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LAW OF THE REPUBLIC OF BELARUS
№340-3 of January 7, 2012

ON PUBLIC SANITARY AND EPIDEMIC WELLBEING

Adopted by the House of Representatives on December 14, 2011
Approved by the Council of Ministers of the Republic of Belarus on December 20, 2011

This Law aims at establishing legal and institutional frameworks to prevent adverse effects of human environment factors on his organism to ensure public sanitary and epidemic wellbeing.

CHAPTER 1
GENERAL PROVISIONS

Article 1. Basic terms and their definitions applied in this Law.

In terms of the present Law, the following terms and their definitions are applied:

hygienic standard – technical regulatory legal act, which sets permissible maximal or minimal quantitative and (or) qualitative rate value characterizing a certain factor of human environment or products with regard to their safety and harm to person.

state registration of products potentially dangerous to public life and health (hereinafter – state registration) - a system of tracking and permission to and sell products subject to potential threat to public life and health and recognized compliant with the requirements of law in the field of public sanitary and epidemic wellbeing.

state sanitary and hygienic examination – identification of compliance (non-compliance) of objects subject to state sanitary and hygienic examination, with requirements of law in the field of public sanitary and epidemic wellbeing.

state sanitary oversight - set of actions to ensure public sanitary and epidemic wellbeing aimed at prevention, identification and avoidance of law violation in the field of public sanitary and epidemic wellbeing;

disinfection, disinsection and deratization works (hereinafter – disinfection works) – works aimed at destruction or reduction of pathogens and vectors of infectious diseases;

infectious diseases – diseases, including poisoning, the occurrence and distribution of which are caused by infectious agents impact;

source of infectious diseases – infected human or animal organism, where pathogens can live, reproduce, accumulate and infect other humans;

mass non-infectious diseases – diseases, including poisonings, origin and dissemination of which is caused by effect of chemical, physical, social factors of human environment;

product circulation – development, production, sale, storage, transport, use, disposal, import into the territory of the Republic of Belarus, export of products from the territory of the Republic of Belarus;

restrictive measures – administrative, sanitary and anti-epidemic works, aimed at prevention of spread of infectious and (or) mass non-infectious diseases, their localization and elimination, and envisaging a special regime of economic and other activities, limitation of public migration and relocation of vehicles, products, cargoes and animals;

products – chemical and biological substances, materials and items on their basis, technical products, goods for personal (domestic) use, raw food and biological supplements, as well as materials and goods used for production, sale, storage, transport and package of raw food and food products;

products potentially dangerous for public life and health, - certain types of products which may negatively effects public life and health in the course of their use, and which are registered in the list of products potentially dangerous for public life and health identified by Ministry of Health of the Republic of Belarus;

production control – control over compliance with requirements of the law on public sanitary and epidemic wellbeing aimed at protection of human life and health, environment, whilst using products, doing works or services, which is provided by associations and natural persons, including individual entrepreneurs;

immunization – administration of immuno-biological medications into human organism so to ensure a specific immunity to infectious diseases;

sanitary and quarantine control – a type of control implemented with respect to individuals, vehicles and products, including in checkpoints of the State Border of the Republic of Belarus, in interstate interchange railway stations in order to prevent transfer, emergence and spread of infectious and mass non-infectious diseases;

sanitary and anti-epidemic works – organizational, preventive and other works aimed at risk assessment of negative effect of human environment factors on his organism, elimination or reduction of such effect, prevention of transfer, emergence and spread of infectious and mass non-infectious diseases, their localization and liquidation;

sanitary and epidemic situation – state of public health, human environment factors at a certain territory and at a given period of time;

sanitary and epidemic audit – independent evaluation of compliance of associations and individuals, including individual entrepreneurs, with requirements of law on public sanitary and epidemic wellbeing, and delivery of recommendations to improve their activities;

public sanitary and epidemic wellbeing – state of public health and human environment, with absence of negative effect of human environment factors on his organism, and positive viability assurance;

sanitary norms and regulations – technical regulatory legal acts that establish sanitary and epidemic requirements, violation of which entails a threat to public life and health, as well as risk of transfer, emergence and spread of infectious and mass non-infectious diseases;

social and hygienic monitoring – system of collection, analysis and assessment of information on the quality of public life and health depending on human environment quality;

human environment – human surroundings resulting from composition of objects, phenomena and factors which determine conditions of his viability;

human environment factors – any chemical, biological, physical or social factor of natural or anthropogenic origin able to influence the human organism.

Article 2. Law on public sanitary and epidemic wellbeing.

The law on public sanitary and epidemic wellbeing is based on the Constitution of the Republic of Belarus and comprises the present Law, other legal acts, and international agreements of the Republic of Belarus.

If other regulations are envisaged by international agreement of the Republic of Belarus Establishing than those specified in the present Law, regulations of international agreements are applied.

Article 3. Funding in the field of public sanitary and epidemic wellbeing.

Funding in the field of public sanitary and epidemic wellbeing is provided by national and (or) local budget or other sources envisaged by law.

Article 4. Liability for incompliance with law on public sanitary and epidemic wellbeing.

Failure to observe the law on public sanitary and epidemic wellbeing is subject to liability as set by legal acts.

CHAPTER 2 STATE REGULATION IN THE FIELD OF PUBLIC SANITARY AND EPIDEMIC WELLBEING

Article 5. State regulation in the field of public sanitary and epidemic wellbeing.

State regulation in the field of public sanitary and epidemic wellbeing is implemented by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, other republican public authorities, local councils of deputies, local executive and regulatory bodies within their powers.

Article 6. Powers of the President of the Republic of Belarus in the field of public sanitary and epidemic wellbeing.

The president of the Republic of Belarus determines the uniform state policy and exercises state regulation in the field of public sanitary and epidemic wellbeing pursuant to the Constitution of the Republic of Belarus, the present Law and other legal acts.

Article 7. Powers of the Council of Ministers of the Republic of Belarus in the field of public sanitary and epidemic wellbeing.

The Council of Ministers of the Republic of Belarus in the field of public sanitary and epidemic wellbeing:
ensures implementation of the uniform state policy;
ensures international cooperation development;
ensures state program development and realization;
exercises other powers according to the Constitution of the Republic of Belarus, the present Law, other laws, acts of the President of the Republic of Belarus.

Article 8. Powers of the Ministry of Health of the Republic of Belarus, other republican public authorities in the field of public sanitary and epidemic wellbeing.

Ministry of Health of the Republic of Belarus in the field of public sanitary and epidemic wellbeing:
exercises the uniform state policy;
provides public sanitary and epidemic wellbeing assurance;
implements state sanitary and epidemic standardization;
organizes state sanitary and epidemic oversight;
organizes preventive vaccination;
coordinates realization of health measures, envisaged by International medical and sanitary regulations;
coordinates drafts of technical regulations which identify requirements to safety and friendliness of products,
works and services for public life and health;
exercises other powers in accordance with the present Law and other legal acts.
Other republican public authorities implement state policy in the field of public sanitary and epidemic wellbeing within their competence.

Article 9. Powers of local councils of deputies in the public sanitary and epidemic wellbeing.

Local councils of deputies, with regard to public sanitary and epidemic wellbeing and within their competence:
adopt regional programs;
exercise other powers according to legal acts.

Article 10. Powers of local executive and regulatory bodies in the field of public sanitary and epidemic wellbeing.

Local executive and regulatory bodies with regard to public sanitary and epidemic wellbeing and within their competence:
organizing activities on assuring appropriate sanitary status localities;
develop and submit to the local councils of deputies drafts of regional programs for approval;
exercise other powers according to the present Law and other legal acts.

CHAPTER 3 ORGANIZATION OF PUBLIC SANITARY AND EPIDEMIC WELLBEING ASSURANCE

Article 11. Public sanitary and epidemic wellbeing assurance.

Public sanitary and epidemic wellbeing is ensured through:
implementation of state and regional programs in the field of public sanitary and epidemic wellbeing;
prevention of diseases dissemination considering sanitary and epidemic situation and its change prognosis;
implementation of sanitary and epidemic activities by state bodies, other associations, and individuals,
including individual entrepreneurs;
conformity of state bodies, other associations, and individuals, including individual entrepreneurs, with law on public sanitary and epidemic wellbeing;
state sanitary and epidemic standardising;
confirmation of conformity of human environment factors with the requirements of law on public sanitary and epidemic wellbeing including requirements of safety and friendliness for human organism, as well as use and (or) development and approval of appropriate techniques for determination of the above factors;
state sanitary and epidemic examination;
state registration;
social and hygienic monitoring;
sanitary and epidemic audit;
production control;
application of science achievements in public health and human environment research;
providing information on sanitary and epidemic situation, human environment status, implemented sanitary and epidemic works;
organising activities in hygienic education of the population;
development of formation of healthy lifestyle.

Article 12. State and regional programs in the field of public sanitary and epidemic wellbeing.

In order to maintain, boost and recover public health, prevent transfer, emergence and spread of infectious and mass non-infectious diseases, their localization and liquidation, recovery of human environment, creation of

favorable environment for his vital activities, the Council of Ministers of the Republic of Belarus, local councils of deputies shall approve state and local programs in the field of public sanitary and epidemic wellbeing, respectively.

The state program in the field of public sanitary and epidemic wellbeing envisages measures on:

prevention, decrease and elimination of adverse effects of human environment factors on public health;

increase of preventive vaccination effect;

informing population about prevention of infectious diseases;

prediction of transfer, emergence and spread of infectious and mass non-infectious diseases, their localization and elimination;

provision of balanced diet of the population;

increase of quality, safety and friendliness of raw food, food products, materials and goods in contact with thereof;

other measures for providing public sanitary and epidemic wellbeing.

Based on the state program for public sanitary and epidemic wellbeing, the local regulatory and executive bodies work out regional programs for public sanitary and epidemic wellbeing, which are subject to approval by local councils of deputies.

Article 13. Sanitary standards and regulations, hygienic standards

Sanitary standards and regulations, hygienic standards are part of legislation in the field of public sanitary and epidemic wellbeing.

Sanitary standards and regulations, hygienic standards are subject to mandatory observance by state bodies, other associations, individuals, including individual entrepreneurs.

Sanitary standards and regulations, hygienic standards are approved by the Ministry of Health of the Republic of Belarus.

Sanitary standards and regulations, hygienic standards applied during construction works, are approved by the Ministry of Health of the Republic of Belarus in coordination with the Ministry of Architecture and Construction of the Republic of Belarus.

Article 14. Sanitary and epidemic requirements

Sanitary and epidemic requirements are requirements applied to:

localities design and construction;

design documentation for construction, reconstruction, restoration, overhaul repair, improvement of construction facilities and their commissioning;

extension and increase power of, commissioning and managing of, construction facilities;

maintenance and use of equipment;

selection and provision of land plots;

maintenance and use of living and non-living facilities;

maintenance and use of vehicles;

products, its production technology, products circulation, including those representing potential danger for public life and health;

catering;

water facilities, drinking water supply, water management for household and other needs, places of water use;

atmospheric air of localities, places of mass recreation, air of working environment, air of living buildings, production and other facilities;

soil, management of localities territories;

working conditions;

organization and conducting works and services, that are potential danger for public life and health, according to the list identified by the Ministry of Health of the Republic of Belarus;

organization and conducting events within emergency situations of natural and technogenic nature;

organization of educational process;

hygienic education;

radiation, chemical, biological safety assurance, as well as to the use of chemical substances, poisons, biological substances and materials and conditions of handling them;

assuring safe friendly impact of non-ionizing radiation and other physical factors;

technical regulatory legal acts in the field of technical standardization, technological documents for products which are potential danger for public life and health, and also to works and services which are potential danger for public life and health according to the list identified by the Ministry of Health of the Republic of Belarus;

organization and implementation of works and providing services that include design, test, production, storage, transport, realization, use of disinfection, disinsection and deratization tools, equipment, materials, maintenance and use of disinfection facilities, as well as oversight of effectiveness, safety and friendliness of such works and services;

- conditions for conducting sterilization and disinfection of medical devices;
- organization and implementing sanitary and anti-epidemic measures;
- organization of preventive vaccination;
- raw materials storage and processing;
- water supply, water removal, microclimate, lighting and ventilation;
- conditions of transport and storage of poisons;
- conditions of transport of people;
- implementing production control.

Article 15. State sanitary and epidemic standardization.

State sanitary and epidemic standardization includes:

- development, examination, approval, dissemination of sanitary standards and regulations, hygienic standards;
- registration, systematization of sanitary norms and regulations, hygienic standards, requirements to their design and presentation;
- development of uniform methodical approaches and research techniques on scientific justification of sanitary standards and regulations, hygienic standards;
- use and (or) development and approval of appropriate techniques to identify human environment factors which cause or are able to cause adverse effects on human organism;
- oversight of research works in the field of state sanitary and epidemic standardization and their examination;
- oversight of introducing sanitary standards and regulations, hygienic standards, study and generalization of their use;
- development and management of the data base, fund of sanitary standards and regulations, hygienic standards, use of information resources in the field of state sanitary and epidemic standardization.

Article 16. State sanitary and hygienic examination.

State sanitary and hygienic examination is implemented with regard to:

- complex evaluation of human environment factors effect on sanitary and epidemic situation, public life and health;
- study of reasons and conditions for infectious diseases onset;
- evaluation of conformity decisions made in the process of economic and other activities, with the requirements of law in the field of public sanitary and epidemic wellbeing;
- prevention of adverse effect of objects subject to state sanitary and hygienic examination, on public life and health;

The following are subject to state sanitary and hygienic examination:

- designs of sanitary protection zones of nuclear units and (or) storage facilities, sanitary protection zones of associations, buildings and other objects affecting human health and environment, and indentified by the Ministry of Health of the Republic of Belarus, zones of sanitary protection of wells and systems of drinking water supply;
- design documentation for reconstruction, including modernization, overhaul repair, which presumes expansion and increase of power, as well as change of purpose of social, production, transport and engineering infrastructure facilities;
- social, production, transport and engineering infrastructure facilities;
- drafts of technical regulatory legal act in the field of technical standardization (except for technical regulatory legal acts, including instruments that regulate drugs circulation, standards of associations), technical documentation (except for technical documentation developed for own production of catering entities, and technical documentation which does not include process of products manufacture);
- products (except for products subject to state registration);
- expiration and storage dates, storage conditions of raw food and food products which differ from those identified by technical regulatory legal acts;
- works and services that are potential threat for public life and health according to the list identified by the Ministry of Health of the Republic of Belarus;
- working conditions.

List of products subject to state sanitary and hygienic examination is identified by the Council of Ministers of the Republic of Belarus, unless otherwise stated by legal acts.

State sanitary and hygienic expertise is conducted upon request of organization, individual entrepreneurs by bodies and institutions implementing state sanitary oversight.

Works on implementing sanitary and hygienic examination are funded by associations, individual entrepreneurs, unless otherwise stated by legal acts.

The procedure and conditions of state sanitary and hygienic examination is identified by the Council of Ministers of the Republic of Belarus.

Article 17. Requirements for products circulation

New technological processes of producing goods are not allowed to introduction into production process without agreement with the bodies and institutions implementing state sanitary oversight.

Circulation of products which do not comply with the requirements of law in the field of public sanitary and epidemic wellbeing, is prohibited.

Should products in circulation do not conform with the law on public sanitary and epidemic wellbeing, such products are withdrawn from circulation in order, established by the Ministry of Health of the Republic of Belarus.

Article 18. State registration

State registration is made in order to evaluate conformity of products, that are potential threat for public life and health, and conditions of its circulation with requirements of law on public sanitary and epidemic wellbeing, as well as in order to predict negative effect of such products on public life and health.

State registration is made by bodies and institutions which implement state sanitary oversight, upon requests of associations and individual entrepreneurs.

Based on results of state registration the certificate of state registration is issued.

Financing of state registration is funded by associations and individual entrepreneurs, unless otherwise stated by legal acts.

The procedure and conditions of state registration is identified by the Council of Ministers of the Republic of Belarus.

Article 19. Social and hygienic monitoring

The social and hygienic monitoring is aimed at finding risks level for public life and health and working out measures which address prediction, decrease and elimination of negative effect of human environment factors on his organism.

The social and hygienic monitoring is performed by the Ministry of Health of the Republic of Belarus in order established by the Council of Ministers of the Republic of Belarus.

Article 20. Sanitary and epidemic audit

Sanitary and epidemic audit is performed on a voluntary basis at the own expense of associations or individuals, including individual entrepreneurs.

The procedure and conditions of state registration is identified by the Council of Ministers of the Republic of Belarus.

Article 21. Hygienic education

Hygienic education is aimed at acquiring knowledge and skills in the field of hygiene, healthy lifestyle, health protection, and are conducted to prevent morbidity and encourage healthy lifestyle.

Hygienic education should be implemented during preschool, secondary and special education, as well as prior to get access works, upon professional improvement and retraining of individuals whose activities relates to production, storage, transport and realization of raw food, food products and drinking water, education of children, utility and domestic services for population.

CHAPTER 4 ORGANIZATION AND CONDUCTION OF SANITARY AND ANTI-EPIDEMIC EVENTS

Article 22. Sanitary and anti-epidemic events

Sanitary and anti-epidemic measures include:
sanitary protection of the territory of the Republic of Belarus;
preventive vaccination;
disinfection works;
mandatory medical checkups;
other activities.

Individuals who have infectious diseases, individuals who had been in contact with individuals having infectious diseases, are provided with medical help as established by law on health care.

Should individuals who have infectious diseases included into the list of diseases that are threat to public life and health identified by the Ministry of Health of the Republic of Belarus (hereinafter – list of dangerous diseases), avoid treatment, they are subject to compulsory in-patient medical treatment in state health care facilities. The

procedure and conditions of compulsory in-patient medical assistance in state health care facilities for such individuals are defined by legal acts.

Foreign citizens and stateless persons who have infectious diseases, included into the list of dangerous diseases, or HIV, and avoiding treatment are subject to deportation from the Republic of Belarus as defined by legal acts.

If individuals mentioned in the part 2 of the present Article, are potential sources of infectious diseases due to peculiarities of their occupation or production which they are engaged with, such individuals are subject to suspension from work as defined by legal acts.

The list of occupations and infectious diseases, with which bearers of infectious diseases are dangerous for other people, is identified by the Ministry of Health of the Republic of Belarus.

Incidence of infectious diseases and suspected infectious diseases are subject to registration by health care associations as established by the Ministry of Health of the Republic of Belarus.

Article 23. Sanitary protection of the territory of the Republic of Belarus

Activities on sanitary protection of territory of the Republic of Belarus address prevention of transfer, emergence and spread of infectious and mass non-infectious diseases, their localization and liquidation.

Sanitary protection of the territory of the Republic of Belarus is implemented in line with International medical regulations.

The list of infectious and mass non-infectious diseases, which are subject to measures for sanitary protection of the territory of the Republic of Belarus is identified by the Ministry of Health of the Republic of Belarus.

The sanitary protection of the Republic of Belarus is ensured through:

sanitary and quarantine control;

implementation of administrative, sanitary and anti-epidemic activities aimed at prevention of transfer, emergence and spread of infectious and mass non-infectious diseases, their localization and liquidation;

constant readiness of state bodies, health care associations and other associations to implement administrative, sanitary and anti-epidemic activities aimed at localization and liquidation of spots of infectious diseases;

monitoring of infectious diseases pathogens;

introduction (cancelation) of restrictive activities;

implementation of international cooperation in the field of sanitary protection of the territory;

Restrictive activities are introduced (canceled) respectively by decision of the Council of Ministers of the Republic of Belarus, local executive and regulatory bodies upon reporting of:

Deputy Minister of Health – Head State Sanitary Inspector of the Republic of Belarus – on the territory of the Republic of Belarus;

Head State Sanitary Inspectors of regions, cities, districts, administrative districts in cities – on the territories of regions, cities, towns, districts, administrative districts in cities.

The list of restrictive activities and their procedures are established by the Ministry of Health of the Republic of Belarus.

Oversight and coordination of activities of associations and individuals, including individual entrepreneurs, with regard to prevention of transfer, emergence and spread of infectious and mass non-infectious diseases, their localization and liquidation, are implemented by commissions for emergency situations organised by the Council of Ministers of the Republic of Belarus, local executive and regulatory bodies.

Article 24. Preventive vaccination

Preventive vaccination is organised in order to prevent emergence and spread of infectious and mass non-infectious diseases, their localization and liquidation.

Preventive vaccination is organised in line with the National calendar of preventive vaccinations, and according to epidemic indications.

The National calendar of preventive vaccinations prescribes the procedure and terms of preventive vaccinations as well as cohorts of individuals to be vaccinated.

The National calendar of preventive vaccination, the list of preventive vaccinations by epidemic indications, the procedure and terms of their implementation are established by the Ministry of Health of the Republic of Belarus.

Article 25. Disinfection activities

To prevent emergence and spread of infectious diseases, their localization and liquidation, the following disinfection activities are implemented:

scheduled;

according to the epidemic indications

pursuant to instructions of bodies and institutions implementing state sanitary oversight.

The procedure of disinfection activities is established by the Ministry of Health of the Republic of Belarus.

Article 26. Compulsory medical examination

Compulsory medical examinations are organised with regard to:
certain categories of employees;

donors of blood or (and) its components, germ-cell donors, alive donors of organs (hereinafter – donors).

The procedure of compulsory medical examinations of employees is established by the Ministry of Health of the Republic of Belarus in coordination with the Ministry of Labour and Social Protection of the Republic of Belarus.

The procedure of compulsory medical examinations of donors is determined by the Ministry of Health of the Republic of Belarus.

CHAPTER 5 RIGHTS AND LIABILITIES OF CITIZENS OF THE REPUBLIC OF BELARUS, FOREIGN CITIZENS, STATELESS PERSONS, ASSOCIATIONS AND INDIVIDUAL ENTREPRENEURS IN THE FIELD OF PUBLIC SANITARY AND EPIDEMIC WELLBEING

Article 27. Rights of citizens of the Republic of Belarus in the field of public sanitary and epidemic wellbeing.

Citizens of the Republic of Belarus in the field of public sanitary and epidemic wellbeing have the right to:
favorable environment;

prevention of damage to their health and life;

reparation of the damage caused to their lives and health, as well as losses caused to their property as a result of unconformity of associations and individuals, including individual entrepreneurs with law in the field of public sanitary and epidemic wellbeing;

acquisition of complete, reliable and timely information about sanitary and epidemic situation, human environment status, conducted sanitary and epidemic activities, quality, safety and friendliness of production, potential danger of conducted works and services provided, for public life and health, sanitary standards and regulations, hygienic standards.

appeal of actions (omissions) of associations and institutions (their officials) implementing state sanitary and oversight in order established by legal acts;

exercise other rights provided by the present Law and other legal acts.

Article 28. Liabilities of citizens of the Republic of Belarus in the field of public sanitary and epidemic wellbeing.

With regard to public sanitary and epidemic wellbeing citizens of the Republic of Belarus are obliged:

observe legislation in the field of public sanitary and epidemic wellbeing;

perform or take part in sanitary and anti-epidemic activities;

implement statements of bodies and institutions involved into state sanitary oversight;

take care of their health and health of their children;

exercise other liabilities envisaged by the present Law and other legal acts.

Article 29. Rights and liabilities of foreign citizens and stateless persons in the field of public sanitary and epidemic wellbeing.

Foreign citizens and stateless persons in the Republic of Belarus have the same rights and liabilities in the field of public sanitary and epidemic wellbeing as citizens of the Republic of Belarus, unless otherwise stated by the Constitution of the Republic of Belarus, legal acts and international agreements of the Republic of Belarus.

Article 30. Rights of associations and individual entrepreneurs in the field of public sanitary and epidemic wellbeing.

With regard to public sanitary and epidemic wellbeing, associations and individual entrepreneurs have the right to:

acquisition, upon applying to state bodies, other state associations, their officials, of complete, reliable and timely information of sanitary and epidemic situation, human environment status, quality, safety and friendliness of products, potential danger of conducted works and services provided, for public life and health, sanitary standards and regulations, hygienic standards;

reparation of the damage caused as a result of unconformity of associations and individuals, including individual entrepreneurs with law in the field of public sanitary and epidemic wellbeing;

appeal of actions (omissions) of associations and institutions (their officials) implementing state sanitary and oversight in order established by legal acts;

exercise other liabilities envisaged by the present Law and other legal acts.

Article 31. liabilities of associations and individual entrepreneurs in the field of public sanitary and epidemic wellbeing

With regard to public sanitary and epidemic wellbeing, associations and individual entrepreneurs are obliged to:

- within their competence, implement sanitary and anti-epidemic activities;
- timely inform population, bodies and institutions implementing state sanitary oversight, of emergency situations, violations of technological processes which cause danger to public sanitary and epidemic wellbeing;
- within their competence, implement production oversight;
- coordinate with bodies and associations, implementing state sanitary oversight, production, use, storage, transport and dumping of radioactive substances, other sources of ionizing radiation, as well as the use of sources of other harmful physical effects;
- coordinate with bodies and institutions, implementing state sanitary oversight, drafts of technical regulatory legal acts in the field of technological standardization (except for drafts of technical regulatory legal acts, including technical rules regulating the drug circulation, standards of associations), technological documentations (except for technical documentation developed for products of own production, catering associations, and technological documentation which does not include processes of products manufacture);
- agree with bodies and institutions implementing state sanitary oversight, provision of land plots, architectural and construction projects with absence of sanitary standards and regulations and hygienic standards applied to them, expansion and increase of power, as well as change of purpose of social, production, transport, engineering infrastructure facilities;
- provide free information and documents necessary to exercise liabilities assigned to bodies and institutions implementing state sanitary oversight;
- observe instructions of bodies and institutions implementing state sanitary oversight;
- create conditions so as to preserve, boost and recover health of employees, provide with hygienic education and training of personnel whose activity is incorporated with production, storage, transport and realization of raw food, food products and drinking water, education and training of children, utility and domestic services for population;
- suspend development, production, realization, storage, use, purchase of products, and to withdraw production from circulation which does not conform with requirements of the law on public sanitary and epidemic wellbeing, as established by the Ministry of Health of the Republic of Belarus;
- suspend implementation of works and services in case of violations of law on public sanitary and epidemic wellbeing, and if liquidation of such violations is impossible, to terminate works and services;
- agree with bodies and institutions implementing state sanitary and epidemic oversight, the commissioning of construction facilities, their separate phases and operation lines;
- ensure exercise of civil rights of citizens of the Republic of Belarus, foreign citizens and stateless persons prescribed by Articles 27 and 29 of the present Law;
- exercise other liabilities, envisaged by the present Law and other legal acts.

CHAPTER 6 IMPLEMENTING STATE SANITARY OVERSIGHT. RIGHTS OF HEAD STATE SANITARY INSPECTORS AND THEIR APPOINTMENT PROCEDURE

Article 32. State sanitary oversight. Bodies and institutions implementing state sanitary oversight.

State sanitary oversight contains:

- state sanitary and hygienic examination;
- state registration;
- social and hygienic monitoring;
- sanitary and anti-epidemic activities;
- inspections of associations, their subdivisions which have taxpayer number, foreign companies offices, individual entrepreneurs, as well as individuals implementing notary, handcraft activities, agro-eco tourism activities, with regard to their compliance with the law on public sanitary and epidemic wellbeing.

The bodies and institutions implementing state sanitary oversight in line with legal acts, are the Ministry of Health of the Republic of Belarus, the Republican Center of Hygiene, Epidemiology and Public Health, regional centers of hygiene and epidemiology, Minsk municipal, city, district, local, and centers of hygiene and epidemiology in administrative districts of cities.

The Center of Hygiene and Epidemiology of Directorate of Presidential Affairs of the Republic of Belarus implements state sanitary oversight of conformity of auditees subordinate to, or members of, the system of

Directorate of Presidential Affairs of the Republic of Belarus, with law in the field of public sanitary and epidemic wellbeing.

Article 33. Rights of bodies and institutions implementing state sanitary oversight, and their officials during inspections.

Bodies and associations implementing state sanitary oversight, and their officials, whilst implementing inspections in due order, are empowered to:

require from associations, their subdivisions which have taxpayer number, foreign companies offices, individual entrepreneurs, as well as individuals implementing notary, handcraft activities, agro-eco tourism activities, implementation of sanitary and anti-epidemic activities, removal of law violations in the field of public sanitary and epidemic wellbeing, exercise control over implementing such requirements;

annul products circulation if not in line with law requirements in the field of public sanitary and epidemic wellbeing in order to protect public life and health;

with presence of grounds, to send in due order the materials on violations of law in the field of public sanitary and epidemic wellbeing;

provide employers with proposals on disciplinary measures in respect of officials whose actions (omissions) entailed damage or other serious consequence due to violation of the legislation in the field of public sanitary and epidemic wellbeing;

suspend works and services if detecting violations of law in the field of public sanitary and epidemic wellbeing which cause danger for public life and health;

exercise other powers envisaged by the present Law and other legal acts.

Article 34. Obligations of authorised persons of bodies and institutions implementing state sanitary oversight

Within their competence, authorised persons of bodies and institutions implementing state sanitary oversight are obliged to:

timely and in complete manner use powers assigned to them with regard to prevention, detection and repression of violations of law in the field of public sanitary and epidemic wellbeing;

keep state, commercial and other secret protected by law;

take part in promoting hygienic knowledge and formation of healthy lifestyle of the population;

exercise other liabilities provided by the present Law and other legal acts.

Article 35. Liabilities of authorised persons of bodies and institutions, implementing state sanitary oversight

Failure to perform, or improper performance of their duties by authorised persons of bodies and institutions, implementing state sanitary oversight, as well as abuse of power and other violations of legal acts, are subject to responsibility in accordance with legal acts.

Article 36. Essential guarantees provided to authorised persons of bodies and institutions implementing state sanitary oversight

Officials of bodies and institutions implementing state sanitary oversight, when in the line of duty, are the State officials and are under State protection.

Any influence on the officials of bodies and institutions implementing state sanitary oversight that prevents form exercising their liabilities, or interference with their activity, is strongly prohibited.

Article 37. Rights of Head State Sanitary Inspectors, the procedure of their appointment and cooperation

The Deputy Minister of Health – the Head State Sanitary Inspector of the Republic of Belarus, the Head State Sanitary Inspector of the Directorate for Presidential Affairs of the Republic of Belarus, Head State Sanitary Inspectors of regions, cities, administrative districts in cities, are duly empowered to:

impose requirements to the individuals on conducting sanitary and anti-epidemic activities, liquidating violations of law in the field of public sanitary and epidemic wellbeing, as well as to control implementation of such requirements;

submit proposals to the relevant state bodies on law observance in the field of public sanitary and epidemic wellbeing, as well as on draft projects of economic development of the territories, complex programs of protection of human life and environment aimed at public sanitary and epidemic wellbeing assurance;

submit proposals and conclusions on public sanitary and epidemic wellbeing for consideration by state bodies, other associations, individuals, including individual entrepreneurs;

acquire from associations, individual entrepreneurs, on free bases, the information and documentation addressing implementation of liabilities assigned to the bodies and institutions implementing state sanitary oversight;

submit proposals to relevant state bodies and institutions, on introduction (annulment) of restrictive activities in separate territories;

impose requirements to associations and individuals, including individual entrepreneurs, to remediate damages caused as a result of violations of law in the field of public sanitary and epidemic wellbeing, as well as reimbursement of costs incurred by bodies and associations of health services, for organisation of sanitary and anti-epidemic and medical activities during occupational and mass diseases;

decide on types of preventive vaccinations conducted according to epidemic indications, as well as vaccination periods and cohorts to be vaccinated;

decide on necessity of medical examinations and follow-up of individuals who had been in contact with people with infectious diseases and who may be a source of infectious diseases due to peculiarities of the job or production they are engaged with;

decide on necessity of compulsory in-patient medical assistance to individuals who have infectious diseases included into the list of dangerous diseases, and individuals with suspect for such diseases;

provide associations, individuals, including individual entrepreneurs, with sanitary and hygienic statements; implement other powers provided by the present Law and other legal acts.

Except for powers indicated in part 1 of the present Article, the Deputy Minister of Health – Head State Sanitary Inspector of the Republic of Belarus, has the right to:

prioritise directions and main tasks of bodies and institutions implementing state sanitary oversight, based on current sanitary and epidemic situation;

coordinate and supervise activities of republican public authorities and other state associations subordinate to the Council of Ministers of the Republic of Belarus, the President of the Republic of Belarus, with regard to public sanitary and epidemic wellbeing assurance;

entrust assessment of the effect of human environment factors on his organism, to bodies and institutions which are members of the system of the Ministry of Health of the Republic of Belarus, and inform associations and population about results of such assessment;

provide associations, individuals, including individual entrepreneurs, with resolution on documents whilst making agreements on products delivery to the territory of the Republic of Belarus;

provide associations and individuals, including individual entrepreneurs, with resolutions on sample curricula.

The Deputy Minister of Health – Head State Sanitary Inspector of the Republic of Belarus is appointed or released from duty by resolution of the Council of Ministers of the Republic of Belarus upon approval of the President of the Republic of Belarus.

Head State Sanitary Inspector of the Directorate for Presidential Affairs of the Republic of Belarus is appointed or removed from duty by Head Directorate for Presidential Affairs of the Republic of Belarus upon approval of the Minister of Health of the Republic of Belarus.

Head State Sanitary Inspectors of bodies and institutions implementing state sanitary oversight are appointed and removed from duty by the Minister of Health of the Republic of Belarus upon approval of related local executive and regulatory bodies.

The procedure of interaction of Head State Sanitary Inspectors during implementation of state sanitary oversight is defined by the Minister of Health of the Republic of Belarus.

CHAPTER 7

INSTITUTIONAL CONTROL IN THE FIELD OF PUBLIC SANITARY AND EPIDEMIC WELLBEING

Article 38. Implementing institutional control in the field of public sanitary and epidemic wellbeing

The institutional control in the field of public sanitary and epidemic wellbeing (hereinafter – institutional control) is implemented within competences of, and cases pursuant to legal acts, by the Ministry of Defense of the Republic of Belarus, Ministry of Internal Affairs of the Republic of Belarus, State Security Committee of the Republic of Belarus, State Border Committee of the Republic of Belarus, with regard to conformity of the activities performed by subordinate associations or associations who are members of the system, including subdivisions having taxpayer number (hereinafter - bodies of institutional control), with requirements in the field of public sanitary and epidemic wellbeing activity.

Oversight of institutional control is implemented by the Ministry of Health of the Republic of Belarus.

Article 39. Officials implementing organization of institutional control

Organization of institutional control is entrusted to Head State Sanitary Inspectors of bodies of institutional control.

The Head State Sanitary Inspectors of bodies of institutional control are appointed and released from duty by heads of bodies of institutional control upon approval of the Ministry of Health of the Republic of Belarus.

The Head State Sanitary Inspectors of bodies of institutional control have powers and exercise their duties in accordance with legal acts.

Failure to perform, or improper performance of their duties by Head State Sanitary Inspectors of bodies of institutional control, as well as abuse of power and other violations of legal acts, are subject to responsibility in accordance with legal acts.

CHAPTER 8 FINAL PROVISIONS

Article 40. Addenda and amendments to some laws

1. Make the following amendments into the Law of the Republic of Belarus of January 5, 2004 "On technical regulation and standardization" (National Register of legal acts of the Republic of Belarus, 2004, №4, 2/1011):

part two of article 16 to be expanded with a second sentence to read as follows: "Drafts of technical regulations which establishing requirements to safety and friendliness of products, works and services for public life and health, are subject to harmonise with the Ministry of Health of the Republic of Belarus in order established by legislation of the Republic of Belarus";

the Law to be expanded with Article 23-1 to read as follows:

"Article 23-1. Peculiarities of technical regulation and standardization in the field of public sanitary and epidemic wellbeing assurance

Drafts of technical regulatory legal acts in the field of technical regulation and standardization (except for drafts of technical regulatory legal acts, including technical rules regulating the circulation of drugs, standards of associations) with regard to requirements to security and friendliness for public life and health are subject to harmonise by designers with bodies and institutions implementing state sanitary oversight, in order established by the legislation of the Republic of Belarus in the field of public sanitary and epidemic wellbeing".

2. The Law of the Republic of Belarus of July 20, 2007 "On waste management" (National register of legal acts of the Republic of Belarus, 2007, №183, 2/1368) to be amended to read as follows:

in sub clause 1.3 clause 1 article 10 delete the phrase "in the field of waste management";

in clause 3 article 36 delete the word "consumption".

Article 41. Repeal of some legal acts and separate provisions of laws

To recognise as become invalid:

the Law of the Republic of Belarus of November 23, 1993 "On epidemic wellbeing of the population" (Register of the Supreme Council of the Republic of Belarus, 1993, №36, art. 451);

the Law of the Republic of Belarus of July 15, 1997 "On amendments into the article 41 of the Law of the Republic of Belarus "On public sanitary and epidemic wellbeing" (Register of the Supreme Council of the Republic of Belarus, 1997, №28, art. 486);

the Law of the Republic of Belarus of July 9, 1999 "On addenda and amendments to some legal acts of the Republic of Belarus" (National register of legal acts of the Republic of Belarus, 1999, №54, 2/57);

the Law of the Republic of Belarus of May 23, 2000 "On addenda and amendments to the Law the Republic of Belarus "On public sanitary and epidemic wellbeing" (National register of legal acts of the Republic of Belarus, 2000, №52, 2/172);

Article 12 of the Law of the Republic of Belarus of June 29, 2003 "On quality and safety of raw food and food products for human life and health" (National register of legal acts of the Republic of Belarus, 2003, №79, 2/966);

the Law of the Republic of Belarus of May 16, 2006 "On addenda and amendments to the Law of the Republic of Belarus "On epidemic wellbeing of the population" (National register of legal acts of the Republic of Belarus, 2006, №78, 2/1206);

Article 1 of the law of the Republic of Belarus of November 9, 2009 "On addenda and amendments to some laws of the Republic of Belarus on use of nuclear power" (National register of legal acts of the Republic of Belarus, 2009, №276, 2/1605);

Article 3 of the Law of the Republic of Belarus of December 28, 2009 "On addenda and amendments to some laws of the Republic of Belarus" (National register of legal acts of the Republic of Belarus, 2010, №5, 2/1630);

the Decree of the Supreme Council of the Republic of Belarus of November 23, 1993 "On procedure of introduction of Law of the Republic of Belarus "On public sanitary and epidemic wellbeing" (Register of the Supreme Council of the Republic of Belarus, 1993, №36, art.452).

Article 42. Actions to implement provisions of the present Law

The Council of Ministers of the Republic of Belarus within six months period should:

bring resolutions of the Government of the Republic of Belarus into compliance with the present Law;

ensure that republican bodies of state governance, other state associations subordinated to the Government of the Republic of Belarus, bring their normative legal acts into compliance with the present Law;
take other measures necessary to implement provisions of the present Law.

Article 43. Coming of the present Law into force

The present Law comes into force six months after its official publication, except for the present Article and Article 42, which come into force after the day of official publication of the present Law.

The President of the Republic of Belarus

A. Lukashenko