

THE NATIONAL TECHNICAL REGULATION BILL, 2017

MEMORANDUM

The objects of this Bill are to —

- (a) provide for the principles of, and a framework for, technical regulation that are compliant with best practice and regional and international obligations to which Zambia is a party;
- (b) establish the Department of Technical Regulation in the Ministry responsible for trade;
- (c) provide for the development and implementation of technical regulation for public safety and health, consumer protection and environmental protection;
- (d) provide technical guidance to regulatory agencies on the development, implementation, administration and review of technical regulations;
- (e) domesticate the International and Regional Trade Agreements on Technical Barriers to Trade in order to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles to trade but implement legitimate policy objectives and measures; and
- (d) provide for matters connected with, or incidental, to the foregoing.

L. KALALUKA
Attorney-General

N.A.B. 5, 2017
28th January, 2017

**THE NATIONAL TECHNICAL REGULATION BILL,
2017**

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ENTITLED

An Act to provide for the principles of, and a framework for, technical regulation that are compliant with best practice and regional and international obligations to which Zambia is a party; establish the Department of Technical Regulation in the Ministry responsible for trade; provide for the development and implementation of technical regulation for public safety and health, consumer protection and environmental protection; provide technical guidance to regulatory agencies on the development, implementation, administration and review of technical regulations; domesticate the International and Regional Agreements on Technical Barriers to Trade in order to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles to trade but implement legitimate policy objectives and measures; and provide for matters connected with, or incidental, to the foregoing.

ENACTED by the Parliament of Zambia

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the National Technical Regulation Act, 2017, and shall come into operation on a date that the Minister appoints by statutory instrument.

Short title and
commencement

N.A.B. 5, 2017

Interpretation	2. In this Act, unless the context otherwise requires —	
	“accreditation” means third party attestation for a conformity assessment body conveying formal demonstration of its competence to carry out specific conformity assessment tasks;	5
Act No. 12 of 2011	“adverse” has the meaning assigned to it in the Environmental Management Act, 2011;	
Act No. of 2017	A Bureau” means the Zambia Bureau of Standards established under the Standards Act, 2017;	
	“certification” means the formal substantiation that a product, 10 process, service, organisation or individual meets the requirements of a standard;	
Act No. of 2017	“commodity” has the meaning assigned to it in the Standards Act, 2017;	
Act No. of 2017	“compulsory standard” means a compulsory standard 15 declared under the Compulsory Standards Act, 2017;	
	“conformity assessment” means the demonstration that a product, process, system, person or body meets the specified requirement;	
	“conformity assessment procedure” means a procedure used, 20 directly or indirectly, to determine that relevant requirements of a technical regulation or standard are met, and includes a procedure for sampling, testing, inspection, evaluation, verification, assurance of conformity, registration, accreditation and approval or a combination of these procedures;	25
	“conformity assessment scheme” means the rules, procedures and management for carrying out a conformity assessment;	
	“Department” means the Department of Technical Regulation established under section 5;	30
	“designate” in relation to conformity assessment service providers, means the governmental authorisation of a conformity assessment body to perform specified conformity assessment activities with a public domain responsibility;	35