Approval of the Rules for the Creation and Functioning of the Information Centre on Technical Barriers to Trade, Sanitary and Phytosanitary Measures".

5. Paragraph 1 of the amendments and additions that are made to some decisions of the Government of the Republic of Kazakhstan, approved by the Resolution of the Government of the Republic of Kazakhstan dated October 2, 2020 No. 639 "On Some Issues of Republican State Enterprises under the Jurisdiction of the Ministry of Trade and Integration of the Republic of Kazakhstan".