

**THE STANDARDS ACT, 2017**

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## GOVERNMENT OF ZAMBIA

**ACT**

No. 4 of 2017

Date of Assent: 12th April, 2017

**An Act to continue the existence of the Zambia Bureau of Standards and re-define its powers and functions; provide for standardisation and quality assurance of products and services through the setting of national standards and provision of conformity assessment services for products and services; repeal the Standards Act, 1994; and provide for matters connected with, or incidental to, the foregoing.**

[13th April, 2017]

ENACTED by the Parliament of Zambia.

Enactment

## PART I

## PRELIMINARY PROVISIONS

**1.** This Act may be cited as the Standards Act, 2017, and shall come into operation on such date as the Minister may, by statutory instrument, appoint.

Short title and commencement

**2.** (1) In this Act, unless the context otherwise requires—

Interpretation

“ associate ” has the meaning assigned to it in the Anti-Corruption Act, 2012;

Act No. 3 of 2012

“ Board ” means the Board of the Bureau established under section 6;

“ Bureau ” means the Zambia Bureau of Standards continued under section 3;

“ certification mark ” means a Zambia Bureau of Standards mark declared under section 26 to be a mark of conformity in relation to a product or service;

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- “Chairperson ” means the person appointed Chairperson of the Board under section 6;
- “commodity ” means an article or product, whether manufactured or not;
- “conformity assessment ” means the procedure used to determine, directly or indirectly, that the relevant requirements of a standard or technical regulation relating to a product, process, system or body has been fulfilled, and includes inspection, testing and certification or a combination of inspection, testing and certification;
- “Director ” means a person appointed as such under section 11;
- Cap. 1 “emoluments ” has the meaning assigned to it in the Constitution;
- Cap. 1 “Emoluments Commission ” means the Emoluments Commission established under Article 232 of the Constitution;
- “Executive Director ” means the person appointed Executive Director of the Bureau under section 11;
- “informative document ” means a document to which reference is made in the standard for information, and for which application can be done without referencing;
- “inspection ” means the examination of a product, product design, process or installation and determination of its conformity with general or specific requirements or on the basis of professional judgement;
- “manufacture ” means to produce, assemble, alter, modify, convert, process or treat;
- “member ” means a person appointed as a member of the Board under section 7;
- “National Enquiry Point ” means the centre that is charged with the responsibility of providing information regarding technical regulations, standards and conformity assessment notified to the WTO as required in terms of the WTO TBT Agreement;
- “normative document ” means a document relating to a standard to which reference is made in a standard in a manner that makes the reference indispensable for the application of the standard;

- “power” has the meaning assigned to it in the Constitution; Cap. 1
- “product” means a commercially distributed good that is tangible personal property, an output or result of a fabrication, manufacturing or production process and passes through a distribution channel being consumed or used;
- “publish” in relation to a *Zambian National Standard*, means making available a publication by printing, electronic, photographic or other means;
- “relative” has the meaning assigned to it in the *Anti-Corruption Act, 2012*; Act No. 3 of 2012
- “repealed Act” means the *Standards Act, 1994*; Cap. 416
- “Secretary” means the person appointed as such under section 11;
- “service” means a service provided for remuneration and at the request of a recipient of a service, and includes the process used to deliver the service;
- “standard” means a document that provides for common and repeated use of rules, guidelines or characteristics for products, services or processes and production methods, including terminology, symbols, packaging, marking or labelling requirements that apply to a product, service, process or production method;
- “State institution” has the meaning assigned to it in the Constitution; Cap. 1
- “Vice-Chairperson” means a person appointed as such under section 6;
- “WTO TBT Agreement” means the *World Trade Organisation Agreement on Technical Barriers to Trade*;
- “WTO” means the *World Trade Organisation*;
- “Zambia Bureau of Standards” means the *Zambia Bureau of Standards* provided for under the repealed Act and continued under this Act; and Cap. 416
- “Zambian National Standard” means a standard approved by the Bureau under this Act.

(2) Except where the contrary intention appears, a reference in this Act to a standard is a reference to the standard as amended.