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Text consolidated by Tulkošanas un terminoloģijas centrs (Translation and Terminology Centre) with amending laws of:

21 October 1999;
31 October 2002;
1 April 2004;
14 November 2008.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted and the President has proclaimed the following Law:

On Conformity Assessment

Chapter I General Provisions

Section 1.

The following terms are used in this Law:

1) **accreditation** – a procedure by which the authority prescribed in this Law issue an official recognition that legal or natural persons are competent to carry out specific functions;

2) [1 April 2004]

3) **conformity assessment** - any activity, the purpose of which is to directly or indirectly determine whether set requirements have been fulfilled;

4) **inspection** - activities, which are carried out to assess, based upon professional judgements or primary criteria, the conformity of product design stage, product, process and service to specific requirements;

5) **calibration** - operations, which are carried out under prescribed conditions, to establish conformity between the magnitude of values indicated by measuring devices or measuring systems, the existing values of material measure or reference material and those values which have been reproduced according to the standard of the unit of measure concerned;

6) [1 April 2004]

7) **non-regulated sphere** - a sphere, which is not subject to compulsory conformity assessment of products, processes or services prescribed in regulatory enactments;

¹ The Parliament of the Republic of Latvia

8) [1 April 2004]

9) **regulated sphere** - a sphere, which is subject to compulsory conformity assessment of products, processes or services prescribed in regulatory enactments;

10) **certification** - the action of an independent third person certifying that the relevant product, process or service, conforms to a relevant standard or other requirements prescribed by regulatory enactments;

11) **testing** - technical activities for determining the required measure of characteristics of a product, process or service, in accordance with the appropriate methodology.

[21 October 1999; 1 April 2004]

Chapter II Purpose and Scope of the Law

Section 2.

This Law prescribes the general principles of conformity assessment in the regulated sphere and the accreditation system in the regulated and non-regulated spheres.

[21 October 1999]

Section 3.

The objective of this Law is to ensure unified procedures for the conformity assessment of products, processes and services, which is harmonised with European Union and international regulatory enactments.

[1 April 2004]

Section 4.

This Law applies to all legal persons and natural persons that lay claim to conformity assessment of products, processes or services.

[21 October 1999]

Chapter III Conformity Assessment in the Regulated Sphere

[21 October 1999]

Section 5.

(1) Conformity assessment in the regulated sphere applies to products, services and potential risks, which may threaten human health, security, the environment or other interests of the general public.

(2) Conformity assessment in the regulated sphere in relation to food, animal feed and pharmaceutical products shall be determined by special norms.

[21 October 1999; 1 April 2004]

Section 6.

Conformity assessment in the regulated sphere shall be carried out by certification and inspection bodies and testing and calibration laboratories the list of which shall be published by the Ministry of Economics in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of the Republic of Latvia].

[21 October 1999; 31 October 2002; 1 April 2004]

Section 7.

(1) The essential requirements regarding specific products, processes or services and the supervisory mechanism for the compliance thereof, pursuant to a recommendation by the responsible Ministry, shall be determined by the Cabinet.

(2) The bodies that carry out supervision of the market in the regulated sphere, and the procedures by which this supervision of the market shall be carried out, shall be determined by the Cabinet.

[21 October 1999]

Section 8.

The Ministry of Economics shall:

1) in accordance with the European Union standing notification procedures, notify the European Commission regarding the authorised conformity assessment bodies, which act in accordance with the specified requirements of conformity assessment in the regulated sphere; and

2) shall publish in the newspaper *Latvijas Vēstnesis* a list of those certification and inspection bodies and testing and calibration laboratories, which are accredited in the regulated sphere or regarding which Member States of the European Union have notified the European Commission. Accreditation shall be performed by the *Metrology and Accreditation State Agency*, which shall be supervised by the Ministry of Economics.

[21 October 1999; 1 April 2004; 14 november 2008]

Section 9.

[21 October 1999]

Chapter IV Conformity Assessment System

Section 10.

Conformity assessment in the Republic of Latvia shall be carried out by testing and calibration laboratories and certification and inspection bodies, which shall take full responsibility for their activities.

Section 11.

[21 October 1999]

Section 12.

[1 April 2004]

Chapter V National System of Accreditation

Section 13.

(1) In the Republic of Latvia, there shall be a unified national accreditation system conforming to international requirements, which shall carry out specific accreditation procedures and observe the principles of unified management. The activities of the national accreditation system shall be regulated by regulations of the Cabinet.

(2) The National Accreditation council shall be a consultative body for the accreditation of testing and calibration laboratories and certification and inspection bodies in the regulated and non-regulated spheres. It shall take part in the formulation of State policies in the field of accreditation and promote co-operation with international accreditation organisations. The Cabinet shall approve the by-laws and composition of the personnel of the Council, pursuant to a recommendation by the Minister for Economics.

(3) The Metrology and Accreditation State Agency may establish sector technical committees, which shall provide consultation to the Metrology and Accreditation State Agency for the solving of specific technical issues in the relevant sectors.

[21 October 1999; 14 November 2008]

Section 14.

(1) The Metrology and Accreditation State Agency shall carry out the accreditation and surveillance of management systems, personnel and product certification and inspection bodies, and testing and calibration laboratories, in the regulated and non-regulated spheres.

(2) The main functions of the Metrology and Accreditation State Agency are:

1) to evaluate, accredit and survey the certification and inspection bodies and testing and calibration laboratories, in conformity with the prescribed requirements of

Latvian national standards, regulatory enactments, and European or international standards;

2) to technically ensure the activities of the Latvian National Accreditation Council;

3) to organise the work of the accreditation sector technical committees;

4) to train accreditation experts and specialists involved in accreditation;

5) to organise and co-ordinate comparative testing between laboratories in accordance with Latvian, European Union and international requirements;

6) to co-operate with the national accreditation authorities of other states;

7) to represent Latvia in international accreditation organisations;

8) to maintain and realise an accredited bodies information base;

9) on the basis of a request from the Ministries, to provide information regarding accredited bodies and their areas of activities; and

10) to inform the Ministry of Economics regarding accredited bodies in the regulated sphere.

(3) The financing procedures for the accreditation system shall be as follows:

1) from the State budget shall be financed:

a) the carrying out of the functions of the Metrology and Accreditation State Agency, and

b) membership fees for international accreditation organisations; and

2) all costs associated with accreditation and surveillance in the regulated sphere shall be covered by the body to be accredited according to the procedures specified in regulatory enactments.

[21 October 1999; 1 April 2004; 14 November 2008]

Chapter VI Procedures for the Examination of Disputes

[1 April 2004]

Section 15.

Administrative acts issued by officials of the authorities engaged in conformity assessment or the actual person with a capacity to act in an institution may be disputed in the Ministry of Economics according to the procedures specified in the Administrative Procedure Law. An administrative act issued by the Ministry of Economics or the actual person with a capacity to act in an institution may be appealed to a court according to the procedures specified in the Administrative Procedure Law.

[1 April 2004]

Chapter VII Mutual Recognition

[1 April 2004]

Section 16.

(1) There is a right to offer products in Latvia, which in conformity with regulatory enactments have been manufactured or placed in circulation in one of the Member States of the European Union or Turkey or which in conformity with regulatory enactments have been manufactured in one of the states of the European Economic Area.

(2) In mutual recognition shall be applied:

- 1) technical regulations, standards and specifications;
- 2) conformity assessment procedures, testing procedures, testing reports and accreditation systems; and
- 3) results of conformity assessment procedures, also results of tests, conformity certificates and conformity or inspections signs.

[1 April 2004]

Section 17.

In Latvia shall be recognised products, which in accordance with inter-state agreements entered into and the procedures specified therein are recognised by member States of the European Union, Turkey or the states of the European Economic Area.

[1 April 2004]

Section 18.

(1) Mutual recognition may be restricted on the basis of considerations of public health and morals, public security and safety, the protection of human life and health, the protection of animals and plants, the protection of national art, history or archaeological resources, the protection of industrial and commercial property, environmental protection, financial supervision, the fairness of commercial transactions and consumer protection, if competent institutions have evidence that a product has not been ensured such a level of safety as is necessary in accordance with the regulatory enactments of Latvia.

(2) Mutual recognition may be restricted in the interests of the public and on the basis of other considerations, which have been recognised by the European Court of Justice.

[21 October 1999; 1 April 2004]

Transitional Provisions

1. The Cabinet shall, by 1 May 2000, submit to the *Saeima* necessary amendments to laws, and formulate other regulatory enactments.

2. Those Cabinet Regulations that have been issued in accordance with Section 7 of this Law shall remain in force until the coming into force of new Cabinet Regulations, but not later than 1 May 2000.

[21 October 1999]

This Law has been adopted by the *Saeima* on 8 August 1996

Acting for the President,
Chairperson of the *Saeima*

I. Kreituse

Rīga, 20 August 1996