

## **Law of the Republic of Belarus**

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### **On Sanitary and Epidemic Well-Being of Population**

The present law sets forth legal and organizational basis of preventing negative influence of environmental factors on organism of human being with a view to provide a sanitary and epidemic well-being of population.

#### **Chapter 1. General Provisions**

##### **Article 1. The Basic Terms Used in the Present Law and Their Definitions**

For the purposes of the present Law the following basic terms and their definitions are being used:

state hygienic registration – the system of counting and permitting for application, realization of substances, materials and production produced in the Republic of Belarus for the first time and bought by import depending on their safety in relation to man's health;

state hygienic regulation – determination of order and sphere of application of substances, materials and production in order to prevent their negative impact on man's health in the course of state hygienic registration;

state sanitary and hygienic expertise - the activity of authorized bodies and establishments, that carry out the state sanitary supervision (hereinafter – bodies and establishments carrying out state sanitary supervision), on determining the conformity (lack of conformity) of project documentation, of the man's environment factors, of objects of economic or other activity, of production and services to the requirements of sanitary and epidemiological legislation of the Republic of Belarus;

state sanitary supervision - the activity of the bodies and establishments caring out the state sanitary supervision directed at the prophylaxis of illnesses by means of prevention, reveal and suppression of breaches of sanitary and epidemiological legislation of the Republic of Belarus;

immunoprophylaxis of the infectious diseases – the system of measures directed at prevention, decrease and liquidation of the infectious diseases by means of prophylactic vaccination;

infectious diseases – diseases, origin and spread of which are stipulated by the attack of an agent of the infectious diseases and possibility of transmission of them from one sick person or animal to healthy person;

quarantine – the complex of administrative, sanitary and hygienic and anti-epidemic measures directed at prevention of spread of infectious diseases and providing special regime of living, working, moving of population, as well as moving of transport vehicles, goods, cargoes and animals;

prophylactic vaccination – injection of immunobiological medicines into the man's organism in order to create specific immunity against infectious diseases;

sanitary-hygienic and anti-epidemic measures – the activities on implementation of requirements of sanitary and epidemiological legislation of the Republic of Belarus;

sanitary-quarantine control – the kind of control carried out at the check-points at the State Border of the Republic of Belarus for the purposes of prevention of carrying, origin and spread of infectious diseases;

sanitary and epidemic situation - the state of sanitary and epidemic well-being of population on a certain territory in a concrete period of time;

sanitary and epidemic well-being of population - the state of health of population, at which there is no negative effect of the factors of the human environment on the man's organism, and favorable conditions for vital activity of population are created;

sanitary standards, rules and hygienic standards (hereinafter - sanitary rules) – technical normative legal acts establishing the criteria and requirements for safety of the factors of human environment for a human being, sanitary and hygienic and anti-epidemic requirements for provision of favorable conditions of its vital activity;

social-hygienic monitoring - the system of special observations, analysis, evaluation and prediction of state of population's health depending on the quality of man's environment;

man's environment – the complex of the objects, phenomena and factors of the environment stipulating the conditions of vital activities of human being;

factor of environment of human being - any chemical, physical or biological factor of natural or anthropogenic origin able to influence the organism of human being and (or) the state of health of the present and future generations.

**Article 2.** The Sphere of Implementation of the Law.

The present Law regulates the social relations in the sphere of provision of sanitary and epidemic well-being of population, preserving and strengthening health, physical and spiritual development, long lasting active life of people.

**Article 3.** The Sanitary and Epidemic Legislation of the Republic of Belarus.

The sanitary and epidemic legislation of the Republic of Belarus is based on the Constitution of the Republic of Belarus and consists of the present law and other acts of legislation of the Republic of Belarus, and also of international treaties of the Republic of Belarus.

If the international treaty of the Republic of Belarus establishes other rules than ones provided by the present law, the rules of international treaty are to be applied.

**Article 4.** International Cooperation in the Sphere of Sanitary and Epidemic Well-being of Population.

International cooperation in the sphere of sanitary and epidemic well-being of population shall be carried out in order established by legislation of the Republic of Belarus.

**Article 5.** The Provision of Sanitary and Epidemic Well-being of Population

The sanitary and epidemic well-being of population shall be provided by:

implementation of the republican and local programs directed to strengthening of health and to the preventive treatment of population's illnesses, improvement of human biosphere and the conditions of human vital functioning;

conducting sanitary and hygienic and anti-epidemic measures by the state bodies, other organizations, natural persons, including individual entrepreneurs, and also by observing sanitary rules;

state sanitary and epidemic rationing;

state sanitary and hygienic expertise;

state hygienic regulation and state hygienic registration (further - state hygienic regulation and registration);

social and hygienic monitoring;

economic interest of organizations and natural persons, including individual entrepreneurs, in observing the sanitary and epidemic legislation of the Republic of Belarus;

implementation of measures of responsibility for the offenses in the sphere of sanitary and epidemic well-being of population;

compensation to organizations and natural persons, including individual entrepreneurs, of damage to the health and property of people as a result of breaking by them the requirements of sanitary and epidemic legislation of the Republic of Belarus;

development of science and the usage of its achievements in examination of the state of health, and provision of sanitary and epidemic well-being of population;

presentation of information to the population about the state of health, sanitary and epidemic situation, preventive measures taken;

realization measures on hygienic bringing up and teaching the population and forming the healthy way of life;

system of state control.

**Article 6.** Financing and Material and Technical Provision of Bodies and Establishments That Carry out the State Sanitary Inspection.

Financing and material and technical provision of bodies and establishments that carry out the state sanitary inspection shall be provided from the republican budget and from the other sources in accordance with the legislation of the Republic of Belarus.

**Article 7.** State sanitary and Epidemic Rationing.

The state sanitary and epidemic rationing shall include:

working out, expertise, confirmation, spread of sanitary rules;

registration, systematization of sanitary rules, requirements to their making up and form;

working out of single whole methodological approaches and methods of research work to a scientific basis to the sanitary rules;

control over implementation of sanitary rules, studying and summarizing the practice of their implementation;

creation and introduction of informational data base and the fund of sanitary rules, usage of informational resources in the sphere of state sanitary and epidemic rationing.

State sanitary and epidemic rationing is realized by the Ministry of Health.

**Article 8.** Sanitary Rules

Sanitary rules shall be obligatory for observance by state bodies, other organizations, natural persons, including individual entrepreneurs.

Sanitary rules adopted by the Ministry of Health of the Republic of Belarus shall act on the territory of the Republic of Belarus. Adoption of sanitary rules used at exercising architectural, town planning and construction activity is carried out after agreeing them with the Ministry of Architecture and Construction of the Republic of Belarus.

The sanitary rules shall set forth:

the requirements to planning and building up of settlements, to projecting, building, equipment, content and to the activity of the organization directed to provision of safe health conditions for residence, work, way of life, rest, up-bringing, education, nourishment, and also to executing sanitary and hygienic and anti-epidemic measures;

requirements to the human biosphere factors that influence or can have negative influence on his/her organism, and also conditions eliminating decreasing or limiting this influence;

criteria and requirements to safety for human being of objects of environment (air, surface and ground waters, soil), conditions of life, food raw materials and food products, drinking water, materials and products applied for production, package, storage, transportation, sale and other means of alienation of foods raw materials and food products and their usage, conditions of development, putting into production, production and trade turnover, safety of services rendered in hte sphere of trade of foods raw materials and products as well as criteria to safety of production of industry and technical purposes and goods for personal (domestic) use;

permissible risk levels of possible worsening of health because of negative influence of factors of human biosphere and conditions of vital functioning on the organism of a human being;

requirements to energetic value of food raw materials and foods products.

**Article 9** was excluded.

#### **Article 10.** Carrying out the State Sanitary and Hygienic Expertise

State sanitary and hygienic expertise is carried out for the purposes of state sanitary supervision, state hygienic registration and regulation upon appeals of organizations and natural persons including individual entrepreneurs.

The following are subject to the state sanitary and hygienic expertise:

dates of expiration (storage) and conditions of storage of food raw materials and food products that differ from these established by the valid technical normative legal acts in the sphere of technical regulation and standardization;

projects of sanitary protection zones of nuclear installation and (or) stationary objects and (or) constructions intended for storage of nuclear materials, exhaust nuclear materials and (or) operational radioactive waste products, sanitary protection zones of industrial objects, zones of sanitary protection of sources and systems of drinking water supply;

projects of the technical normative legal acts in the sphere of technical regulation and standardization (except for the projects of technical normative legal acts regulating development, production and circulation of medicines, standards of organizations), technological documentation (except for technological documentation worked out for production of own production of the organizations of public catering);

chemical and biological substances (hereinafter – substances), materials and products of them, articles of industrial and technical purpose, goods for private (domestic) needs, food raw materials and food products (except for products of own production of the organizations of public catering), materials and articles used in production, packaging, storage, transportation, sale, other ways of alienation of food raw materials and food products;

objects of social, production, transport, engineering infrastructure;

works and services that may constitute potential threat to health of the population according to the list approved by the Ministry of Health of the Republic of Belarus;

labour conditions of the workers.

Financing of the state sanitary and hygienic expertise shall be carried out at the cost of the customer of the expertise in accordance with the estimate of costs on its carrying out, unless otherwise is provided by the legislation of the Republic of Belarus.

#### **Article 11.** Carrying out of the State Hygienic Registration and Regulation

Materials and products made of them, produced in the Republic of Belarus and purchased as import, that have the potential danger for health of people as well as products of industrial and technical purposes, goods for personal (domestic) needs, food raw materials and food products, as well as materials and products applied for production, packaging, storage, transportation, sale and other means of alienation of food raw materials and food products and their usage shall be subject to the state hygienic registration and regulation.

The order of carrying out of the state hygienic registration and regulation shall be established by the Government of the Republic of Belarus.

#### **Article 12.** Carrying out the Social Hygienic Monitoring

The social hygienic monitoring shall be performed for the purposes of revelation of the risk to health of people and working out measures directed at prevention, decrease and elimination of the negative impact on the man's health of the factors of his environment.

The social hygienic monitoring is organized and performed by the Ministry of Health of the Republic of Belarus in cooperation with the relevant state bodies in the order that is determined by the Government of the Republic of Belarus

### **Chapter 3. The Rights and Obligations of Citizens of the Republic of Belarus, Foreign Citizens, Persons Without Citizenship, Organization and Individual entrepreneurs in the Sphere of Provision of Sanitary and Epidemic Well-being of Population**

#### **Article 13. Rights of the Citizens of the Republic of Belarus in the Field of Providing Sanitary and Epidemic Well-Being of the Population**

The citizens of the Republic of Belarus have a right to:

favorable environment;

compensation for the harm caused to their health and property as a result of breaking the sanitary and epidemic legislation of the Republic of Belarus by organizations and natural persons, including individual entrepreneurs;

receive full, valid and actual information about the sanitary and epidemic situation, the state of human biosphere, health of population, prophylactic measures being realized, the quality and safety of production of industrial and technical purposes, goods for personal (domestic) needs, food raw materials and food products, on potential danger of works being carried out and services being provided for the man's health and on sanitary rules.

**Article 14** was excluded.

**Article 15** was excluded.

#### **Article 16. The Obligations of the Citizens of the Republic of Belarus in the Sphere of Provision of Sanitary and Epidemic Well-being of Population**

The citizens of the Republic of Belarus shall be obliged to:

Observe the sanitary and epidemic legislation of the Republic of Belarus, hold or participate in taking sanitary and hygienic and anti-epidemic measures, and also to realize the decisions and prescription of bodies and establishments that execute the state sanitary inspections, to

use the information received in accordance with the present Law for the sake of their own and other people's health;

To take care of the state of their own health, of the health and hygienic up-bringing of their own children.

**Article 17.** The Rights and Obligations of Foreign Citizens, Persons Without Citizenship in the Sphere of Provision of Sanitary and Epidemic Well-being of Population

The foreign citizens and persons without citizenship on the territory of the Republic of Belarus shall enjoy the same rights and have the same obligations in the sphere of sanitary and epidemic well-being of population as the citizens of the Republic of Belarus, if other shall not be provided by the Constitution of the Republic of Belarus, laws and international treaties of the Republic of Belarus.

**Article 18.** The Right of Organizations and Individual Entrepreneurs in the Sphere of the Provision of Sanitary and Epidemic Well-being of Population

Organizations and individual entrepreneurs have the right:

at applying to the state bodies, other state organizations, to their officials to receive full, valid and actual information about the sanitary and epidemic situation, the state of human biosphere, the quality and safety of production of industrial and technical purposes, goods for personal (domestic) needs, food raw materials and food products, on potential danger of works being carried out and services being provided for the man's health and on sanitary rules;

to compensation for the harm caused to their property as a result of breaking the sanitary and epidemic legislation of the Republic of Belarus by organizations and natural persons, including individual entrepreneurs.

**Article 19.** The Obligations of the Organizations and Individual entrepreneurs in the Sphere of Provision of Sanitary and Epidemic Well-being

Organizations and individual entrepreneurs shall be obliged to the following according to their activity:

to carry out the sanitary and hygienic and anti-epidemic measures directed to prevention and elimination of pollution of human biosphere, improvement of conditions of work, way of living and rest of population, improvement of conditions of education and up-bringing of children, prevention of appearance and spreading of illnesses;



to inform in time the population, bodies and establishments that execute the state sanitary inspection about the emergency conditions and about the breaches of technological processes that create the threat to the sanitary and epidemic well-being of population;

to provide the realization of manufacturing inspection of fulfillment sanitary-hygienic and antiepidemic measurements during carrying out the activity;

to observe the decisions and prescriptions of the bodies and establishments that realize the state sanitary inspection;

to provide the realization of state hygienic regulation and registration, to create conditions for keeping and strengthening the health of their employees, provide their hygienic training ;

to suspend the production process, the usage or realization of production that does not comply with the sanitary rules, including food raw materials, food products and materials and products that contact with them;

to observe other requirements of sanitary and epidemic legislation of the Republic of Belarus;

to provide the implementation of rights of the citizens of the Republic of Belarus, provided in the Article 13 of the present Law.

#### **Article 20. Protection of Rights of the Citizens of the Republic of Belarus in the Sphere of Sanitary and Epidemic Well-being of Population**

The decisions of state bodies and their officials and also their actions, that infringed the rights of citizens of the Republic of Belarus, provided by Articles 13-15 of the present Law, can be appealed by the higher bodies or officials that shall be obliged to consider the complaint within the terms determined by legislation and to inform the complainant about the results of its consideration. If the complainant does not agree with the results of considerations of the complaint, the decisions and actions made can be reconsidered in court.

#### **Chapter 4. The General Requirements on Provision of Sanitary and Epidemic Well-being of Population**

##### **Article 21. Projecting, Building and Putting the Objects into Operation**

The planning and building up settlements shall provide the creation of the favorable conditions for living and health of the population, complex improvements of towns and other settlements, prevention and elimination of negative influence of factors of human biosphere on people's health.

Building projects, including projects on reconstruction, enlargement, technical re-equipment of objects of social, production, transport, engineer infrastructure, shall be developed in accordance with sanitary rules.

The following shall be the subject of obligatory coordination with the bodies and institutions which carry out the state sanitary inspection:

granting the land to organizations and natural persons, including individual entrepreneurs, for using and building up;

town building projects of regional general and detailed planning;

building projects which were developed with well-grounded deviations from the requirements of sanitary rules or when the sanitary rules don't exist for them;

enlargement or increase of power, changing the type of objects of social, industrial, transport and engineer infrastructure.

Putting the objects, their particular parts and technological lines in operation shall not be allowed without the positive conclusion of the bodies and institutions that execute the state sanitary inspection.

Organizations and natural persons, including individual entrepreneurs, which are responsible for carrying out the works on projecting and building the objects, in case of not observing the sanitary rules or impossibility of their observation shall hold up or entirely stop these works.

**Article 22.** Agreement of the Projects of Technical Normative Legal Acts in the Sphere of Technical Normalization and Standardization, Technological Documentation.

Projects of technical normative legal acts in the sphere of technical normalization and standardization, technological documentation for the products, works and services which can be potentially dangerous for the health of the population, must meet the requirements of sanitary and epidemiological legislation of the Republic of Belarus.

Projects of technical normative legal acts in the sphere of technical normalization and standardization (excluding projects of technical normative legal acts regulating the development, production and circulation of remedies, standards of organizations), technological documentation (excluding technological documentation being developed for the home-grown production of the catering organizations) in the part of the requirements of safety for the human's life and health are to be agreed by the developers with the bodies and establishments that execute the state sanitary inspection on the basis of the positive results of the state sanitary and hygienic expertise.

Projects of technical regulations establishing the requirements to the safety of the products, works and services for the human's life and health, shall be directed without fail by the developer to the Ministry of Health of the Republic of Belarus for agreement.

**Article 23.** The Operation of Industrial and Public Buildings, Quarters and Constructions, Equipment, Means of Transportation and the Maintenance of the Territories

The operation of industrial and public buildings, quarters of public health organizations, the establishments of education, sanitary and domestic service, culture, sport, or other buildings and constructions, technological and other equipment, means of transportation shall meet the requirements of the existing sanitary rules.

The territories of the inhabited localities and organizations shall be maintained in accordance with the existing sanitary rules.

The organization of works on improving and provision of the proper state of the territories of inhabited localities shall be laid on municipal executive and administrative bodies.

Treatment of wastes on the territory of the Republic of Belarus is carried out in accordance with the legislation of the Republic of Belarus.

The concentration of potentially dangerous for the people's health substances and compounds, biological and microbiological organisms in the soil shall not exceed the standards established by the sanitary rules.

The relations in the sphere of usage and protection of lands shall be regulated by the legislation of the Republic of Belarus.

**Article 24.** The Requirements to the Working Conditions of Employees.

In order to avoid the negative influence on employees' health of industrial factors and the peculiarity of working process the following measures directed toward the provision of safe working conditions shall be taken:

the observance of the requirements of sanitary rules on production processes and technical equipment, organization of working places, collective and individual means of protection of employees and also towards their consumer services;

the prevention of accidents, professional illnesses and poisoning of employees and also the prevention of other diseases connected with their working conditions.

The relations in the sphere of provision of safe working conditions of employees shall be regulated by the legislation of the Republic of Belarus.

**Article 25.** The Requirements to Dwelling Houses and Buildings

The dwelling houses and buildings must create favorable conditions for health of the residents and meet the sanitary standards by their state, composition, area, location and equipment.

The Government of the Republic of Belarus shall establish the order of recognition of the dwelling houses and buildings unfit for living.

**Article 26.** The Requirements to Food Raw Materials, Food Products, Technologies of Their Production and the Materials and Products that Have Contact with Them

The quality of the food raw materials and food products, food additives, materials and products that have contact with them during the production, keeping, transportation process and selling them to the population must coincide with the sanitary requirements.

Selling to the population of food raw materials and food products without any documents that certify their quality and safety is not allowed.

Working out and introducing to the production new kinds of food products, introducing of new technological processes and technological equipment, production of new kinds of package, glassware and packing materials, usage of new food additives and other substances is allowed on the basis of the conclusion of the bodies and establishments that execute the state sanitary inspection.

**Article 27.** The Carriage, Selling and Usage of the Substances, Materials and Production Which Were Bought by Import and Which Can Have a Potential Danger for the People's Health

Carriage, selling and usage of the substances, materials and production which were bought by import and which can have the potential danger for people's health shall be allowed with the presence of the documents confirming its quality and safety for the people's health and in the accordance with the sanitary rules.

**Article 28.** Requirements to Products for Industrial and Technical Purposes, to Goods for Personal Needs and to Technologies of Their Production

The products for industrial and technical purposes, its production, transportation, keeping and usage, goods for personal needs, packing materials for them (further—production) shall not have any dangerous influence on human health and negative influence on human biosphere.

The indexes and features of the production shall meet the sanitary rules.

New (worked out for the first time or introduced into the production process) kinds of products shall be allowed to manufacturing, application (usage) and selling to the population under condition of getting confirmations on state hygienic registration issued by the bodies and establishments that execute the state sanitary inspection.

New technological processes shall be allowed to manufacturing on the basis of conclusion of bodies and establishments that execute the state sanitary inspection.

Organizations and natural persons, including individual entrepreneurs, that work out, introduce to the production process, manufacture, application, buying and selling of the production in case of determination that it does not meet the requirements of sanitary rules shall be obliged to hold this activity on and withdraw the production off the circulation.

#### **Article 29.** Requirements to Nourishment of Population

For the purpose of provision health of population and prophylactics of illnesses connected with people's nourishment the Ministry of Health of the Republic of Belarus shall work out and confirm the scientifically based physiological norms of human nourishment.

The minimal social standards of level of people's life guaranteed by the state shall include the provision of physiological norms of nourishment.

#### **Article 30.** Requirements to Drinking and Domestic Water Supply for the Needs of Population.

The residents of the cities and other inhabited localities shall be supplied by water at the amount enough to satisfy the drinking and domestic needs.

The quality of water used for drinking and domestic needs, materials and production that contact it on different levels of getting, processing and distribution, shall meet the standards and sanitary rules.

Organizations and natural persons, including individual entrepreneurs, that carry out the drinking water supply, in cases when its quality does not meet the standards and sanitary rules must stop its distribution to consumers and immediately inform the bodies and establishments that execute the state sanitary inspections about these facts.

#### **Article 31.** Requirements to Sources of Water Used by Population.

The quality of sources of use of water by population and also the quality of water of reservoir shall meet the standards and sanitary rules.

For the purposes of prevention of pollution and clogging up of water in the sources and systems of drinking water supply in accordance with the legislation of the Republic of Belarus the zones of sanitary protection with the relevant requirements ad limits of economic and other activity shall be established.

**Article 32.** Requirements to Free Air of Inhabited Localities, Places of Rest of Population, Air of Working Zone and Places of Permanent and Temporary Stay of People.

Free air of inhabited localities, places of rest of population, air of working zone and places of permanent and temporary stay of people shall coincide with the sanitary rules.

The Chief State Sanitary Doctor of the Republic of Belarus shall establish hygienic standards of free air and harmful influences on it.

The state bodies, other organizations, natural persons, including individual entrepreneurs, shall be obliged to take measures directed on prevention of pollution of free air of inhabited localities, air of permanent and temporary stay of people by harmful substances, influence of physical factors on it and elimination of this pollution according to the legislation of the Republic of Belarus.

**Article 33.** Requirements to Work with the Sources of Ionizing Radiation and Other Harmful Physical Influences.

While working with the sources of ionizing radiation and other harmful physical influences (noise, vibration, ultra-sound, electric magnet rays and etc.) the sanitary rules must be observed.

The influence of the mentioned radiation shall not exceed the marginal possible levels.

Production, usage, keeping, transportation and burial of radioactive substances, other sources of ionizing radiation and also the usage of sources of other harmful physical influences shall be allowed with the presence of the appropriate permit of bodies and establishments that execute the state sanitary inspection.

Organization and carrying out measures in state the circumstances of emergency connected with the radiological danger to population shall be regulated by the legislation of the Republic of Belarus.

All cases of radiation accidents and other emergencies shall be investigated with the compulsory participation of officials of bodies and establishments that execute the state sanitary inspection.

**Article 34.** Requirements to the Conditions of Upbringing and Education.

In the institutions of education the conditions for keeping and strengthening the health of pupils and students, prophylactics of illnesses shall be provided, and also the requirements of sanitary rules must be obeyed.

Model curriculums and education programs shall be confirmed only if there is the conclusion of the bodies and institutions that execute the state sanitary inspections about their compliance with the sanitary and epidemiologic legislation of the Republic of Belarus.

### **Article 35.** Requirements to Hygienic Upbringing and Education of Population

For the purposes of hygienic knowledge popularization, prophylactics of illnesses, dissemination of knowledge about forming healthy way of life the hygienic upbringing and education of population should take place.

The hygienic upbringing and education shall be carried out in the process of:

Upbringing, educating students and children, training, retraining and increasing the qualification of employees by including the chapters of hygienic knowledge into curriculum;

Professional hygienic training and attestation of officials and employees of organizations (individual entrepreneurs), which character of activity is connected with the production, keeping, transportation and selling of food raw materials and food products and drinking water, upbringing and educating children, communal and domestic services of population.

### **Article 36.** Compulsory Medical Examinations

For purposes of protection of population's health, of prevention of professional poisoning and illnesses, accidents, provision of work safety, prevention of spreading the infection and parasitic diseases the employees of some professions, productions and organizations shall have compulsory preliminary (before they start working) and periodical (in the course of the working activity) medical examinations in accordance with the legislation of the Republic of Belarus on labor.

The order of holding the compulsory medical examinations of employees shall be established by the Ministry of Health of the Republic of Belarus with the agreement of Ministry of Labor and Social Protection of the Republic of Belarus.

A person that did not have the compulsory medical examination or was recognized ineligible because of the state of health to work or to contact with the harmful substances and unfavorable industrial factors shall not be admitted to that kind of works.

The directors of organizations and individual entrepreneurs shall be obliged to provide the conditions for passing the compulsory periodical medical examinations by the employees in good time and bare responsibility for admitting persons, who did not have medical examination or were recognized ineligible because of the state of their health to work with harmful and unfavorable industrial factors, to work.

The directors of public health organizations shall bare responsibility for ensuring the quality of medical examination.

### **Article 37.** Prevention of Appearing and Spreading of Illnesses

State bodies, other organizations, natural persons, including individual entrepreneurs must in good time and entirely carry out organizational, engineering and technical, medical, sanitary and hygienic, anti-epidemic and other measures with the aim to prevent the appearance and spreading of illnesses and people's poisoning.

If there is the threat of appearance or spreading of group infection and non-infection illnesses and poisonings of people on some territories or in inhabited localities the Government of the Republic of Belarus, local executive and administrative bodies may introduce some specific conditions and regimes of economic activity and people's life.

Operational guiding and coordination of activity of organizations and natural persons, including individual entrepreneurs, on preventing the appearance and spreading of group infection and non-infection illnesses and poisoning of people shall be carried out by the commissions on emergency situations, formed by the Government of the Republic of Belarus and local executive and administrative bodies.

Persons ill with the infection diseases, persons with the suspicion to have such diseases and persons who have had contact with the infection ill people, shall be subjected to medical observation and if it is necessary - to isolation, hospitalization, treatment and vaccination.

Persons, who are the carriers of infection pathogen, shall be subjected to treatment. If these persons can be the source of spreading of infection illnesses because of the peculiarities of production they are involved in or the work they do, they shall be transferred to a different work till they are cured, but if there is no possibility for the transfer, they shall be temporary suspended (till they are cured) from work with a social security payment.

The Ministry of Health of the Republic of Belarus shall determine the list of professions and infection illnesses when the bacteria-carriers present danger to the surrounding people.

### **Article 37<sup>1</sup>.** Sanitary Protection of the Territory of the Republic of Belarus

Sanitary protection of the territory of the Republic of Belarus is carried out with a view to prevent carrying, appearing and spreading of infectious illnesses, their localization and liquidation.

The Ministry of Health of the Republic of Belarus approves the list of infectious illnesses which are covered by the measures on sanitary protection of the territory of the Republic of Belarus.

Sanitary protection of the territory of the Republic of Belarus is provided by the way of:



exercising sanitary and quarantine control;

carrying out complex of administrative, sanitary and hygienic and antiepidemic measures directed to prevention of carrying, appearing and spreading of infectious illnesses;

providing constant readiness of respective state bodies, health care organizations and other organizations for carrying out complex of administrative, sanitary and hygienic and antiepidemic measures directed to localization and liquidation of centers of infectious illnesses;

monitor of agents of infections;

declaring quarantine or introducing other restricting measures;

realizing international cooperation in the field of sanitary protection of the territories.

### **Article 37<sup>2</sup>. Immunoprophylaxis of Infectious Illnesses**

With a view to prevent, reduce the level and liquidate the infectious illnesses the citizens are preventively vaccinated.

The Ministry of Health of the Republic of Belarus approves the list of vaccinations, the order and terms of them and also the groups of population that are to be preventively vaccinated.

### **Article 38. Requirements on Provision of Sanitary and Epidemic Well-being of Population During the State of Emergency**

In case of state of emergency first of all the sanitary and hygienic measures shall be taken, directed to prevention of appearance and spreading of mass illnesses and population's poisoning.

### **Chapter 5. Bodies, Establishments and Officials That Carry out the State Sanitary Inspection, Their Rights and Duties. Main Guarantees of the Officials of Bodies and Establishments That Carry out the State Sanitary Inspection**

#### **Article 39. Bodies and Establishments That Carry out the State Sanitary Inspection**

Sanitary and epidemiologic bodies and establishments of the system of the Ministry of Health of the Republic of Belarus, the Ministry of Defense of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, state association "Belarusian Railroad", Administration of Affairs of the President of the Republic of Belarus carry out the state sanitary inspection.

The Government of the Republic of Belarus determines the order of carrying out the state sanitary inspection and the competence of bodies and establishments that carry out state sanitary inspection.

**Article 40.** Officials That Carry out the State Sanitary Inspection.

Organization and carrying out the state sanitary inspection on the territory of the Republic of Belarus shall be laid on:

The Chief State Sanitary Doctor of the Republic of Belarus-the deputy of the Minister of Health of the Republic of Belarus;

Chief state sanitary doctors of 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, state association “Belarusian Railroad” and Administration of Affairs of the President of the Republic of Belarus;

The chief state sanitary doctors of regions, Minsk, towns, districts, districts in cities;

Other officials of bodies and establishments that carry out state sanitary inspection.

The Minister of Health of the Republic of Belarus shall determine the list of other officials of bodies and establishments that carry out state sanitary inspection, and their competence.

Deputy Minister of Health – the Chief State Sanitary Doctor of the Republic of Belarus is appointed to the post and dismissed by the Government of the Republic of Belarus on coordination with the President of the Republic of Belarus.

Chief state sanitary doctors of regions (oblasts), Minsk City, towns, districts and districts in cities are appointed to the post and dismissed by the Minister of Health of the Republic of Belarus on coordination with relevant local executive and administrative bodies.

Chief state sanitary doctors of 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 and Administration of Affairs of the President of the Republic of Belarus are appointed to the post and dismissed by the head of relevant state bodies on coordination with the Minister of Health of the Republic of Belarus. Chief state sanitary doctor of the Belarus Railroad is appointed to the post and dismissed by the head of the state association “Belarusian Railroad” on coordination with the Minister of Health of the Republic of Belarus.

**Article 41.** The Rights of Chief State Sanitary Doctors

Deputy Minister of Health - the Chief State Sanitary Doctor of the Republic of Belarus, chief state doctors of 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, state association "Belarusian Railroad" and Administration of Affairs of the President of the Republic of Belarus, chief state sanitary doctors of regions (oblasts), Minsk City, towns, districts, districts in cities have the right in an established order:

to introduce to relevant state bodies suggestions on the questions of observance of sanitary and epidemic legislation, and also on the projects of plans on economic development of territories, complex programs on protection of health and human biosphere, directed to provision of sanitary and epidemic well-being of population;

to introduce the suggestions and present decisions to the consideration of the state bodies and other organizations on the issues of provision of sanitary and epidemic well-being of population;

to demand to execute sanitary and hygienic and anti-epidemic measures on eliminating violations of sanitary and epidemic legislation from organizations and natural persons, including individual entrepreneurs, also to carry out the control over their performance;

to entrust the bodies and establishments that are included in the system of Ministry of Health of the Republic of Belarus to carry out of the expertise and consultations on estimation of influence of factors of human biosphere on human health and inform organizations and population about their results;

to ban the carriage, selling and usage of substances, materials and production which were bought by import and which can have potential danger for human health if there are no documents confirming their quality and safety for people's health, if it does not coincide with the sanitary rules;

to hold up the following activities before the necessary measures are taken and the violations of sanitary rules are eliminated and in case of impossibility to observe them to stop these activities:

works on projecting and building of objects and their starting complexes;

operation of active objects, separate industrial workshops, sections, quarters and buildings, constructions, equipments, means of transportation, and also doing of some other kinds of work;

working out, producing, application (usage) and selling of products;

producing, keeping, transportation and selling of food raw material and food products, materials and products that have contact with them, usage of water (sources of water) for drinking, domestic and cultural and sanitary purposes;

to make suggestions to:

relevant state bodies on banning (or introduction of special conditions and regimes on several territories) the residence of people, caring out the economic activities directed to elimination and prevention of spreading of group illnesses and people's poisoning;

banks and non-banking credit and financial organizations, other organizations on suspension of financing (crediting) of works on projecting, building, and also of economic activity of organizations and natural persons, including individual entrepreneurs in case of violation of sanitary rules, instructions of bodies and establishments that carry out the state sanitary inspection, on suspension or stoppage of this activity;

make decisions on:

temporary dismissal from work of people who are the carriers of infection illnesses pathogen and are the source of spreading because of the peculiarities of their work or production process they are engaged in;

carrying out the examination and medical observation after the persons with who had contact with the infection ill persons and can become a source of spreading of infection because of the peculiarities of the work or production process they are engaged in;

compulsory hospitalization of infection ill persons and persons with the suspicion on infection illness that endanger for the surrounding people;

caring out the disinfections, disinsectization and deratization in the center of infection illnesses, and also in the buildings and on the territories where the conditions for appearance or spreading of infection illnesses are preserved;

determination of kinds of inoculations made based on epidemic indications, terms of making them and people subjected to them;

to summon the officials and natural persons, including individual entrepreneurs, for consideration of materials on facts of violations of sanitary and epidemic legislation;

to hear case on administrative offenses and impose administrative penalties for violation of sanitary and epidemic legislation;

to pass the materials on violation of sanitary and epidemic legislation to bodies of preliminary investigation to make a decision about the institution of criminal proceedings;

to make suggestions to the employers on taking measures of disciplinary penalty to guilty ones;

to demand from organizations and natural persons, including individual entrepreneurs, the compensation of harm, caused by their violation of sanitary and epidemic legislation and also the compensation of extra outlays of bodies and organizations of health to caring out the sanitary and hygienic, anti-epidemic, and sanitary prophylactic measures whenever professional, group illnesses and poisonings occur;

to receive information and documents necessary for carrying out the duties laid on bodies and establishments that carry out state sanitary inspection without any charge or limitations from organizations and natural persons, including individual entrepreneurs;

take samples of materials, substances, food products, air, water, and soil for laboratory examination and for carrying out the state sanitary hygienic expertise;

to inspect the conditions of people's residence in order to organize and carry out sanitary and hygienic and anti-epidemic measures;

freely attend at any time and without preliminary notice (showing the official certificate) to organization to carry out the state sanitary inspection.

The Chief State Sanitary Doctor of the Republic of Belarus has also the right to:

determine the priority directions and main tasks of bodies and establishments that carry out the state sanitary inspection according to the existing sanitary and epidemic situation;

coordinate and control the activity of republican bodies of state administration and other state organizations that are subordinated to the Government of the Republic of Belarus in the field of providing sanitary and epidemiological well-being of the population;

present the resolutions to organizations, natural persons, including individual entrepreneurs, on the following:

the results of carrying out the state sanitary and hygienic examination;

documentation while concluding a treaty on carriage of production including food raw materials, food products, food additives, substances and technologies to the Republic of Belarus;

standard curriculums and teaching programs;

other questions provided by the present Law.

#### **Article 42.** Responsibilities of Officials of Bodies and Establishments that Carry out the State Sanitary Inspection

The officials of bodies and establishments that carry out the state sanitary inspection within their competence shall be responsible for:

in proper time and fully usage of their competence on prevention, detection and suppression of violation of sanitary and epidemic legislation;

coordination of their activity with the state bodies and other organizations interested in protection and strengthening the health of population and in providing of the sanitary and epidemic well-being;

protection of state, commercial and other secrets protected by law;

participate in popularization of hygienic knowledge and forming healthy way of life of the population.

**Article 43. Responsibility of Officials of Bodies and Establishments that Carry out the State Sanitary Inspection**

The officials of bodies and establishments that carry out the state sanitary inspection shall bare responsibility for the improper performance of their duties in order established by the legislative acts of the Republic of Belarus.

**Article 44. Appeal of the Actions of Bodies and Establishments That Carry out the State Sanitary Inspection or of Officials of Those Bodies**

The actions of the bodies and establishments that carry out the state sanitary inspection or of the officials of those bodies can be appealed to a higher body or to a higher official, or if not agreed with their decision - to the court.

The appeal does not suspend the action that is appealed.

**Article 45. Main Guarantees of Officials of Bodies and Establishments That Carry out the State Sanitary Inspection**

The officials of bodies and establishments that carry out the state sanitary inspection while performing their duties represent the authority and shall be under the state protection.

Any influence of any kind on officials of bodies and establishments that carry out the state sanitary inspection impeding the performance of their professional duties or interference to their activity shall be banned.

Other guarantees of officials of bodies and establishments that carry out the state sanitary inspection shall be determined by the legislation of the Republic of Belarus.

Chapter 6 was excluded.

**Chapter 7. The Responsibility for Violation of Sanitary and Epidemic Legislation**

**Article 50. Responsibility for Violation of Sanitary and Epidemic Legislation**

For violation of sanitary and epidemic legislation the guilty persons shall be brought to responsibility according to the legislative acts of the Republic of Belarus."

**Article 2.** The Present Law enters into force on the day of its official publication.

**Article 3.** The Council of Ministers shall do the following in a three-month term after the Law has entered into force:

to prepare and introduce in established order the suggestion on bringing the legislative acts of the Republic of Belarus in accordance with the present Law to the House of Representatives of the National Assembly of the Republic of Belarus;

to bring the normative acts of the Government of the Republic of Belarus in accordance with the present Law;

to provide the review and repeal of their normative legal acts, contrary to the present Law by republican bodies of state government, subordinated to the Council of Ministers of the Republic of Belarus;

to provide the adoption of normative legal acts necessary for the implementation of the present Law.

\* unofficial translation \*