Ukraine’s Technical Regulation in the European Integration Context
Legislation, technical regulations and standards

Kyiv
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Provisions and obligations

I. The preparation, adoption and application of technical regulations, standards, and conformity assessment procedures

II. Strengthening cooperation in the field of technical regulations, standards, metrology, market surveillance, accreditation and conformity assessment procedures with a view of bringing closer the respective systems and facilitating access to the respective markets.

III. Gradual achieving conformity with EU technical regulations and EU standardization, metrology, accreditation, conformity assessment procedures and the EU market surveillance system. Adhering to the principles and practices laid down in relevant EU Decisions and Regulations.

IV. The preparation to conclude Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA), that shall be added as a Protocol to the Association Agreement.
Measures to prepare for signing the Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA), with account of EU legal acts specified in Annex III of the draft Association Agreement

1. Implementation of EU legal acts; refinement in the domestic law.

2. Enhancement of activities in the domain of standardization, conformity assessment, accreditation and metrology in compliance with the current EU practice.

3. Implementation of technical regulations for industrial products based on the provisions of EU acts according to Annex III of the draft Association Agreement.

4. Adoption of the international and European standards that are the evidence base for produce conformity with technical regulation requirements.

5. Review and substitution of the interstate standards (ГОСТ) drafted prior to 1992 that had served the evidence base for produce conformity to technical regulation requirements.
Adapting sector legislation in compliance with the Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA)

Adhering to the Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA) will take place primarily by types of industrial products defined and agreed upon by the Parties in 2006:
- low voltage electric equipment,
- machinery and mechanisms,
- electromagnetic compatibility,
- common high pressure vessels.

In line with EU legal acts, Ukraine has approximated three technical regulations:
1. Technical regulation for safety of low voltage electric equipment
2. Technical regulation for safety of machinery and mechanisms.
3. Technical regulation for electromagnetic compatibility of equipment.

The fourth one - the technical regulation for common high pressure vessels – is being reviewed by the respective agency (the State Service for Surveillance in Mining and Security in Industry of Ukraine - Держгірпромнагляд).
ACAA shall be incorporated as a Protocol to the Ukraine-EU Association Agreement as soon as the domestic horizontal and vertical law be fully aligned with the EU law, the standards be adopted and the institutions comply with EU rules in their operations as well as the EU finalized its checks.

Thus, ACAA shall stipulate that trade in goods between the Parties in the sectors covered by ACAA, be subject to the same terms that are applicable to trade in goods between the EU member-states.

It is expected that finally ACAA covers all the sectors listed in Annex III to the Ukraine-EU Association Agreement.
# Implementation of the Ukraine-EU Association Agreement  
## Implementation of EU legal acts

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<th>EU legal act</th>
<th>Implementation of EU legal act in Ukraine</th>
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| 1.2. Requirements for accreditation and market surveillance with respect to trade in goods | The Laws of Ukraine:  
“On State Market Supervision and Control over Non-Food Products” *(adopted in 2010)*  
| 1.3. General arrangements for product marketing | The Laws of Ukraine:  
“On General Safety of Non-Food Products” *(adopted in 2010)*  
Resolutions of the Cabinet of Ministers of Ukraine:  
on approval of description and rules to apply the national conformity mark *(adopted in 2001, amended in 2006, 2011 and 2012)*;  
on approval of Procedure for Appointing Bodies to Assess Conformity of Products, Processes and Services with Technical Regulations Requirements *(adopted in 2007, amended in 2012)*;  
| 1.5. Liability for defects in products | The Law of Ukraine “On Liability for Damage Caused by Defective Products” *(adopted in 2011)* |
In view of improving the legal and institutional basis for national standardization that matches modern European and international requirements and trends, the Ministry of Economic Development and Trade developed the draft Law of Ukraine “On Standardization” (its new wording). According to this draft Law, the national standardization authority is to be set up as a non government body; the draft national standards shall not be agreed with government bodies; no rules guiding development of standards and technical regulations for enterprises shall be set up; mandatory application of national standards shall be abolished.

The Law of Ukraine “On Standardization” (its new wording) was passed by the Verkhovna Rada of Ukraine on June 05, 2014.
As of this date, the stock of national standards consists of 27,5 thousand documents.

Of the above number, 7436 national standards were harmonized with the international and EU standards.

30 national standards were adopted in 2014.

Of this number, 27 national standards were harmonized with the international and EU standards.
The Ministry of Economic Development and Trade designed the draft Law of Ukraine “On Metrology and Metrological Activity” (its new wording) that stipulated to harmonize the domestic law with documents drafted by the International Organization of Legal Metrology (OIML) as well as by the WELMEC Committee (European Cooperation in Legal Metrology) and the EU legal acts on metrology.

In addition, it is stipulated to set up a separate executive authority that implements government policy in the area of metrological supervision.

The Law of Ukraine “On Metrology and Metrological Activity” (its new wording) was passed by the Verkhovna Rada of Ukraine on June 05, 2014.
As of this date, the Registry of State Primary and Secondary Reference Units of Measurement lists 69 state and 69 secondary reference units of measurement.

The BIPM (Bureau International des Poids et Mesures) database registers 192 CMC series (Calibration and Measurement Capabilities).
The total number of technical regulations adopted in Ukraine makes 46, of which 43 were designed on the EU law basis. 32 technical regulations have been implemented to date.

Of 27 EU legal acts defined in Annex III to the draft Ukraine-EU Association Agreement, Ukraine adopted 25 technical regulations, and 22 of them were implemented.

We still have to implement 2 EU legal acts (on explosives for civil uses, on packaging and packaging waste).
As of this date, Ukraine has implemented the significant scope of technical regulation related measures stipulated in the draft Ukraine–EU Association Agreement.

Since Ukraine’s WTO membership in 2008 and commencement of negotiations on provisions of the Association Agreement, the Ukrainian industry has the opportunity to operate on the basis of new domestic law in technical regulation area adjusted to meet the requirements of the above organizations.

In the period 2010–2013 the industrial enterprises in almost all the regions of Ukraine were exposed to broad awareness campaign with involvement of EU experts on specifics of new legislation, technical regulations and practices of EU member-states to meet the requirements with respect to products placement at the EU market.

The above measures were targeted to support the Ukrainian industry readiness as to fulfilling its obligations related to technical regulations stipulated in the draft Association Agreement that provide as follows:

• increase competitiveness of Ukrainian products,
• gradually technical barriers in trade between the Parties,
• promote expansion of Ukrainian industrial products export.
Thank you for attention!