

LAW OF THE REPUBLIC OF UZBEKISTAN

ON INDUSTRIAL SAFETY OF HAZARDOUS PRODUCTION FACILITIES

Adopted by the Legislative Chamber on June 29, 2006,
Approved by the Senate on August 25, 2006

Article 1. Purpose of this Law

The purpose of this Law is to regulate relations in the field of industrial safety of hazardous production facilities (hereinafter - industrial safety).

Article 2. Legislation on industrial safety

Industrial safety legislation consists of this Law and other legislative acts.

If an international treaty of the Republic of Uzbekistan establishes other rules than those stipulated by the legislation of the Republic of Uzbekistan on industrial safety, then the rules of the international treaty shall be applied.

Article 3. Industrial safety. Accident and incident

Industrial safety is the state of protection of the vital interests of the individual and society from accidents and incidents at hazardous production facilities and their consequences.

An accident at hazardous production facilities is the destruction of structures and (or) technical devices used at hazardous production facilities, an uncontrolled explosion and (or) the release of hazardous substances.

An incident at hazardous production facilities is a failure or damage to technical devices used at hazardous production facilities, deviation from the process regime, violation of requirements contained in legislative acts, as well as regulatory technical documents in the field of industrial safety.

Article 4. Hazardous production facilities

Hazardous production facilities include:

1) the following hazardous substances are used, produced, processed, formed, stored, transported, destroyed:

substances capable of forming an explosive and fire hazardous environment;

harmful substances related to the degree of impact on a living organism to I, II and III hazard classes (extremely dangerous, highly dangerous and moderately dangerous), in accordance with the approved standards;

explosives, which, under certain types of external influences, are capable of very fast, self-propagating chemical transformation with the release of heat and the formation of gases;

industrial wastes containing substances in concentrations hazardous to human health and the environment;

2) equipment is used that operates at a pressure of more than 0.07 megapascals or at a temperature exceeding the boiling point of the working fluid at normal atmospheric pressure;

3) stationary installed hoisting mechanisms, escalators, cable cars, funiculars are used;

4) melts of ferrous and non-ferrous metals and alloys based on these melts are obtained;

5) enterprises or their workshops, plots, sites, as well as other production facilities where mining and processing of mineral resources, as well as work in underground conditions are underway.

Article 5. Accounting and identification of hazardous production facilities

Hazardous production facilities are subject to mandatory registration in the state register of hazardous production facilities by a specially authorized state body in the field of industrial safety (hereinafter - a specially authorized state body).

The procedure for accounting and maintaining the state register of hazardous production facilities is established by the Cabinet of Ministers of the Republic of Uzbekistan.

The identification of hazardous production facilities is carried out in accordance with article 4 of this Law in the manner established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 6. State regulation in the field of industrial safety

State regulation in the field of industrial safety is carried out by the Cabinet of Ministers of the Republic of Uzbekistan, a specially authorized state body, as well as other state bodies that have separate powers in the

field of industrial safety in accordance with the legislation.

State regulation in the field of industrial safety includes:

- establishing industrial safety requirements;
- state supervision of compliance with industrial safety requirements;
- certification of technical devices used at hazardous production facilities;
- licensing of certain types of activities;
- industrial safety expertise;
- other measures in accordance with the law.

Article 7. Industrial safety requirements

Industrial safety requirements are conditions, prohibitions, restrictions and other mandatory requirements contained in legislative acts, as well as regulatory technical documents, compliance with which ensures industrial safety.

Article 8. Industrial safety requirements for the design, construction and acceptance into operation of a hazardous production facility

For the implementation of the construction, expansion, reconstruction, technical re-equipment, conservation and liquidation of a hazardous production facility, a positive conclusion of an industrial safety review of design documentation is required.

Deviations from project documentation during construction, expansion, reconstruction, technical re-equipment, conservation and liquidation of a hazardous production facility are not allowed. Modification of design documentation for construction, expansion, reconstruction, technical re-equipment, conservation and liquidation of a hazardous production facility is subject to industrial safety expertise.

In the process of construction, expansion, reconstruction, technical re-equipment, conservation and liquidation of a hazardous production facility, organizations that have developed project documentation carry out field supervision in the prescribed manner.

Acceptance into operation of a hazardous production facility is carried out in the prescribed manner. In the process of acceptance of the hazardous production facility into operation, the compliance of the hazardous production facility with the design documentation, the organization's readiness to operate the hazardous production facility and localization and liquidation of the consequences of the accident at the hazardous production facility are checked.

Article 9. Industrial safety requirements for the operation of a hazardous production facility

An organization operating a hazardous production facility is required to:

comply with the requirements contained in legislative acts, as well as regulatory technical documents in the field of industrial safety;

ensure the staffing of employees of a hazardous production facility in accordance with established requirements;

admit to work at a hazardous production facility persons who meet qualification requirements and do not have medical contraindications to this work;

provide training and certification of employees of hazardous production facilities;

ensure the availability and functioning of the necessary devices and systems for monitoring the production process in accordance with established requirements;

ensure the conduct of an industrial safety expert examination in accordance with article 15 of this Law, as well as the diagnosis, testing, and inspection of structures and technical devices used at a hazardous production facility, within the established time limits and in accordance with the requirements of the specially authorized state body or other state bodies which, in accordance with the law, have separate powers in the field of industrial safety;

prevent unauthorized entry of unauthorized persons into a hazardous production facility;

ensure compliance with industrial safety requirements for the storage of hazardous substances;

develop and approve the industrial safety declaration in the prescribed manner;

comply with orders, decrees and instructions of a specially authorized state body and other state bodies, which in accordance with the legislation have separate powers in the field of industrial safety;

suspend the operation of a hazardous production facility in the event of an accident or incident, as well as upon detection of other circumstances that adversely affect industrial safety;

participate in the technical investigation of the causes of the accident at a hazardous production facility, take measures to eliminate the causes that led to the accident, and their prevention;

analyze the causes of an incident at a hazardous production facility, take measures to eliminate and prevent them;

timely inform in the prescribed manner a specially authorized state body, other state bodies that, in accordance with the legislation, have separate powers in the field of industrial safety, local government bodies, as well as self-government bodies of citizens and the population about an accident at a hazardous production facility;

take measures to protect the life and health of workers in hazardous production facilities in the event of an accident;

keep records of accidents and incidents at a hazardous production facility.

Article 10. Industrial safety requirements for employees of a hazardous production facility

Workers at a hazardous production facility are required to:

comply with the requirements contained in legislative acts, as well as regulatory technical documents in the field of industrial safety;

undergo training and certification in the field of industrial safety;

immediately inform the relevant persons about an accident or incident at a hazardous production facility;

suspend work in the event of an accident or incident at a hazardous production facility in the prescribed manner;

participate in the work on localization and liquidation of the consequences of an accident at a hazardous production facility in the prescribed manner.

Article 11. Industrial safety requirements for preparedness for actions to localize and eliminate the consequences of an accident at a hazardous production facility

An organization operating a hazardous production facility is required to:

plan and implement measures to localize and eliminate the consequences of an accident at a hazardous production facility;

conclude service agreements with relevant professional emergency rescue services, and in cases provided for by law, create its own emergency rescue services or emergency rescue teams from among the employees;

have reserves of financial resources and material resources for the localization and liquidation of the consequences of an accident at a hazardous production facility in accordance with the law;

train employees in the event of an accident or incident at a hazardous production facility;

create systems for monitoring, warning, communication and support actions in the event of an accident at a hazardous production facility, as well as maintain these systems in good condition.

Article 12. State supervision of compliance with industrial safety requirements

State supervision of compliance with industrial safety requirements is carried out in order to verify compliance with industrial safety requirements by organizations operating hazardous production facilities.

State supervision of compliance with industrial safety requirements is carried out by a specially authorized state body, as well as other state bodies that, in accordance with the legislation, have separate powers in the field of industrial safety.

Article 13. Certification of technical devices used at a hazardous production facility

Technical devices used at a hazardous production facility are subject to mandatory certification for compliance with industrial safety requirements in the manner prescribed by law.

Article 14. Licensing of certain types of activities in the field of industrial safety

Licensing of certain types of activities in the field of industrial safety is carried out in the manner prescribed by law.

Article 15. Examination of industrial safety

An industrial safety examination is an assessment of the conformity of the object of examination with the industrial safety requirements imposed on it.

The following are subject to expert examination of industrial safety:

project documentation for the construction, expansion, reconstruction, technical re-equipment, conservation and liquidation of a hazardous production facility;

technical devices used at a hazardous production facility;
buildings and structures at a hazardous production facility;
industrial safety declaration and other documents related to the operation of a hazardous production facility.

Industrial safety expertise is carried out by organizations that are accredited in the prescribed manner for its implementation, at the expense of the organization operating a hazardous production facility or involving its operation.

The result of the industrial safety examination is the conclusion of the examination.

The procedure for conducting an industrial safety examination and issuing an expert opinion is established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 16. Technical investigation of the causes of an accident at a hazardous production facility

For each fact of an accident at a hazardous production facility, a technical investigation of its causes is carried out in the manner prescribed by a specially authorized state body.

A technical investigation of the causes of an accident at a hazardous production facility is carried out by a commission led by a representative of a specially authorized state body. The composition of the specified commission includes:

representatives of the local government on the territory of which the hazardous production facility is located;

representatives of the organization operating the hazardous production facility;

representatives of other organizations in accordance with the law.

The commission for the technical investigation of the causes of an accident at a hazardous production facility may involve expert organizations, experts in the field of industrial safety, research, design, research and development, insurance, equipment manufacturing and other areas of investigation.

The organization operating the hazardous production facility, and its employees, as well as other organizations and government bodies, are within their competence, obliged to provide the commission for the technical investigation of the causes of the accident at the hazardous production facility with the necessary information to exercise its powers.

The results of a technical investigation of the causes of an accident at a hazardous production facility are documented in an act that indicates the causes and circumstances of the accident, the size of the damage caused, violations of industrial safety requirements, employees of the organization operating the hazardous production facility that have committed these violations, measures taken to contain and eliminate consequences of the accident, and suggestions for the prevention of such accidents.

The financing of the costs of the technical investigation of the causes of an accident at a hazardous production facility is carried out by the organization operating the hazardous production facility.

Article 17. Formation of a state commission for the technical investigation of the causes of an accident at a hazardous production facility

In cases and in the manner established by the Cabinet of Ministers of the Republic of Uzbekistan, a state commission shall be formed for the technical investigation of the causes of the accident at a hazardous production facility.

Article 18. Industrial control over compliance with industrial safety requirements

An organization operating a hazardous production facility is obliged to organize and carry out production control over compliance with established industrial safety requirements.

The procedure for implementing industrial control over compliance with industrial safety requirements is established by the Cabinet of Ministers of the Republic of Uzbekistan.

Information on the organization of industrial control over compliance with industrial safety requirements is provided to a specially authorized state body or other state bodies that, in accordance with the legislation, have separate powers in the field of industrial safety.

Article 19. Industrial safety declaration

In order to ensure the protection of the population and territories from accidents at hazardous production facilities and to inform state bodies, self-government bodies of citizens and the public about the state of industrial safety, an organization operating a hazardous production facility develops a declaration of industrial safety.

For hazardous production facilities where they are manufactured, used, processed, formed, stored, transported, destroyed, hazardous substances specified in the second, third and fourth paragraphs of clause 1 of article 4 of this Law, in quantities equal to or exceeding the maximum standards established by the Cabinet of Ministers Republic of Uzbekistan, the development of an industrial safety declaration is required.

The industrial safety declaration should include a comprehensive assessment of the risk of an accident at a hazardous production facility, an analysis of the adequacy of measures taken to prevent an accident, ensure the preparedness of the organization operating the hazardous production facility for the operation of a hazardous production facility, as well as to localize and eliminate the consequences of the accident.

The industrial safety declaration is developed as part of the design documentation for the construction, expansion, reconstruction, technical re-equipment, conservation and liquidation of a hazardous production facility and is approved by the head of the organization operating the hazardous production facility.

The industrial safety declaration is specified or developed again in the case of applying for a license for activities related to the operation of a hazardous production facility, changes in the information contained in the industrial safety declaration, or in case of changes in industrial safety requirements.

The head of the organization operating the hazardous production facility, which approved the industrial safety declaration, is responsible in the established manner for the completeness and accuracy of the information contained therein.

The industrial safety declaration is developed and provided to state bodies, public associations and citizens in the manner established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 20. Compulsory liability insurance for damage in the event of an accident at a hazardous production facility. Employer's responsibility

Responsibility for causing harm to the life, health and (or) property of others and the environment in the event of an accident at a hazardous production facility is subject to compulsory insurance in the manner prescribed by law.

The employer is responsible for causing harm to the life, health and property of workers in a hazardous production facility in accordance with labor law.

Article 21. Responsibility for violation of industrial safety legislation

Persons guilty of violating industrial safety legislation are liable in the prescribed manner.

Article 22. Bringing legislation in accordance with this Law

The Cabinet of Ministers of the Republic of Uzbekistan:

bring government decisions in accordance with this Law;

to ensure the review and cancellation by government bodies of their normative legal acts that contradict this Law.

Article 23. Entry into force of this Law

This Law shall enter into force on the day of its official publication.

President of the Republic of Uzbekistan I. KARIMOV

Tashkent city,
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