

**Institutional Reform Plan (IRP) of the
Technical and Construction Supervision Agency (TCSA)**

Objective	Actions	Indicators	Time Frame	Implementation
1. Institutional Development	Review and amend or clarify Law of Georgia – Product Safety and Free Movement Code	Law of Georgia – Product Safety and Free Movement Code is EU compliant.	First quarter of 2017	The draft amendments in the Georgian Law - Product Safety and Free movement Code has been prepared. Amendments include market surveillance procedures and relevant sanctions in order to upgrade market surveillance system in line with best EU practice. During the preparation of this draft, remarks of relevant authorities were considered. The draft amendments will be submitted to the Government of Georgia in order to initiate it in the Parliament of Georgia for approval. Approval of the law for 2017 year is depended on the internal procedures and hearing arrangements in Parliament of Georgia.

	To recruit additional staff	Additional staff are recruited	2016 - 2018	New structural unit was established in TCSA, which functions determined by the changes in the statute of TCSA. This division will conduct market surveillance on the Industrial and Consumer products covered by Multiannual Action Plan (approved by Governmental decree 30, December, 2016 N641). .
	Secure additional facilities and equipment	Additional facilities and services are secured	2016 – 2018	TCSA has determined the necessary equipment and estimated the costs. The office inventory and computers were purchased for TCSA.

	Develop TCSA Service/ Operational Plans for 2016 - 2018	TCSA Service/ Operational plan completed.	By March 2016 – and then annually	<p>Multi-annual action plan for Industrial and Consumer products has been approved by the decree of the government of Georgia (N641, 30. 12.2016). TCSA's Market surveillance Action Plan for 2017 has been prepared and approved by the head of TCSA (04.01.2017).</p> <p>Market Surveillance action plans of I, II, III and IV quarters of 2017 have been elaborated and approved by the head of TCSA;</p> <p>Note: All above-mentioned documents are available on the web page of TCSA www.tcsa.gov.ge</p>
	Development of a Training and professional skills development plan for TCSA staff	TCSA Training and professional skills development plan completed.	By March 2016 and then annually	Training and professional skills development plan for the staff of TCSA was prepared by TCSA according to the Twinning project contract which incorporates already agreed training plan and schedule including the timetable for the implementation of each training. Implementation of trainings is completely depended on availability of EU experts.

2. Capacity Building	b. Trainings of the TCSA staff in the law and its practical implementation related to NADs on toys, electrical products, PPE, machinery, construction materials, gaseous fuel equipment, explosives for civil uses and explosive atmospheric devices	All relevant staff trained on sector/ product law	2016 – 2018 – as legislation is approximated	<p>Trainings will be conducted by EU Experts under the upcoming Twinning project contract. Twinning project incorporates assisting TCSA's staff to conduct market surveillance activities more effectively and efficiently in compliance with best EU practice. On the other hand, trained staff will contribute creation of safe environment in the country.</p> <p>Note: This is multiannual action and is completely depended on availability of EU experts.</p>
	d. Training on market surveillance principles, general practical implementation and EU Best Practice for TCSA staff responsible for enforcing the NADs relating to toys, electrical products, PPE, machinery, construction materials, gaseous fuel equipment, explosives for civil uses and explosive atmospheric devices	All relevant staff trained on market surveillance principles and general practical implementation in relation to further approximated NADs	2016 – 2018 – as legislation is approximated	<p>In order to increase the qualification of TCSA staff on European market surveillance filed the Implementation of trainings of the staff will be conducted within the Twinning project as the draft of Twinning project contract incorporates this action. Future trainings will dedicate to develop skills of the TCSA staff in the fields of New Approach Directives that will be approximated in Georgian legislation according to AA timetable.</p> <p>Note: This is multiannual action and is completely depended on availability of EU experts.</p>

	e. For the implementation of approximated EU directives in selected area training of trainers will be conducted the management of the TCSA and/or relevant staff will be selected for the participation in this trainings	Selected officers are trained	By August 2016	As the implementation of this activity was planned within the Technical Assistant Project ¹ and identified expert dedicated to this activity was unable to travel to Georgia due to some unpredictable reasons. Therefore, implementation of this activity will be conducted within the Twinning project is expected to start in January- of 2018. Note: This action and is completely depended on availability of EU experts.
	f. Training of the management of the TCSA in leadership, change management, best practice, performance management	Selected managers are trained	2016 - 2018	Training will improve managerial skills of the TCSA management and will facilitate effective management of the upcoming activities related to market surveillance enforcement. This activity is planned to be performed within the Twinning project is expected to start in January of 2018 as the draft of Twinning project contract includes delivering this training. Note: This is multiannual action and is completely depended on availability of EU experts.

¹ Support to Technical and Construction Supervision Agency (TCSA) to upgrade the national sysin Georgia in line with EU best practices (2015-2016)

	<p>g. preparation of guidelines/ operating work instructions relating to market surveillance of Cableways, Lifts, Pressure Equipment, Simple Pressure Vessels and Hot Water Boilers</p>	<p>Guidelines/ operating instructions are drafted</p>	<p>By the end of 2017</p>	<p>This action was implemented by TCSA with the assistance of EU support short mission project “support to the Technical and Construction Supervision Agency (TCSA) on execution of market surveillance activities in newly approximated areas, including pressure equipment, simple pressure equipment and hot water boilers”. Project implemented during October-November Appointed EU expert has already visited TCSA. Meetings have been held with relevant market surveillance inspectors of TCSA, where the key issues have been discussed. Also trainings have been held for the staff of TCSA and representative of business organizations on revisions and amendments to the directives on pressure equipment, simple pressure equipment and hot water boilers, also on efficient performing of market surveillance activities. On the basis of EU expert recommendations issued within the frame of the short-term project TCSA has developed a guideline/operating work instructions for the following spheres: Pressure Equipment, Simple Pressure Vessels and Hot Water Boilers, cableway installations and lifts.</p>
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	h. Preparation of guidelines/ operating work instructions relating to market surveillance of toys, electrical products, PPE, machinery, construction materials, gaseous fuel equipment, explosives for civil uses and explosive atmospheric devices	Guidelines/ operating instructions are drafted	2016 – 2018 – as legislation is approximated	Preparation of guidelines and instructions will be implemented in line with AA timetable within the Twinning project. Note: This is multiannual action and is completely depended on availability of EU experts.
3. Delivering Market Surveillance Services	a) Development and application of a risk assessment process for market surveillance inspections relating to the 5 approximated NADs	Risk assessment process is developed and applied	By August 2016	This action was implemented by TCSA with the assistance of EU support short-term project. On the basis of EU expert recommendations issued within the frame of the short-term project TCSA has developed technical regulation - rule on determination of hazard and risk assessment of the products placed on the market. This document determines risk/hazard procedures for already approximated spheres (lifts, Pressure Equipment, Simple Pressure Vessels, cableway installations designed to carry persons and new hot-water boilers fired with liquid or gaseous fuels).

	d) Carry out market surveillance inspections relating to Pressure Equipment, Simple Pressure Vessels and Hot Water Boilers	Inspections carried out	Starting in January 2017 – in accordance with Government Decree	During 2017 TCSA has carried out market surveillance of 85 boilers, 10 simple pressure vessels and 20 pressure equipment placed on the Georgian market. ² As a result some non-compliances have been identified and reasonable period of time has been determined and given to the economic operators to eliminate those violations. The meeting between TCSA and relevant companies has been held, where non-compliances have been discussed and relevant measures have been planned for elimination of the violations.
	f. Apply the risk assessment process to all relevant future approximated NADs sector businesses	Risk assessment process applied	2016 – 2018 – as legislation is approximated	<p>Twinning project contract includes development of risk assessment methodologies, including prioritization and planning of TCSA activities according to risks; also development of risk assessment procedures related to products covered by future approximated NADs on Toys, Electrical products, Personal protective equipment PPE, Machinery and Construction products, gaseous fuel equipment, explosives for civil uses, products which, appearing to be other than they are and lighters.</p> <p>Note: This is multiannual action and is completely depended on availability of EU experts.</p>

² On the basis of four quarters report of 2017

	g. Carry out market surveillance inspections in relation to relevant future approximated NADs	Inspections carried out	2016 – 2018 – as legislation is approximated	Market surveillance activities on the products, covered by the future approximated NADs is planned to be implemented according to approximation timeframe provided in Annex III-A of AA .
4.Awareness Raising/ Development of working relationships	<p>a) Establishment of formal links with relevant business organizations to improve compliance with market surveillance requirements</p> <p>b) Establishment of formal links with NGOs and other consumer bodies to raise awareness of market surveillance</p>	Formal links established	By August 2016	<p>Meeting has been held with the following consumer rights protection authorities of Georgia: European Fund; Center for Strategic Research and Development of Georgia; Association for consumer rights protection ETIKI and Federation of consumers. Meeting was organized by TCSA and mutual cooperation memorandum has been signed with Center for Strategic Research and Development of Georgia - NGO which is one of the biggest organization in Georgia in the field of consumer protection. Meetings also have been held with the representatives of more than 15 business organizations selling boilers and pressure equipment in Georgia in order to raise awareness on market surveillance.</p> <p>Besides, Meeting has been held with the importer companies of lighters in Georgia related to the new regulations and market surveillance issues and for the purpose to inform them that TCSA is going to start market surveillance of lighters from 2018.</p>

	d. Continuation of the work with revenue service to include other approximated NADs	Cooperation agreement extended to include further products as the legislation is approximated	2016 - 2018	<p>Initial steps for cooperation between Georgian customs authority and Agency have been taken resulting in mutual signing of cooperation memorandum on the 12th of December, 2016. Activities for Further development of cooperation will strengthen after the approval of changes in the "Code" draft of which is already prepared and runs through governmental hearing process after which it should be passed to the parliament for final approval.</p> <p>Joint working group of the representatives from TCSA and Revenue Service of Ministry of Finance has been established by the order of head of TCSA (Nb-76; 24 May, 2017) in order to facilitate the market surveillance of imported products in Georgia. Meeting of working group has been held in September at the office of TCSA, where practical aspects of Market surveillance at the stage of border control have been discussed with the representative of revenue service and future plans were scheduled..</p>
	d) Explore possibilities of membership of the relevant International organizations in the Field of market surveillance (such as PROSAFE)	Necessary analysis for membership is implemented	2017 year	Analysis of possibilities of membership of the relevant International organizations in the field of market surveillance has been implemented. International and European regional organizations have been studied including: EU-OSHA, ENSHPO, ICPHSO, AdCos, ICSMS, PROSAFE. TCSA determined two organizations with whom it

				is advisable to collaborate these are ICPHSO and PROSAFE
	g) Identification of appropriate laboratories to carry out relevant technical tests to assess compliance with relevant approximation NAD in future	Laboratories identified	2016 - 2018	Identification of appropriate laboratories for relevant technical tests have been carried out. Laboratories operate in the following areas: construction products; explosives; personal protection equipment. There are no laboratories for toys, pressure equipment, boilers, simple pressure vessels or machinery. The identification of relevant laboratories will be conducted permanently in line with the development quality infrastructure system of Georgia.